PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 333

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1998–99

COMPRISING PERIOD
14 June—25 June 1999

£70

HER MAJESTY'S GOVERNMENT

MEMBERS OF THE CABINET

(FORMED BY THE RT. HON. TONY BLAIR, MP, JULY 1998)

PRIME MINISTER, FIRST LORD OF THE TREASURY AND MINISTER FOR THE CIVIL SERVICE—The Rt. Hon. Tony Blair, MP
DEPUTY PRIME MINISTER AND SECRETARY OF STATE FOR THE ENVIRONMENT, TRANSPORT AND THE REGIONS—The Rt. Hon. John Prescott, MP
CHANCELLOR OF THE EXCHEQUER—The Rt. Hon. Gordon Brown, MP
SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS—The Rt. Hon. Robin Cook, MP
LORD CHANCELLOR—The Rt. Hon. The Lord Irvine of Lairg
SECRETARY OF STATE FOR THE HOME DEPARTMENT—The Rt. Hon. Jack Straw, MP
SECRETARY OF STATE FOR EDUCATION AND EMPLOYMENT—The Rt. Hon. David Blunkett, MP
PRESIDENT OF THE COUNCIL AND LEADER OF THE HOUSE OF COMMONS—The Rt. Hon. Margaret Beckett, MP
MINISTER FOR THE CABINET OFFICE AND CHANCELLOR OF THE DUCHY OF LANCASTER—The Rt. Hon. Dr. Jack Cunningham, MP
SECRETARY OF STATE FOR DEFENCE—The Rt. Hon. George Robertson, MP
SECRETARY OF STATE FOR HEALTH—The Rt. Hon. Frank Dobson, MP
PARLIAMENTARY SECRETARY TO THE TREASURY—The Rt. Hon. Ann Taylor, MP
SECRETARY OF STATE FOR CULTURE, MEDIA AND SPORT—The Rt. Hon. Chris Smith, MP
SECRETARY OF STATE FOR NORTHERN IRELAND—The Rt. Hon. Marjorie Mowlam, MP
SECRETARY OF STATE FOR INTERNATIONAL DEVELOPMENT—The Rt. Hon. Clare Short, MP
SECRETARY OF STATE FOR SOCIAL SECURITY—The Rt. Hon. Alistair Darling, MP
MINISTER OF AGRICULTURE, FISHERIES AND FOOD—The Rt. Hon. Nicholas Brown, MP
LORD PRIVY SEAL, LEADER OF THE HOUSE OF LORDS AND MINISTER FOR WOMEN—The Rt. Hon. Baroness Jay of Paddington
SECRETARY OF STATE FOR TRADE AND INDUSTRY—The Rt. Hon. Stephen Byers, MP
SECRETARY OF STATE FOR WALES—The Rt. Hon. Alun Michael, MP
CHIEF SECRETARY TO THE TREASURY—The Rt. Hon. Alan Milburn, MP
SECRETARY OF STATE FOR SCOTLAND—The Rt. Hon. Dr. John Reid, MP

DEPARTMENTS OF STATE AND MINISTERS

Agriculture, Fisheries and Food—
MINISTER—The Rt. Hon. Nicholas Brown, MP
MINISTER OF STATE—Jeff Rooker, Esq, MP
PARLIAMENTARY SECRETARIES—
Elliot Morley, Esq, MP
The Lord Donoughue

Cabinet Office—
MINISTER FOR THE CABINET OFFICE AND CHANCELLOR OF THE DUCHY OF LANCASTER—The Rt. Hon. Dr. Jack Cunningham, MP
MINISTER OF STATE—The Lord Falconer of Thoroton, QC
LORD PRIVY SEAL, LEADER OF THE HOUSE OF LORDS AND MINISTER FOR WOMEN—The Rt. Hon. The Baroness Jay of Paddington
PARLIAMENTARY SECRETARY—Peter Kilfoyle, Esq, MP

Culture, Media and Sport—
SECRETARY OF STATE FOR CULTURE, MEDIA AND SPORT—The Rt. Hon. Chris Smith, MP
PARLIAMENTARY UNDER-SECRETARIES OF STATE—
Tony Banks, Esq, MP (Minister for Sport)
Alan Howarth, Esq, MP (Minister for the Arts)
Janet Anderson, MP (Minister for Tourism, Film and Broadcasting)

Defence—
SECRETARY OF STATE—The Rt. Hon. George Robertson, MP
MINISTERS OF STATE—
Minister for Defence Procurement—The Rt. Hon. The Lord Gilbert
Minister for the Armed Forces—Doug Henderson, Esq, MP
PARLIAMENTARY UNDER-SECRETARY OF STATE—John Spellar, Esq, MP

Education and Employment—

SECRETARY OF STATE—The Rt. Hon. David Blunkett, MP

MINISTERS OF STATE—

Minister for Employment, Welfare to Work and Equal Opportunities—The Rt. Hon. Andrew Smith, Esq. MP

Minister for School Standards—Ms Estelle Morris, MP

Minister for Education and Employment—The Baroness Blackstone

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Charles Clarke, Esq. MP

Ms Margaret Hodge, MP

George Mudie, Esq. MP

Environment, Transport and the Regions—

SECRETARY OF STATE—The Rt. Hon. John Prescott, MP

MINISTERS OF STATE—

Minister for the Environment—The Rt. Hon. Michael Meacher, MP

Minister for Local Government and Housing—The Rt. Hon. Hilary Armstrong, MP

Minister for the Regions, Regeneration and Planning—The Rt. Hon. Richard Caborn, MP

Minister for Transport—The Rt. Hon. Helen Liddell, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Nick Raynsford, Esq. MP (Minister for London and Construction)

Ms Glenda Jackson, MP (Minister for Transport in London)

The Lord Whitty (Minister for Roads and Road Safety)

Alan Meale, Esq. MP

Foreign and Commonwealth Affairs—

SECRETARY OF STATE—The Rt. Hon. Robin Cook, MP

MINISTERS OF STATE—

The Rt. Hon. Joyce Quin, MP

Tony Lloyd, Esq. MP

Geoffrey Hoon, Esq. MP

PARLIAMENTARY UNDER-SECRETARY OF STATE—The Baroness Symons of Vernham Dean

Health—

SECRETARY OF STATE—The Rt. Hon. Frank Dobson, MP

MINISTERS OF STATE—

John Denham Esq. MP

Minister for Public Health—The Rt. Hon. Tessa Jowell, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

The Baroness Hayman

John Hutton, Esq. MP

Home Office—

SECRETARY OF STATE—The Rt. Hon. Jack Straw, MP

MINISTERS OF STATE—

The Rt. Hon. The Lord Williams of Mostyn, QC

Paul Boateng, Esq. MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

George Howarth, Esq. MP

Mike O'Brien, Esq. MP

Kate Hoey, MP

International Development—

SECRETARY OF STATE—The Rt. Hon. Clare Short, MP

PARLIAMENTARY UNDER-SECRETARY OF STATE—George Foulkes, Esq. MP

Law Officers' Department—

ATTORNEY-GENERAL—The Rt. Hon. John Morris, QC, MP

ADVOCATE-GENERAL FOR SCOTLAND—Dr. Lynda Clark, QC, MP

SOLICITOR-GENERAL—Ross Cranston Esq. QC, MP

Lord Chancellor's Department—

LORD CHANCELLOR—The Rt. Hon. The Lord Irvine of Lairg, QC

PARLIAMENTARY SECRETARY—Keith Vaz, Esq. MP

Northern Ireland Office—

SECRETARY OF STATE—The Rt. Hon. Marjorie Mowlam, MP

MINISTERS OF STATE—

The Rt. Hon. Adam Ingram, MP

The Rt. Hon. Paul Murphy, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

John McFall, Esq. MP

The Lord Dubs

Paymaster General's Office—

PAYMASTER GENERAL—Dawn Primarolo, MP

Privy Council Office—

PRESIDENT OF THE COUNCIL AND LEADER OF THE HOUSE OF COMMONS—The Rt. Hon. Margaret Beckett, MP

PARLIAMENTARY SECRETARY—Paddy Tipping, Esq. MP

Scottish Office—

SECRETARY OF STATE—The Rt. Hon. Dr. John Reid, MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Calum Macdonald, Esq. MP

The Lord Sewel, CBE

The Lord Macdonald of Tradeston

Social Security—

SECRETARY OF STATE—The Rt. Hon. Alistair Darling, MP

MINISTER OF STATE—Stephen Timms, Esq. MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

The Rt. Hon. The Baroness Hollis of Heigham

Angela Eagle, MP

Hugh Bayley, Esq. MP

Trade and Industry—

SECRETARY OF STATE—The Rt. Hon. Stephen Byers, MP

MINISTERS OF STATE—

Minister for Energy and Industry—John Battle, Esq. MP

Minister for Trade and Competitiveness in Europe—The Lord Simon of Highbury, CBE

The Rt. Hon. Ian McCartney, MP

Minister for Trade—Brian Wilson, Esq. MP

PARLIAMENTARY UNDER-SECRETARIES OF STATE—

Dr. Kim Howells, MP (Minister for Competition and Consumer Affairs)

Michael Wills, Esq. MP (Minister for Small Firms, Trade and Industry)

The Lord Sainsbury of Turville (Minister for Science)

Treasury—

PRIME MINISTER, FIRST LORD OF THE TREASURY AND MINISTER FOR THE CIVIL SERVICE—The Rt. Hon. Tony Blair, MP

CHANCELLOR OF THE EXCHEQUER—The Rt. Hon. Gordon Brown, MP

CHIEF SECRETARY—The Rt. Hon. Alan Milburn, MP

PAYMASTER GENERAL—Dawn Primarolo, MP

FINANCIAL SECRETARY—Mrs. Barbara Roche, MP

ECONOMIC SECRETARY—Ms Patricia Hewitt, MP

PARLIAMENTARY SECRETARY—The Rt. Hon. Ann Taylor, MP

LORDS COMMISSIONERS—

Robert Ainsworth, Esq. MP

Jim Dowd, Esq. MP

Clive Betts, Esq. MP

David Jamieson, Esq. MP

Jane Kennedy, MP

ASSISTANT WHIPS—
David Clelland, Esq, MP
Kevin Hughes, Esq, MP
Greg Pope, Esq, MP
Mrs. Anne McGuire, MP
David Hanson, Esq. MP
Mike Hall, Esq, MP
Keith Hill, Esq, MP

Welsh Office—
SECRETARY OF STATE—The Rt. Hon. Alun Michael, MP
PARLIAMENTARY UNDER-SECRETARIES OF STATE—
Peter Hain, Esq, MP
Jon Owen Jones, Esq, MP

Her Majesty's Household—
LORD CHAMBERLAIN—The Rt. Hon. The Lord Camoys, GCVO
LORD STEWARD—The Viscount Ridley, KG, GCVO, TD
MASTER OF THE HORSE—The Lord Somerleyton, KCVO
TREASURER—Keith Bradley, Esq, MP
COMPTROLLER—Thomas McAvoy, Esq, MP
VICE-CHAMBERLAIN—Graham Allen, Esq, MP
CAPTAIN OF THE HONOURABLE CORPS OF GENTLEMEN-AT-ARMS—The Rt. Hon. The Lord Carter
CAPTAIN OF THE QUEEN'S BODYGUARD OF THE YEOMAN OF THE GUARD—The Lord McIntosh of Haringey
LORDS IN WAITING—The Lord Hoyle, The Lord Hunt of Kings Heath
BARONESSES IN WAITING—The Baroness Farrington of Ribbleton, The Baroness Ramsay of Cartvale, The Baroness Amos

---

SECOND CHURCH ESTATES COMMISSIONER, REPRESENTING CHURCH COMMISSIONERS—Stuart Bell, Esq, MP

HOUSE OF COMMONS

PRINCIPAL OFFICERS

THE SPEAKER—The Rt. Hon. Betty Boothroyd, MP

CHAIRMAN OF WAYS AND MEANS—Sir Alan Haselhurst, MP

FIRST DEPUTY CHAIRMAN OF WAYS AND MEANS—Michael J. Martin, Esq, MP

SECOND DEPUTY CHAIRMAN OF WAYS AND MEANS—Michael Lord, Esq, MP

CHAIRMEN'S PANEL—

Mrs. Irene Adams, MP, Donald Anderson, Esq, MP, Peter Atkinson, Esq, MP, Joe Benton, Esq, MP, John Butterfill, Esq, MP, Dr. Michael Clark, MP, Frank Cook, Esq, MP, Jim Cunningham, Esq, MP, Mrs. Gwyneth Dunwoody, MP, Roger Gale, Esq, MP, Jimmy Hood, Esq, MP, Barry Jones, Esq, MP, John McWilliam, Esq, MP, Humfrey Malins, Esq, MP, John Maxton, Esq, MP, Mrs. Ray Michie, MP, Bill O'Brien, Esq, MP, Edward O'Hara, Esq, MP, Bill Olner, Esq, MP, Mrs. Marion Roe, MP, George Stevenson, Esq, MP, Bowen Wells, Esq, MP, Andrew Welsh, Esq, MP, Nicholas Winterton, Esq, MP

HOUSE OF COMMONS COMMISSION—

The Rt. Hon. The Speaker (Chairman), Archy Kirkwood, Esq, MP, The Rt. Hon. Sir Peter Lloyd, MP, Dr. Lewis Moonie, MP, The Rt. Hon. Margaret Beckett, MP, The Rt. Hon. Sir George Young, MP

SECRETARY OF THE COMMISSION—M. R. Jack, PhD

BOARD OF MANAGEMENT—

W. R. McKay, CB, (Chairman) (Clerk of the House of Commons), P. N. W. Jennings, CVO, (Serjeant at Arms), Miss J. B. Tanfield (Librarian), A. J. Walker (Director of Finance and Administration), I. D. Church (Editor of the Official Report), Mrs. S. J. Harrison (Director of Catering Services)

SECRETARY OF THE BOARD OF MANAGEMENT—B. A. Wilson (Head of the Establishments Office)

SPEAKER'S SECRETARY—N. Bevan, CB

SPEAKER'S COUNSEL—J. S. Mason, CB, J. E. G. Vaux

SPEAKER'S CHAPLAIN—Rev. Canon A. R. Wright

MEDICAL ADVISER TO THE SPEAKER—Dr. R. Zeegen, OBE, FRCP, MRCS, DObst, RCOG

PARLIAMENTARY COMMISSIONER FOR STANDARDS—Elizabeth Filkin

14 June 1999

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 333**

ELEVENTH VOLUME OF SESSION 1998–99

House of Commons

Monday 14 June 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Europol

1. **Shona McIsaac** (Cleethorpes): What assessment he has made of the effectiveness of Europol in combating organised crime. [85564]

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): Europol is already providing valuable support to member states in their efforts to tackle organised crime. Its role will become even more important when it takes up its full range of activities, which we hope will be on 1 July.

Shona McIsaac: I thank my hon. Friend for that answer. Will she explain the particular role that Europol will play in the fight against drug trafficking? Does she acknowledge that we need the co-operation of European Union member states if we are to be successful in that fight against drugs, and that we shall never be successful if we go it alone?

Kate Hoey: My hon. Friend is absolutely right. The fight against organised criminals who trade in drugs is an extremely important task for Europol, as it was for Europol's precursor, the Europol drugs unit. Recently, there have been some very successful operations in which, as a result of intelligence from the Europol liaison officers, about 207 kg of cocaine was seized in Spain. Europol will be able to do a most important job, which will mean that our streets will be safer and that fewer people will suffer as a result of drugs going into our constituencies.

Mr. John Greenway (Ryedale): Chastened by her party's drubbing in the European elections, when people voted to be in Europe, not run by Europe, does the hon. Lady acknowledge the constructive role of the previous Conservative Government in the creation of Europol, and that the success to which she has just referred is based on co-operation between member Governments? Is it not true that the worst possible development for Europol would be to bring it and the criminal justice system into the competence of the European Commission—a discredited commission that cannot even deal with fraud in its own affairs?

Kate Hoey: It is correct that the previous Government played a most important role in the setting up of Europol, as the hon. Gentleman points out. The United Kingdom was the first country to sign the Europol convention. We are absolutely clear that Europol's powers will be operative, not operational; its staff will not have powers to arrest people or to initiate investigations independently, nor will they operate in the territory of member states, except in a support capacity. In view of that, we can all support the work that Europol will do to make our country safer from criminals—particularly from organised criminals.

Identity Cards

2. **Mr. Dale Campbell-Savours** (Workington): If he will make a statement on the Government's policy towards the use of identity cards. [85565]

The Secretary of State for the Home Department (Mr. Jack Straw): I see no arguments to convince me in favour of compulsory identity cards whereby a failure to carry a card in a public place would become a criminal offence. Subject to that caveat, we keep under review the balance of advantages and disadvantages that national identity cards could bring.

Mr. Campbell-Savours: My right hon. Friend will know that there is wide support among the general public not only for the introduction of compulsory cards, but for voluntary cards to be used as an interim measure. Why does he not now put that matter out for national consultation, through our access to local authorities, to the police and to Departments of State and also by using focus groups, in order to establish the demand and with a view to the early introduction of that excellent system?

Mr. Straw: Experience in other countries, particularly in Australia, shows that, although the public concerned may, in theory, be in favour of a compulsory card, when they are faced with the consequences of compulsion—namely, that it becomes a criminal offence not to have a card with them—there is immediately the potential for substantial and gratuitous conflict between the police and individual members of the public whose crime has been to forget their wallet. At that point, support for a compulsory card tends to wither away rather rapidly. I am open to argument over the matter, but I see no argument whatever that would convince me in favour of such compulsory cards. I fully understand the arguments in favour of voluntary identity cards; such cards are different and all of us carry a large number of what amount to voluntary identity cards. There is a case for bringing together such cards, and we are considering it.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Does the Home Secretary agree that the law-abiding have nothing to fear from the introduction of a national identity card? As he has expressed support for a voluntary identity card, why do the Government not get on with putting one into public use?

Mr. Straw: I was making exactly the point that the law-abiding have nothing to fear from a voluntary card. However, I believe that they would find it rather oppressive if, simply as a result of forgetting their wallet, they were faced with the fact that they had committed a criminal offence. The police were hardly in favour of the idea of such compulsion when the matter was raised by the previous Government. As for the hon. Gentleman's encouragement to me to get on with it, we are indeed considering the matter; we do not need many lectures from a supporter of the previous Government, who published a consultative document in 1995, but did nothing thereafter.

Mr. Denis MacShane (Rotherham): Is my right hon. Friend aware that to focus on compulsion might be the wrong approach? Many people would like to have an identity card issued by the Government that authenticates one's age and identity—first, for the purposes of age identification and, secondly, to facilitate travel. People in the rest of Europe travel on ID cards without having to wait for a passport—something which many of my constituents tell me is a problem at the moment. Given that 30-odd new Tory Europhobes are now to be going to and from Europe, would it not be helpful, before they go native, to give them an ID card to remind them that they are still British?

Mr. Straw: Yes—and we would make sure that it had the Union flag on it.

Turning to the 99 per cent. of my hon. Friend's question that was serious, I think he is right to say that, in many ways, the debate about whether cards should be compulsory is a diversion. I see few merits in making failure to carry a card a criminal offence; if that is accepted, we can move on to a serious debate on the circumstances in which a general identity card could be introduced.

Mr. A. J. Beith (Berwick-upon-Tweed): I welcome the Home Secretary's recognition that there are strong objections to making the rights of citizenship dependent on carrying a particular Government identity document, but does he also recognise the practical difficulties? Is the Government machine capable of issuing large numbers of identity cards, given that there are thousands of people queueing in the streets of Liverpool and tens of thousands who cannot obtain a passport in time to go away on holiday? What would such problems be like if they were all waiting for an identity card?

Mr. Straw: Let me make it clear, as has the Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), that I greatly regret the administrative problems that have arisen in respect of the issue of passports following the introduction of the new information technology contract. We are working hard to clear the backlog: many hundreds of thousands of passports have been issued, and the introduction of a fast track has been almost completely successful in ensuring that people receive their passports, if they put on the application form the date by which they have to travel.

Mr. James Clappison (Hertsmere): Is not the Home Secretary being somewhat complacent about the question of passports? Is not the hon. Member for Rotherham (Mr. MacShane) right—uncharacteristically and in only one respect—to say that it would be a matter of concern if the Passport Agency were to be responsible for the administration of identity cards? Will the Home Secretary give a guarantee that people—especially the people of Liverpool—will not be put through the trauma and worry of waiting for their passports to be returned by that agency? Have not the Government managed to isolate British citizens who want to travel—isolate them from Europe and from anywhere else—through their incompetence in the administration of the system?

Mr. Straw: No, I do not accept that. I am not in the least complacent about the problems that have arisen and there was no suggestion of complacency in my answer to the right hon. Member for Berwick-upon-Tweed (Mr. Beith). I deeply regret the fact that the administrative problems have arisen, and we are doing all that we can to overcome them. Sadly, the introduction of large-scale IT contracts in both the public service and the private sector is all too frequently followed by such

administrative problems. The agency is recruiting 300 additional staff to reduce the arrears, and we hope to overcome the problems shortly.

Crimestoppers

5. **Mr. Paul Goggins** (Wythenshawe and Sale, East): What action he is taking to support Crimestoppers. [85568]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): We greatly appreciate the work of Crimestoppers, especially the way in which it allows the anonymous reporting of crime. Ministers attend Crimestoppers events to support its work whenever possible—indeed, I attended a national conference in Birmingham in November. We are holding discussions with Crimestoppers about ways in which we might work together and support it in its work.

Mr. Goggins: In thanking my hon. Friend for his answer, may I point out that one in six of all the cases leading to arrest and charging carried out under the auspices of Crimestoppers have occurred in Greater Manchester? Does he agree that the two main reasons for that success are, first, the good quality of media coverage and, secondly, the high level of support from Greater Manchester police, which provides three full-time detectives as its contribution to Crimestoppers? Will he encourage other police forces to follow the example of Greater Manchester police? Will he consider the possibility of Home Office funding, both for joint projects with Crimestoppers, and to cover some of its core costs?

Mr. Howarth: I join my hon. Friend in congratulating the Greater Manchester police on the work that they do in co-operation with Crimestoppers. That kind of partnership between different agencies and the police is important if we are to combat crime successfully. I understand that Crimestoppers has not yet made any specific formal request to the Home Office for direct funding, but obviously any such request will receive serious consideration. I remind my hon. Friend that we are discussing with Crimestoppers how we can support its work, which we take very seriously.

Organised Crime (EU Enlargement)

6. **Caroline Flint** (Don Valley): What plans he has to ensure that applicants to become European Union members meet the required standards in combating organised crime. [R] [85569]

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): The United Kingdom is doing its utmost to ensure that the applicant states meet the required standards laid down by the European Commission in the area of justice and home affairs matters. Measures to combat organised crime form a major part of those requirements. United Kingdom law enforcement agencies are playing a major role in providing training and assistance under the European Union twinning programme and other United Kingdom initiatives to help ensure that standards are met.

Caroline Flint: As the Minister will be aware, organised crime knows no national boundaries. Will she outline how training and assistance will be applied to ensure that there is proper adherence when countries become members of the European Union?

Kate Hoey: The United Kingdom has been selected to lead four twinning projects on organised crime and related policing matters in Hungary, Slovakia, Romania and Poland and to participate in a fifth in the Czech Republic. That is a recognition of the United Kingdom's law enforcement capabilities and how good our law enforcement is. We will try to encourage EU applicant countries to examine their training and support systems and their accountability and, as my hon. Friend said, to consider the main benefits that will accrue from improving law enforcement agent capabilities through nations joining to fight organised crime effectively as a partnership.

Mr. Desmond Swayne (New Forest, West): Will the Minister assure the House that the Government will resist extending corpus juris—which is alien to the concept of habeas corpus—to the justice systems either of EU applicant countries, as a condition of membership, or of existing member countries?

Kate Hoey: Yes, the hon. Gentleman has my full assurance.

Licensing Laws

7. **Mr. Brian Jenkins** (Tamworth): What discussions he has had with the parliamentary beer club about its research into licensing laws. [85570]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): I met club representatives on 2 July 1998 and 27 January 1999 to discuss how they could contribute most helpfully to the Government's review of licensing laws. The club has been examining licensing systems abroad and is developing its own ideas for reform. I look forward to receiving the club's report, and I am grateful for the advice that it has provided so far about this important subject.

Mr. Jenkins: Does my hon. Friend realise that the extension of hours will benefit the trade in this country and that the change will cause no problems for many well-run organisations? However, is my hon. Friend aware of the term "fun pub"? For many residents who live near such places, they are not fun pubs but neighbours from hell. What extra regulations will my hon. Friend put in place to ensure that those residents' quality of life is not diminished further? How can they be sure that their normal life will continue?

Mr. Howarth: My hon. Friend raises a serious problem that deserves our proper attention. The aim of the current review is to balance residents' legitimate concerns—not only about fun pubs but about any licensed premises near their home where there may be disturbances at closing time or at other times—with other people's right to enjoy themselves at a time that is convenient and fits in with how they want to lead their lives. We want a licensing system that is robust enough to defend residents while allowing people to exercise their market choice as consumers.

Mrs. Jacqui Lait (Beckenham): Is the Minister aware of the beer club's research into the smuggling and bootlegging of beer? Does he agree that the problem undermines the rule of law and is becoming increasingly costly to police forces throughout the country, particularly in big cities? Will he give the House an idea of what the Home Office is doing to combat that crime caused by the Treasury?

Mr. Howarth: The hon. Lady is right to say that the smuggling of beer and other products to evade duty is a serious problem, and we all probably have some constituency experience of that. Young people are often a target group for those smugglers, and we have a serious programme to try to make it harder for anyone to sell alcohol to young people. My Treasury colleagues are aware of the difficulties and of the amount of revenue that is lost, and they are working on ways to combat that serious problem. The hon. Lady is right to draw attention to it, and we have plans to tackle it in the near future.

Domestic Violence

8. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on help offered by his Department to victims of domestic violence. [85571]

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): We have launched an awareness campaign; we have improved funding for the Women's Aid Federation and victim support; we have implemented provisions in the Protection from Harassment Act 1997 and the Family Law Act 1996 and we are speeding up justice for victims and protecting vulnerable witnesses.

Mr. Chapman: Violence against women in the home represents a quarter of all violent crime. Does my hon. Friend agree that this scourge needs to be tackled, that it must be given priority and that there must be partnership between agencies and the Government? Will she join me in welcoming the initiative to be launched on Merseyside next month, "zero tolerance for women and children", which will attempt to tackle the problem on that basis?

Kate Hoey: My hon. Friend is right: 25 per cent. of all violent crime is perpetrated against women and it has to be tackled at the highest levels and with the greatest co-operation between all agencies. Of course we welcome all the many initiatives around the country, and I welcome particularly the zero tolerance campaign to which my hon. Friend refers.

Elderly People (Assaults)

9. **Mr. Bill O'Brien** (Normanton): What recent reports he has received from police forces in England on attacks on elderly people; what advice he gives to the police on protecting the most vulnerable members of society; and if he will make a statement. [85572]

The Minister of State, Home Office (Mr. Paul Boateng): The Government, through the Crime and Disorder Act 1998, have encouraged the police and local authorities to work in partnership with other local organisations to tackle crime against the elderly where that has been identified as a local problem. There are many examples of successful local initiatives to deal with bogus callers and those who commit other crimes that particularly affect the elderly, including the doorstep code introduced by the West Yorkshire police, which has made a particularly valuable contribution.

Mr. O'Brien: I thank my hon. Friend for that response and also for his Department's effort and its provision of £50 million for the next three years to try to help communities that have high burglary rates. I am concerned about the number of elderly people who feel isolated and socially excluded for want of better street lighting and better lighting around their premises, and more secure doors and windows in their homes to try to prevent people from breaking in and attacking them. It was recently reported that an elderly widow had been murdered in her home, and over the past two years, two of my elderly constituents have been murdered in their homes. My local newspaper regularly reports that elderly people have been attacked, mugged and threatened by people in their community. We need to concentrate more on protecting the most vulnerable people from those bullies.

Mr. Boateng: My hon. Friend rightly identifies crime against the elderly as being essentially a quality-of-life issue for the elderly. There can be nothing more debilitating for an elderly person than the fear that when they go down the road to pick up their daily paper they will return to find that their house has been burgled, or that they will be subjected to harassment while they are going to or from their home. That is why my right hon. Friend the Home Secretary introduced the Crime and Disorder Act and why we are placing particular emphasis on target hardening.

Part of the £50 million that will underpin the Crime and Disorder Act will be spent on providing the nuts-and-bolts practical advice and assistance to which the elderly are entitled. That will give them the proper sense of safety and security in their home.

Mr. James Gray (North Wiltshire): Does the Minister agree that not only such worthwhile initiatives but sentencing policy should take care of the most vulnerable in our society—the elderly and the very young? Is he aware of a very alarming case in Swindon, which was announced, I think this morning, of the release into my constituency on three years' probation of a paedophile who has been convicted of 17 separate offences against very young children? Does he agree that that sends out the wrong message to paedophiles, and a very alarming one to mothers of young children in my constituency?

Mr. Boateng: It would be wrong of me to comment on an individual case, but I would be only too happy to meet the hon. Gentleman to discuss sentencing policy generally, because this House will wish the clearest message to be sent to those who prey on the vulnerable—be they young or old—that they will be punished, and punished severely, when they offend in such a way.

European Elections

10. **Mr. Martin Linton** (Battersea): What measures he proposes to increase participation in elections following the result of the European elections. [85574]

The Secretary of State for the Home Department (Mr. Jack Straw): The turnout for most countries in Europe fell significantly for these elections, including in some countries—notably Austria, Finland and Germany—by a greater margin than that in this country. Disappointingly, the United Kingdom level was none the less the lowest of any member state, reflecting in part a wider problem with turnouts in the UK. The Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), has been chairing a working party on electoral procedures, on which the main Opposition parties are represented. That will be making a number of recommendations that are intended to improve turnout.

Mr. Linton: Does the Home Secretary accept that Britain is now the apathy capital of Europe, with the lowest turnout in Europe and, indeed, in any European election, ever? Does he also accept that that cannot be blamed on the voting system, since on the very same day, we had the lowest by-election turnout since the war—the lowest peacetime by-election turnout since 1919—and only a month ago, we had the lowest local election turnout for at least a quarter of a century? None of the major parties can draw any comfort from the results, since all voting figures were lower than those for the previous European election. Indeed, the votes for Labour and the Conservatives were the lowest ever in a European election. Even after the counts in Northern Ireland and Scotland, the Tories will have had their lowest vote ever. So, every party should support the measures—

Madam Speaker: Order. Does the hon. Gentleman realise that he is supposed to be putting a question and not making a statement? I should be glad if he would pose his question to the Home Secretary—and immediately.

Mr. Linton: Will my right hon. Friend the Home Secretary make proposals to encourage voter participation through measures including early voting at any time in election week, postal and proxy voting on demand, all-year voter registration, weekend voting, citizenship education in schools and perhaps also lower council tax for those who have voted?

Mr. Straw: My hon. Friend is entirely right—there ought to be consensus on this among all parties—that, irrespective of the voting system used, there is a need for us to ensure rising participation in British elections and British politics. I am pleased to say that the working party chaired by my hon. Friend the Under-Secretary is not only considering, but will be making recommendations on, a more imaginative approach to election systems. We must remember that arrangements for the current electoral system were set in the 19th century and have hardly been altered since then. We must bring them up to date for the 21st century.

Recommendations will include ideas about voting in supermarkets, railway stations and shopping centres, the possibility of weekend voting and the much more extensive use of postal voting, including electronic voting as well as use of the Post Office. All such proposals require very careful examination and support from all political parties if we are to raise participation in British politics.

Dr. Julian Lewis (New Forest, East): In the spirit of cross-party consensus and co-operation engendered by the introduction of the dreadful proportional representation system, may I give the Home Secretary a tip for free? If he wants to increase participation in future European elections, let the Labour party take a leaf out of the Conservative book and bring its position into line with the views of 60 per cent. of the people, who do not want this country to enter the single European currency.

Mr. Straw: As ever, I am grateful to the hon. Gentleman for his gratuitous advice—*[Interruption.]* I quite understand Conservative Members' excitement. In Labour's 18 years of opposition we had such moments, when we thought that victory had finally arrived, and all too often we discovered, the next day, that life returned to normal and we faced another 17, 16, 15 or 14 years of Conservative rule—so I sympathise with Conservative Members. I congratulate them on their victory in these European elections; they should savour the day. Meanwhile, we will return to the business of governing the country.

Mr. Dennis Skinner (Bolsover): But would it not be wise of the Home Secretary to learn the lessons of what happened on Thursday? There were several. One is that it is pretty clear that proportional representation is not a very good idea in Britain, even if it is in some other parts of Europe. I know that my right hon. Friend is not a paid-up member of those who are for proportional representation. He should also remember that the British people do not go a bundle on the Common Market. The third—and perhaps the most important—lesson is that it is high time that the Labour Government paid a little more attention to their hard-core working-class old Labour vote and perhaps not so much to those who live up long winding drives with pampas grass 12 ft high.

Mr. Straw: I pay considerable attention to the fine category of Labour voters that my hon. Friend mentions. There are not many gravel drives in Blackburn—although there are some—and there is certainly little in the way of pampas grass. On systems of proportional representation, I believe that the House must take note of the fact that, following decisions in which the previous Government were complicit, this country has been required to introduce a common system for elections since 1979 and, following the treaty of Amsterdam, has been required to introduce—[Hon. Members: "That's yours."] Hang on; I know that it was our responsibility, but I do not recall any objections being raised by Conservative Members—[Hon. Members: "What?"]—to this bit. Common principles have been introduced for elections, but scope remains for adjustment of the systems used. As I told the House during the passage of the European Parliamentary Elections Bill last year, we shall establish a review of electoral arrangements—quite apart from the working party chaired by my hon. Friend the Under-Secretary of State, which will obviously examine those arrangements.

Mr. Dafydd Wigley (Caernarfon): Is the Home Secretary aware that among the highest turnouts last

Thursday were those in the elections in Wales, but that they were also far from satisfactory? Does he recognise that turnout was higher in those constituencies where parties were proactively involved in campaigning? In his review, will he consider having an open list, not a closed list, because the identification with an individual certainly leads to a higher turnout? Finally, will he bear in mind the need to consider the requirements of disabled people in particular, so that they can turn out to vote more easily, not only in European elections but in all elections? I believe that the Home Office has a meeting on that subject this afternoon.

Mr. Straw: The right hon. Gentleman is quite right to draw attention to the relatively high turnout in Wales, which, at 28 per cent., was the highest of any part of Great Britain—we do not yet have the Northern Ireland results. That was impressive. The nature of the list system used is a matter for the House. We had many debates about that before the passage of the European Parliamentary Elections Act 1999, and I rather expect that those debates will continue.

The right hon. Gentleman is right to raise the issue of making it easier for disabled people to vote. That is one of the reasons why I believe that there is a strong case, although it may require legislation, for greatly extending the facility of postal voting, including electronic telephone postal voting.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The Home Secretary will remember that he promised us a review. We think that it is an excellent idea, and we hope that he gets on with it and throws out most of the rubbish that we are stuck with at present. Will he bear in mind the fact that there is no doubt that the British voter positively dislikes closed lists? Voters want to know which representative they are voting for. Some of us who voted Labour were strongly, strongly tempted to strike out one or two names on the list, and had great difficulty resisting that temptation.

Mr. Straw: Even had my hon. Friend done so, it would not have spoilt her paper. She should bear that in mind.

Mrs. Dunwoody: Now he tells me.

Mr. Straw: Without reworking old arguments, which will clearly become new arguments, it is worth pointing out that even under the closed list, people knew who they were voting for, and that each of us, including my hon. Friend, was elected under a closed list, if by that she means a system whereby the party puts forward the candidate for election, not the individual voter choosing the candidate from a particular party.

Sir Norman Fowler (Sutton Coldfield): There will be a great deal of sympathy with the comments of the hon. Member for Bolsover (Mr. Skinner) about the Government's policy. May I make it clear to him that there is an open door to new recruits, from wherever they may come.

On the voting system, will the Home Secretary confirm that had the elections been on the first-past-the-post system, Labour would have lost even more seats last night than it did, which is why so many Labour Back Benchers are so twitchy today, and that the Liberal Democrats would have been entirely wiped out?

Mr. Straw: That all depends on one's assumption. Others on the Conservative Benches, and probably even the right hon. Gentleman himself, were arguing that first past the post would have led to an increase in turnout, in which case Labour would have done better under the closed list, rather than worse. Whatever else one says about the closed-list system, never in the history of British politics has there been an act of greater generosity by a governing party to both opposition parties than our introduction of the closed list.

Sir Norman Fowler: The right hon. Gentleman has obviously misunderstood what happened in the elections. If they had been conducted under the first-past-the-post system, the Conservatives would have won more, not fewer, seats, and his party would have lost more. Does he not understand that?

The answers to my questions, which the right hon. Gentleman was unable to give, were yes and yes. Will he concede that we had debate after debate on the Floor of the House in which, although we opposed the closed-list system, the Liberal Democrats did not? I believe that they will concede that. *[Interruption.]* Do they have loss of memory, as well as loss of seats? Is it not clear that the closed-list system has been rejected by the public, just as certainly as they have rejected the Government's policy on Europe?

Mr. Straw: I am confused by the right hon. Gentleman's question. If he is claiming victory for the Conservative party's results under the closed-list system, it is difficult for him also to argue that the Conservative party has somehow been rejected, having been elected under that system. He is right to say that the Conservatives opposed the closed-list system. So far as I recall, so too did the Liberal Democrats. That is a matter of record, as the right hon. Member for Berwick-upon-Tweed (Mr. Beith) will remember. There were many arguments in favour of the closed-list system, and he will recall that I advanced them to the complete satisfaction of my right hon. and hon. Friends.

Police Funding

11. **Mr. Gareth Thomas** (Clwyd, West): What research he has commissioned on the impact of increases in funding of police forces on their performance. [85575]

The Secretary of State for the Home Department (Mr. Jack Straw): The Audit Commission publishes an annual report on police performance. Her Majesty's inspectorate of constabulary visits each force every year and conducts full inspections of each force every three years, along with regular thematic inspections across forces. The last Audit Commission annual report, published in January this year, found that there was no direct link between increased spending and improved performance in police force areas.

Mr. Thomas: I thank my right hon. Friend for that answer. If there is no such direct link, presumably efficiency has a large part to play in terms of performance.

That being so, what steps does my right hon. Friend suggest could be taken to improve the operational efficiency of the police with a view to making them more visible, particularly in market towns?

Mr. Straw: We have set a challenging but realistic efficiency agenda for the police service. We are asking it to find 2 per cent. efficiency savings, which it then reinvests in its own front-line operational performance. There are many ways in which the police service can improve operational efficiency, not least—but by no means exclusively—by tackling too-high levels of sickness and early retirement through alleged ill health.

Mr. Patrick McLoughlin (West Derbyshire): Does the Home Secretary accept that while examining performance, it is important also to consider whether the police can lock up criminals? With that in mind, will the right hon. Gentleman examine closely a case that was heard last week in Derbyshire when the police, refusing to name an informant, had to drop the case in the Crown court, thus allowing someone charged with a serious crime to get away, to protect the informant? Will he look at this matter, which is obviously very serious?

Mr. Straw: I shall look at the case and I shall be happy to see the hon. Gentleman about it. The disclosure of informants' names is an important and sensitive issue. As the House knows, following proposals from the previous Government, there was broad agreement across the Chamber about changing the rules on disclosure in the Criminal Procedure and Investigations Act 1996. I accept that those rules may need to be strengthened further.

Social Exclusion

12. **Mrs. Joan Humble** (Blackpool, North and Fleetwood): What representations he has received on the role of the voluntary sector in tackling social exclusion. [85576]

The Minister of State, Home Office (Mr. Paul Boateng): The voluntary and community sector has a key role to play in tackling social exclusion. The Government recognise that many voluntary and community organisations have particular skills and knowledge across a range of subject areas and service provision. That is why the Government have entered into a new spirit of partnership with the sector, and why the policy action teams established to take forward the work on social exclusion use and rely heavily on the contributions of representatives from a range of voluntary organisations.

Mrs. Humble: I thank my hon. Friend for that reply. May I encourage him to invite as wide a variety of voluntary organisations as possible to participate in the debate? For example, only a couple of weeks ago I attended a meeting of the Blackpool Women's Aid organisation. It is keen that the work that it undertakes to combat domestic violence is seen as part of the strategy to combat social exclusion.

Mr. Boateng: Domestic violence is a real threat in terms of law and order—we should never forget that it is a crime—and because it has an appalling impact on the immediate victims, namely women. It is usually women who are the subject of domestic violence, along with their children. By all the indices of deprivation—for example, failure at school and mental health problems—domestic violence plays its part, and is seen to do so. Women's Aid and other voluntary organisations have, and will continue to have, a key role in the development of our strategy to combat domestic violence.

Mr. Ian Bruce (South Dorset): Has the hon. Gentleman examined what has happened with regard to the minimum wage legislation as it applies to voluntary organisations? Many voluntary organisations have people who are paid a small amount to help them with their general expenses. As a result, people have been able to volunteer to help at a women's refuge, a playgroup or whatever. Are these organisations being affected by the fact that people are not able to carry on helping them because they have to be paid the full minimum wage, despite the fact that they are happy to volunteer to work for a couple of pounds an hour?

Mr. Boateng: On the contrary, the National Council for Voluntary Organisations supported the introduction of the minimum wage. There is no way that effective voluntaryism can ever be based on poverty wages.

Neighbourhood Renewal

13. **Ms Christine Russell** (City of Chester): If he will make a statement on his Department's role in neighbourhood renewal. [85577]

The Minister of State, Home Office (Mr. Paul Boateng): Officials in my Department are working with colleagues across Whitehall on a range of initiatives to promote neighbourhood renewal. Those include the Government's response to the social exclusion unit's report on neighbourhood renewal, the single regeneration budget and the new deal for communities, all of which are playing an important part in ensuring that neighbourhood renewal and combating social exclusion go hand in hand.

Ms Russell: I thank my hon. Friend for that answer. Will he join me in congratulating Cheshire constabulary, Cheshire county council and Chester city council on working tremendously hard to put together a community safety partnership, which I had the honour of launching a couple of weeks ago? Will he comment on community safety partnerships in general, which, like all the other initiatives he mentioned, will play a part if we are to repair the social fabric of all our communities? We must recognise the vital role that community partnerships can play, because we need not only to repair the social fabric and the bricks and mortar of our communities after 16 years of neglect, but to tackle crime and the fear of crime.

Mr. Boateng: I am obliged to my hon. Friend. I have had the opportunity to visit Chester, and I heard a presentation and saw for myself the excellent work that is being done by the voluntary sector, particularly in relation to drugs and reducing drug use among young people. The local business sector, the police and the local authority are getting together to make a clear and real contribution

to reducing drug abuse in Chester. That is good news for the young people concerned and good news in terms of the effect of drug abuse on crime generally.

Mr. John Bercow (Buckingham): After reflecting on measures to assist the renewal of neighbourhoods, does the Minister agree that, far from being a harmless if self-indulgent activity, the spread of graffiti at bus stops, on the walls of public buildings and in other places is corrosive of the forward-looking spirit and the sense of self-respect that are essential to the regeneration of neighbourhoods? Will he therefore confirm that the Government take a dim view of such behaviour and will introduce tougher measures to root out that unattractive phenomenon in our society?

Mr. Boateng: I agree wholeheartedly with the hon. Gentleman. Such graffiti often represent a form of visual violence that is totally unacceptable. Care and concern for the built environment is central to neighbourhood renewal, and I am glad that so many local authorities across the country are recognising that by establishing 24-hour schemes to deal with graffiti. We need more people to take that approach, and we are determined to encourage and support it through our crime and disorder partnerships.

Asylum Applicants (Support)

14. **Mr. Mike Gapes** (Ilford, South): If he will make a statement on his plans to change the system of support for asylum applicants. [85578]

The Secretary of State for the Home Department (Mr. Jack Straw): As I announced to the House last Wednesday, I have decided to increase the cash amount paid to asylum seekers and to clarify the Secretary of State's responsibilities for the children of asylum seekers.

Mr. Gapes: I welcome that answer, but does my right hon. Friend agree that the best way to help those many thousands of people who flee oppression and discrimination, some of whom come to this country, is to ensure that quick decisions are made about their status so that they do not have to wait months—or years, in many cases—before a decision is made?

Will my right hon. Friend give the House an assurance that renewed, strenuous efforts will be made to sort out the chaotic inheritance that the previous Government left at Croydon, and the incompetent computer system which has caused so many problems for so many of my constituents and others? Will he also do something to deal with the crooks, spivs and racketeers purporting to be immigration advisers—some of whom are solicitors—to get them out of the system? That will make sure that our constituents do not suffer from incompetent, misleading advice and that the legal aid system is not abused by such people.

Mr. Straw: I agree with virtually everything that my hon. Friend said. We are profoundly committed to introducing much faster decision making in the asylum system. We are sticking to the two-months and four-months targets for all asylum applicants from April 2001, but I have already made it clear, in the answer that I gave the House last Wednesday, that we intend to process family cases within two months after the introduction of the asylum support directorate arrangements from April next year.

My hon. Friend is right to refer to the crooks, spivs and racketeers. I am afraid to say that they include too many members of the legal profession who have got rich by manufacturing asylum claims. Part of the purpose of the Immigration and Asylum Bill, which has its Report stage in this House tomorrow and Wednesday, is to crack down on exactly such activity.

Miss Anne McIntosh (Vale of York): We have received the first Kosovan refugees in the Vale of York at New Earswick. The local authority responsible, the City of York, has raised a number of questions concerning the outstanding financial arrangements to be decided by the Home Secretary and his Department. Can the Home Secretary assure us that an early answer will be given?

Mr. Straw: Yes, I can. If the hon. Lady has any further problems on behalf of the local authority, I shall be happy to take them up. I have made it clear that central Government will pay the additional costs incurred by local authorities and the voluntary sector. I understand that my right hon. Friend the Minister for Local Government and Housing will shortly write to all local authorities and voluntary organisations, setting out the detailed arrangements.

Mr. Neil Gerrard (Walthamstow): Although I very much welcome what my right hon. Friend has said about speeding up the system, does he agree that the best way to deal with people who make fraudulent claims is to make a quick decision and to enforce it? If most decisions on families are to be made within eight weeks of their making an application, is it worth setting up what amounts to an alternative Benefits Agency in the Home Office to administer the system, to place them up and down the country, and to issue and redeem the vouchers? Would not it be simpler to restore the right to benefits to families, to make decisions quickly and to enforce them on people who make fraudulent claims?

Mr. Straw: I regret to say that I do not agree with my hon. Friend's assumptions. There is no doubt that the availability of cash benefits in the social security system is a major pull factor that encourages fraudulent claims at port. It is one of the factors that encourages many people whose claims are wholly without foundation to come in clandestinely, particularly to Dover and other south-east ports, from eastern Europe and other countries where they are not under any threat of persecution. They come in principally to claim cash benefits. That is unacceptable, and has placed a disproportionate burden on Kent authorities and on 10 London boroughs, which, between them, account for more than 50 per cent. of asylum seekers being supported by local authorities. I can tell my hon. Friend, who represents one of those London boroughs, that the only practical way to remove the burden from those boroughs and the Kent authorities is to have a national dispersal and asylum support system such as we propose.

Kosovan Refugees

15. **Mr. Nigel Waterson** (Eastbourne): How many Kosovan refugees are currently being accommodated in (i) the United Kingdom, (ii) East Sussex and (iii) Eastbourne. [85579]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): So far, 3,773 Kosovan evacuees have been airlifted to Britain under the United Nations High Commissioner for Refugees programme. Most of them have been housed in the midlands, the north of England and Scotland. However, 12,360 nationals of the former Yugoslavia have applied for asylum in the United Kingdom since 1996. We cannot identify the precise number living in East Sussex or Eastbourne without examining individual cases.

Mr. Waterson: Despite the fact that the Minister cannot give me the current figures, can he project how many of these refugees will eventually be housed in East Sussex and in my constituency? Will he give the House an assurance that there will be the closest and most detailed consultation between central Government and local government to ensure that the arrangements are proper, efficiently handled and put no undue extra burden on overstretched services in particular areas?

Mr. O'Brien: The hon. Gentleman makes a reasonable request. We shall endeavour to ensure that there is full consultation with the local authorities and that they are given as much information as possible about the numbers that they should expect in their area. We shall try to ensure that the arrangements for meeting any additional costs are arrived at after full and proper consultation.

Fiona Mactaggart (Slough): The Kosovan refugees have largely been accepted into hostels and settlement centres. Will my hon. Friend the Minister consider whether that approach might be appropriate for other groups of refugees if it is successful? Will he assure the House that the research unit in the Home Office will look carefully at the consequences of new decisions on support systems so that we learn the lessons of new arrangements for supporting refugees?

Mr. O'Brien: My hon. Friend asks two reasonable questions. I hope that I can give a positive response on both. The voluntary sector's use of reception centres for the Kosovans has been successful. We are looking closely at the lessons to be learned from that. We want to be sure that we get it right when we introduce new systems. We can learn a lot from our experience with the Kosovans. We want to ensure that research into support mechanisms is done effectively and that we learn lessons from it.

Closed Circuit Television

16. **Mr. Tony McNulty** (Harrow, East): What research his Department has commissioned about the effects of CCTV on crime levels. [85580]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Research by the Home Office police research group has shown that closed circuit television reduces crime and, importantly, the fear of crime, particularly when it is deployed as part of a wider crime reduction strategy. We shall assess the effectiveness of schemes that received funding under the CCTV challenge competition as the information becomes available.

Mr. McNulty: I thank my hon. Friend for that answer and congratulate the councils of all parties across the country which have successfully implemented CCTV. I should like assurances on two points. First, should not all subsequent bids be rooted in an understanding of local crime and disorder audits and strategies? Secondly, some independent research has been carried out on dispersal, but far more is needed so that we can be assured that the intuitive view that CCTV simply disperses crime elsewhere is not right.

Mr. O'Brien: I can assure my hon. Friend on both points. We want to ensure that any application for CCTV funding is rooted firmly in the local crime and disorder audits. We also want to ensure that displacement of crime is studied properly. A study commissioned by the Scottish Office of the CCTV system in Airdrie found that there was no evidence of displacement and that there was a genuine reduction in crime as a result of CCTV. We want to build on that, but my hon. Friend is right to say that we need to ensure that research is done on an even broader basis.

Mr. Edward Garnier (Harborough): During the assessment that the Minister mentioned, will he make a comparison between the situation in Market Harborough and that in the borough of Oadby and Wigston, both of which are in my constituency? CCTV was introduced in Market Harborough under the Conservative Government, but the Liberal Democrat borough council in Oadby and Wigston has refused to apply to the Home Office for funding under the previous Government and under this Government. Will he make a point of comparing levels of crime in the two areas so that the benefits can be made clear to the feckless Liberal Democrat council in my constituency?

Mr. O'Brien: That might be an interesting comparison, but the hon. and learned Gentleman should know that when we came to office, there was only £1 million left in the budget for CCTV. We have introduced a £170 million CCTV initiative that involves £150 million for England and Wales, £13 million for Scotland, £4 million for Northern Ireland and £3 million for Wales. That money is tied into a £250 million crime reduction package. We are investing in reducing crime, whereas the previous Government merely talked about it.

WPC Fletcher

17. **Mr. Tam Dalyell** (Linlithgow): If he will make a statement on the progress made in the inquiry relating to the murder of WPC Fletcher. [85581]

The Secretary of State for the Home Department (Mr. Jack Straw): The Metropolitan police have recently completed the report of their review of the evidence surrounding WPC Fletcher's murder and of the allegations made in the "Dispatches" programmes, and I understand that no evidence or intelligence was found to corroborate those allegations. Instead, the review has supported the findings of the original investigation that WPC Fletcher was killed by a bullet fired from the first floor of the Libyan People's Bureau.

Mr. Dalyell: I thank my right hon. Friend the Home Secretary for his sustained personal interest in the matter and for his letter of 3 June. Will the criminal investigation in conjunction with the Libyan authorities take a long time? What is the hoped-for time scale?

Mr. Straw: First, I am grateful to my hon. Friend for his remarks, but I wish to thank him in return for his great forbearance because the investigation by the Metropolitan police took much longer than anybody anticipated. As I said to him in my letter, that is at least testament to the thoroughness with which the review was conducted. I cannot give my hon. Friend a precise answer to his second question, but I am happy to write to him and, as I said in my letter of 3 June, to meet him to brief him in more detail about the nature of the review.

Kosovo

3.31 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): With permission, Madam Speaker, I will make a statement on recent developments on Kosovo.

Today is the fifth day since the entry into force of the military agreement. I can report to the House that Serb forces are leaving Kosovo broadly in line with the phased withdrawal set out in that agreement. Meanwhile, NATO forces have entered much of southern and central Kosovo and are ahead of the planned timetable for their deployment. A quarter of all troops so far deployed are from the United Kingdom—the largest single national contingent. The whole House will wish to congratulate our troops on the professionalism with which they have deployed so quickly and efficiently.

Members of the House will have seen pictures of the spontaneous welcome the troops have received from Kosovo Albanians wherever they have gone. The warmth with which those Albanians have expressed their joy at our arrival speaks volumes for the brutality and the terror from which our campaign has liberated them. For the past two months they have seen their neighbours massacred, their young relatives raped and their homes burnt. Now, they can see a future in which none of those crimes can return to haunt Kosovo.

The presence of the Russian troops around the airport has not interfered with the deployment of NATO forces. Our forces are entering as planned from Macedonia. It is important to keep a sense of perspective on the numbers involved; there are only a couple of hundred Russian troops in Kosovo, compared with 14,000 NATO troops today.

General Jackson this morning had a business like meeting with General Zavarzin, the commander of the Russian troops at Pristina airport. He has just reported that he hopes that agreement can be reached on assimilating the Russian troops into KFOR. Nevertheless, it was plainly unsatisfactory that Russian troops should have entered without co-ordination. Yesterday, I spoke at length to Igor Ivanov, the Russian Foreign Minister, and we agreed that there should be no more surprise moves. He gave an undertaking that Russia would not deploy any further troops without prior agreement. Earlier undertakings about Russian deployments have not all been respected. It is crucial that this undertaking should be fully respected.

Negotiations, led by the United States, continue over how Russia's contribution to KFOR can be integrated into the overall operation. Those have been protracted negotiations. On the Russian side, its military have sought a sector of their own. On our side, we have insisted that any outcome must meet the terms of the peace plan for a single operation with a unified chain of command. There is no provision anywhere in the peace plan for partition of Kosovo.

Several non-NATO countries will contribute to forces in Kosovo. I have always made it clear that we would welcome Russia also working with us as partners in the peacekeeping force, but it must be as part of a single, integrated operation, not as an independent force. That reflects our commitment to liberating the whole, not part of Kosovo.

We now face a major challenge in helping Kosovo to recover from the atrocities of the past year. There are four immediate priorities. First, we must ensure that there is security and safety for all the people of Kosovo, whether Albanian, Serb or from any other ethnic group. KFOR will be alert and robust in ensuring that all Serb forces withdraw from Kosovo within the agreed timetable, which should be completed over the next week. KFOR will also be responsible for the demilitarisation of the Kosovo Liberation Army. I spoke last night to Hashem Thaqi, the leader of the KLA, and stressed that we expect restraint from the KLA as the Serb forces withdraw, and co-operation in our efforts to end all violence in Kosovo.

Secondly, we must provide urgent relief to the hundreds of thousands of displaced persons who have spent the past two months hiding from Serb forces on the hillsides and in the forests of Kosovo. A convoy with much British support delivered humanitarian supplies to Pristina yesterday on behalf of the United Nations High Commissioner for Refugees and is reloading today in Macedonia.

Thirdly, we must manage the return of the masses of refugees who were deported as part of Milosevic's failed plan for the ethnic cleansing of Kosovo. We should not be too glib about refugees returning to their homes. Many of those homes have been blown up or burnt down by Serb aggression. We face a major task in helping the bulk of the refugees to rebuild their homes before the Balkan winter sets in. My right hon. Friend the Secretary of State for International Development has today announced a further £50 million for humanitarian relief, on top of the £40 million already provided.

Fourthly, we must record the evidence of the war crimes that have been committed in Kosovo to enforce its ethnic cleansing. There has already been the horrific discovery of a mass grave containing a large number of villagers massacred at Kacanik. We have already started the deployment of a British police team to Macedonia, in order that the International War Crimes Tribunal can draw on its forensic skill and experience in exhuming victims of atrocities and identifying the cause of death. Although we have brought peace to Kosovo, its people will not live at peace with themselves unless we bring to justice those responsible for such atrocities.

For the immediate future, responsibility for the government of Kosovo will be in the hands of an international civil administration, which will be led by the United Nations but will draw on the contributions of the European Union, the Organisation for Security and Co-operation in Europe and the UNHCR. It will be charged with rebuilding the physical infrastructure of Kosovo, regenerating its economy and supervising free elections to new political institutions. Over a period it will transfer its powers to the local people, in line with our goal of democratic self-government for Kosovo.

From the start of the conflict, the Government have stressed that we want it to be a turning point for the whole region. All Serbia's many neighbours have shown total solidarity with the NATO campaign. We must not now forget the courage and commitment that those Governments showed in aligning themselves with us.

On Thursday I attended the launch of the stability pact, a forum bringing together the countries of the region with the European Union, the United States, Russia and other key international players. I pledged that, for our part,

[Mr. Robin Cook]

Britain would be their partner in helping to accelerate their integration into the modern Europe. To do that we must open up the wealthy markets of the European Union so that those countries can share in our prosperity through increased trade. We must invest in developing their democratic institutions, civic society and open media in order that they can share in our standards of freedom.

We hope that one day the people of Serbia will also be able to share in the benefits from the stability pact, but first it will be necessary for the Government in Belgrade to renounce the policies of Milosevic, which have brought so much violence to their neighbours and so much poverty to themselves. We cannot embrace Serbia in the modern Europe until Serbia embraces our values of belief in the equality of all citizens, irrespective of ethnic identity, and respect for the rights of minorities.

There would have been no turning point for the countries of the region if the international community had not demonstrated that we would not tolerate the brutality and the ethnic cleansing that Milosevic visited on Kosovo. The revulsion around the world at the expulsion of the Albanians from Kosovo is confirmed in the text of the Security Council resolution, which was drafted by the G8 Foreign Ministers over 12 hours of negotiation last week.

The resolution condemns the violence against the people of Kosovo and demands full co-operation with the International War Crimes Tribunal. It meets all our key objectives: the withdrawal of all Serb forces, the deployment of an international military force with a unified command and the return, without hindrance, of all refugees.

There is much hard work still to be done before we have created a Kosovo that will give its people the opportunity to earn their living in peace. The time to celebrate will be when we have settled all refugees in their homes.

However, all those in the House who supported NATO's campaign can be satisfied with an outcome that has vindicated the strategy of the alliance and its resolve to defeat the forces of ethnic cleansing. We have compelled an end to the atrocities in Kosovo and secured for its people a future free from fear. We have shown that the era of forced mass deportation of a whole people belongs to Europe's past, and that we will not tolerate it coming back again.

We promised the refugees that we would take them back to Kosovo under our protection. We now have the opportunity to fulfil that promise, and we will not slacken in our resolve or our determination until we have helped them all to go home.

Mr. Michael Howard (Folkestone and Hythe): I thank the Foreign Secretary for his statement. The whole country has been encouraged by the progress made over the past few days. NATO's resolve to see the action through has yielded substantial results. I congratulate the Government and our armed forces on what has been achieved.

As I am sure that the Foreign Secretary will acknowledge, recent developments also demonstrate the extent of the problems still to be overcome and the difficult decisions that must be taken. I join the Foreign Secretary in paying specific tribute to the crucial role played by General Jackson and to the exemplary performance of the forces that he leads.

Does the Foreign Secretary agree that the ultimate test of success is whether all the refugees feel able to return home across Kosovo? The issue of the composition and deployment of the peacekeeping forces continues to be crucial in this respect. There is obvious concern about the deployment of Russian forces at Pristina airport.

Will the Foreign Secretary confirm that NATO originally planned for British paratroopers to enter Kosovo on Friday morning? Does not article II, paragraph 2a, of the military-technical agreement signed by General Jackson specify that, one day after its entry into force, Yugoslav forces would have vacated zone three and that the international security force would deploy "rapidly" to avoid a "security gap"?

Why were those plans cancelled? Why was a technical and logistical briefing arranged for reporters earlier on Thursday, at which NATO officers would outline the deployment of forces, also cancelled? When did NATO first learn that Russian troops were entering Kosovo?

Is the Foreign Secretary aware that Brcko Radio reported at 10.30 am on Friday that Russian troops had departed from their barracks in Lopare and Zivinice and had crossed the border into Serbia at Pavlovica Cuprija, and that those reports were confirmed by SFOR? Is not it also the case that if, even at that point, British troops had been allowed to move to Pristina, they would have arrived before the Russians? Is the Foreign Secretary aware that a further 150 Russian troops were reported yesterday morning to be waiting at Bijeljina ready to move into Serbia to reinforce Russian troops at the airport?

On the question of the future control of the airport, when does the Foreign Secretary expect that to be resolved? More fundamentally even than that, will he comment on media reports over the weekend that, following the stand-off at the airport, the American envoy Strobe Talbott offered to allow Russia a "zone of responsibility" in Kosovo? Is not that wholly inconsistent with what the Secretary of State for Defence has said in ruling out any suggestion of such a zone in Kosovo, which he described as tantamount to partition of the province?

Will the Foreign Secretary say whether the position in Bosnia, where the Russians are spread across the US-led multinational division (north), is seen as a model for Kosovo? Does he agree that these events have demonstrated once again that any agreements have to be absolutely watertight?

The Foreign Secretary mentioned this morning that the Russian Government provided a commitment over the telephone yesterday that their troops would be integrated into the overall peacekeeping force. When will the terms of that arrangement be finalised? Can he reassure the House that the extent of the buffer zone across the border in Kosovo will be adequate, and will he comment on reports that concessions were made on that issue and on the timetable for the withdrawal of Serbian forces?

There are reports today of further evidence being uncovered—at Kacanik, for example—of horrific war crimes. What arrangements are being made for investigators of war crimes to be given unhindered access to the evidence that they will need?

Last, but by no means least, I welcome today's announcement by the Secretary of State for International Development of further aid for humanitarian relief. Is the

Foreign Secretary satisfied that arrangements are in place to ensure that humanitarian and reconstruction efforts are co-ordinated sufficiently?

Recent events have provided cause for hope in the future in Kosovo. We must ensure that our efforts to secure a lasting settlement that will provide security for all Kosovo's population are not diminished.

Mr. Cook: The Defence Secretary has advised me that there were no plans of the kind described by the right hon. and learned Gentleman for British paratroops. The entry into force agreement prescribes that VJ units will leave from zone three on the first day. Zone three is in the north of Kosovo, adjacent to the Serb border. It was specified for the first day so that the VJ units could show good will and earnest intent by withdrawing into Serbia from the area nearest to it. It was not possible for KFOR forces to occupy the north of Kosovo until forces began to withdraw from the south. There was no way in which to occupy the north without first travelling up from Macedonia.

There has been no security gap. The time of entry into Kosovo by the KFOR forces was determined by the commander, General Jackson, and by no other consideration. It would not have been possible for General Jackson to have reached Pristina airport in advance of the Russian troops for the simple reason that it remained ringed by a large part of the VJ army between the Macedonian border and the airport.

The right hon. and learned Gentleman asked about the negotiations on the military-technical agreement and the buffer zone, and about the time lines. The military had full control on those matters and reached agreements that reflected its practical understanding. I do not regard any extensions of time lines as concessions. They were necessary to provide a realistic time scale for the withdrawal of all Serb forces.

We must recognise that we have substantially reduced the infrastructure during our military campaign. It will therefore take the Serbs a little longer to get out of Kosovo, but get out they will. All of them will have to withdraw. The great advantage of the military-technical agreement is that it provides a day-to-day benchmark by which to measure progress.

I am pleased to confirm that we hope soon to have a scene of crime team in Kosovo. Other nations are considering providing similar assistance to the International War Crimes Tribunal. The team will carry out full investigations of any mass grave or other evidence of atrocity that we uncover, and I fear that we will find much more as we fan out across Kosovo. It was because of British intervention that the Security Council resolution contained a strong demand that all—including the Government in Belgrade—should co-operate with the tribunal.

Finally, I was asked about the arrangements for reconstruction and humanitarian aid. My right hon. Friend the Secretary of State for International Development has collaborated closely with international agencies on those matters. At the Cologne meeting on the stability pact I took the opportunity to speak to Mrs. Ogata, of the UNHCR. We are working hard to try to make all the relevant organisations pull together for a major task. No one should underestimate the challenge or the difficulty of carrying it through.

I thank the right hon. and learned Gentleman for the generosity with which he congratulated the Government and the British forces on what they have achieved during the past few days and in the preceding 10 weeks. There is a long way to go. We must wake every morning alert for the latest trick played by Milosevic. On most days, we will not be disappointed. We have shown in the past 10 weeks that we are more resolved and more determined successfully to see through the campaign. We must now show that we have more resolve and determination than he does to ensure that we win the peace.

Mr. Menzies Campbell (North-East Fife): May I also pay tribute to both the Government and the armed forces for the success of the operation—a success that we see every time we turn on our television sets? Behind the understandably careful language of the Secretary of State would we not be realistic to recognise that the unilateral action of the Russians is a potential source of political embarrassment for NATO? If it were repeated, it could cause disruption and increase tension. Indeed, it might even prejudice the effective administration of Kosovo. Do not those difficulties arise directly out of the ambiguity of the United Nations resolution and the annexes to it? If the right hon. Gentleman has read paragraph 7 of the resolution and paragraph 4 of annexe 2, he will know that they are capable of interpretation that does not provide that NATO should have the responsibility for command and control. How is that ambiguity to be resolved satisfactorily? What intelligence assessment, if any, was made of the likelihood of unilateral action by Russia? If none was made, why not?

Finally, the reports of the massacre that are most recently available to us suggest that on this occasion doctors and nurses may have been systematically murdered. Does that not tell us all that we need to know about those with whom we have been dealing in Kosovo—that they should think it right to take the lives of those whose duty it is to preserve life?

Mr. Cook: I echo the right hon. and learned Gentleman's final remarks. It is important to recognise that Kosovo remains a place of some danger. Our forces will show their full professionalism and alertness in ensuring that they maintain their own self-defence while securing security for the people of Kosovo. I invite the right hon. and learned Gentleman to keep the Russian forces in perspective. They are in one part of Kosovo where there are no Albanians and there is no need to return refugees. At the moment, the Russians cannot leave that part and move elsewhere without an agreement with ourselves. We should not get over-exercised by that being a major impediment to the deployment of KFOR and the work that it is carrying out throughout Kosovo. I agree, however, that the unilateralism with which the Russian troops were deployed is disturbing. That must not be repeated if we are to achieve the confidence, trust and sensible agreement that we need for the management of one co-ordinated, whole and integrated operation. A model is available—the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) referred to it—and that is the Bosnian one. For some years, NATO and Russia have worked side by side in partnership in Bosnia with integration at all levels of command. I was pleased that, yesterday, Igor Ivanov volunteered a reference to the Bosnian model as a way forward in the immediate future. I hope that it will help us to proceed with the assimilation

[Mr. Cook]

of the Russian troops with NATO into KFOR. We want Russia to be there. Frankly, we want a bigger Russian contribution to securing peace in Kosovo, but it is to be integrated in overall operations.

Mr. Donald Anderson (Swansea, East): The Russian swoop on the airfield may not be a major impediment, but it is a possible precedent for problems. Of course, it was right to engage Russia politically and militarily in the solution—it should have been done earlier—but the suggestion that the swoop on the airfield was a misunderstanding strains credulity. Therefore, what lessons have the Government learned in terms of ensuring that there is now a watertight agreement and clear lines of communication to ensure that such misunderstandings, if they arise in future, will speedily be ended?

Mr. Cook: My hon. Friend describes the Russian presence as an impediment, but I repeat to the House that the Russians have provided no practical impediment to the work of KFOR. As I pointed out in my statement, that work is already going on and it is ahead of schedule, not behind schedule.

However, my hon. Friend touches on an extremely valid point: not all the explanations given by Moscow for the deployment of those Russian troops are mutually consistent. We need to achieve clarity in our relations with Russia and in the unified chain of command in order to ensure that there is no repetition of unilateral action. At present, two sets of talks are going on: the talks between General Jackson and his opposite number on the ground about the troops at the airport; and the talks between the United States and Russia about the wider question of the integration into KFOR of the larger Russian contribution that is coming.

Our understanding is that the Russian Government want to find a satisfactory and practical solution to the matter. We should not lose sight of the fact that it is in Russia's interests to solve the problem. It is only a few days until the weekend when all the Heads of Government of the G8 countries will meet in summit; a major part of the agenda should be—and will be—the difficulties of the Russian economy and the need for a closer and better relationship between it and the west. We want to be able to focus on that at the weekend; we know that the Russian Government also want to do that, so there should be good will on both sides to resolve this problem.

Sir John Stanley (Tonbridge and Malling): Does the right hon. Gentleman agree that, were a separate Russian sector to be created and were the Russian forces in that sector to be placed outside the NATO command and control structure, that would, in effect, amount to a de facto partition of Kosovo that—as the right hon. Gentleman rightly pointed out in his statement—is in no way provided for in the peace solution?

Mr. Cook: The reason that negotiations are continuing and have not concluded is precisely because we stoutly resist such a model—for the very reasons given by the right hon. Gentleman. We should recall that one civil administrator will be responsible for the civilian reconstruction of Kosovo. His or her writ will run through all sectors in Kosovo, and he or she will be responsible for bringing together one set of political institutions—including election to one, single Kosovo Parliament. Therefore, it is most important that all military commanders, in whatever sector, recognise the objective of working together to create one, single Kosovo under democratic self-government.

Mr. Dale Campbell-Savours (Workington): This is the third time in 20 years of my membership of the House that Ministers have come to Parliament to announce, in essence, the routing of the dark forces of fascism in different parts of the world—in the Falkland Islands, in Kuwait and now in Kosovo.

My right hon. Friend referred to economic regeneration. Given that we shall be dealing, in effect, with a de facto international protectorate, and given that the relationship between Kosovo and Serbia will now be strained, is it not now necessary to consider the whole question of the future of the currency? Otherwise, we may well find that the reconstruction of the economy of Kosovo is undermined by the problems that exist in wider Serbia.

Mr. Cook: My hon. Friend is absolutely right to say that, in Kosovo, we have witnessed the defeat of fascism. There was no clearer basis for Milosevic's action than the doctrine of ethnic superiority, which we have now comprehensively defeated.

As for my hon. Friend's question, I am not sure that the first thing currently needed by Kosovo is a central bank. There are an immense number of tasks to be carried out in order to ensure that we repair the physical fabric, rebuild homes and get people back there and into their careers. Of course, as that process develops, it will be necessary to work out an economic reconstruction package. The European Union stands ready to assist with that—so too do other institutions of the world community. In Kosovo, we can develop an economy that will provide lessons for the people of Serbia and bring home to them the extent to which they are both impoverished and deprived of freedoms that are now being taken for granted in the rest of Europe.

Kosovo could be a good model and a useful lesson to help to encourage the forces of opposition in Serbia.

Mr. Tom King (Bridgwater): In paying tribute to the achievements of our armed forces and the other forces in NATO, does the Foreign Secretary accept that now is the really dangerous time for them and that the days ahead might pose far greater dangers than any they have faced so far? He calls for an end to ethnic cleansing, and, in the same breath, mentions the scale of the atrocities that are every day being discovered, in the knowledge that they will reinforce in the minds of others the desire for revenge for the atrocities that have been committed against them. Preventing acts of revenge will pose a great challenge to NATO forces.

The right hon. Gentleman proudly paid tribute to the fact that we are making by far the largest contribution to NATO's current land forces, and our forces are likely to remain in the region for some considerable time. Is that predominance of contribution likely to continue?

As for Russia, I have heard some alarming stories of impetuous suggestions—not, I am pleased to say, made by anyone in this country—about how the current difficulties with the Russians might be dealt with. In view

of the confused nature—to put it mildly—of the current Russian Government and the various elements within it, may I strongly suggest that that matter be left to General Jackson for sensible resolution on the ground?

Mr. Cook: I agree absolutely that the issue of the airport is much better resolved by dialogue, which, as far as possible, should take place on the ground among those who can see the situation at first hand rather than from a remote position.

On the question of British forces in KFOR, we expect the large predominance and strong representation of the British in KFOR to be reduced after a number of months, as the rapid reaction corps is no longer needed for KFOR headquarters. We are in the lead during the current operation because we are the designated lead country in the rapid reaction corps.

I strongly share the sentiments expressed by the right hon. Gentleman in his opening remarks. The work is dangerous and no one should underrate the courage needed of our armed forces to enter territory in which there is as yet no secure peace. Our commitment is to create a multi-ethnic, pluralist Kosovo—a place where people of all ethnic identities will feel safe and secure. However, after the past two months of atrocities, that task will be far more difficult than it would have been before. One of the real tragedies for Kosovo and for Serbia is that President Milosevic did not accept the package offered at Rambouillet, which would have given Serbia a better result than it now has, and without any of the pain, bloodshed and brutality of the past two months.

Mr. Tam Dalyell (Linlithgow): The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) specifically asked about Kacanik, where the most dreadful things have happened. Could there also be an investigation into the brutal murder in Kacanik on 28 February of the Serb police inspector, Bogulduk Staletovic, who was doing his best to bring ethnic Albanians and Serbs together? What will happen to any member of the KLA who is found to have been equally brutal? What is NATO's attitude now to its obligations to the protection of those innocent Serbs who may themselves be ethnically cleansed?

Finally, during the debate of 25 March 1999, I asked the Foreign Secretary about relations with the Russians, and especially about the valuable work that he was then doing with the governor of Murmansk and others on the millennium bug—*[Interruption.]*

Madam Speaker: Order. Would the hon. Member whose pager is going off leave the Chamber? Some hon. Member must be guilty. I am sorry, Mr. Dalyell—please continue.

Mr. Dalyell: I was referring to the question of the millennium bug, Murmansk, and the Soviet Arctic fleet. My right hon. Friend the Foreign Secretary replied:

"I am confident that they will want to proceed with what they know is a solution to a pressing problem."—[*Official Report*, 25 March 1999; Vol. 328, c. 540.]

Is that, in fact, being done?

Mr. Cook: Our commitment to protect the people of Kosovo extends to all, including the Serbs. In fact, the evenhandedness of our forces was demonstrated when the Gurkha Battalion disarmed 70 members of the Kosovo Liberation Army whom it encountered in an armed formation.

As to the murder of the Serb policeman to which my hon. Friend referred, it is the remit of the International War Crimes Tribunal to pursue war crimes of all kinds against all ethnic groups. To be fair, the House should note that the tribunal in Bosnia has indicted Serbs, Croats and Bosniaks without respect to ethnic identity.

Finally, I assure my hon. Friend of my personal commitment to taking forward the work at Murmansk on nuclear waste. I am pleased to say that Igor Ivanov has accepted my invitation to visit Britain as my personal guest, and that issue will certainly be high on our agenda.

Mr. Nicholas Soames (Mid-Sussex): First, will the right hon. Gentleman accept that, while the Russians have been handled without great difficulty, their behaviour has been reprehensible and they have taken up much of the time of General Sir Michael Jackson, who has better things to do than worry about them? When the right hon. Gentleman speaks to the Russians at the weekend, will he tell them not only that their behaviour has been reprehensible, but that he expects to see Russia immediately replace its troops from SFOR who have been sent to Kosovo?

Secondly, will the right hon. Gentleman comment on the use of the airport at Pristina? Despite the Russians' presence, can it be used for all forms of military transport and aircraft? If so, will the right hon. Gentleman consider moving one or two of the Harriers so that they might be used sooner? Thirdly, when will the right hon. Gentleman be able to comment more precisely on the disarming of the KLA?

Finally, has the right hon. Gentleman considered speaking to the building industry in this country to see whether it might lend the development service some of its experts on rebuilding? The chaos that will face the refugees upon their return to Kosovo will be terrible to behold and they simply will not know where to begin.

Mr. Cook: I agree absolutely with the hon. Gentleman's last point. All European nations will have to contribute to ensure that we can rebuild Kosovo before winter, and I am sure that the British building and construction industry will be willing to play its part.

The hon. Gentleman expressed certain views about Russian behaviour, but he will understand that it might not necessarily be helpful for me to confirm whether I share that sentiment. We are concerned about the Russian situation, which has consumed a lot of time that we could have devoted to other parts of the Kosovo crisis. I thoroughly endorse his point that the Russians' unilateral arrival in Kosovo is as unfortunate and unhelpful as their unilateral departure from SFOR, where a gap has been left in the Bosnian forces.

We have no present requirement for the airport, nor do we plan to use it. However, it is important that, in the fullness of time, the airport be brought back into use for all members of KFOR and be operated on a multinational, not simply national, agency basis.

Ann Clwyd (Cynon Valley): My right hon. Friend knows that I supported the aims of NATO throughout the

[Ann Clwyd]

war. I obviously support the reconstruction of Kosovo and the assistance that we will give that country and its people. I hope that economic assistance will also go to Montenegro, Albania and Macedonia. Will my right hon. Friend re-examine the decision not to assist Serbia until Milosevic is got rid of? I want to see Milosevic brought before a war crimes tribunal so that he can answer for his war crimes and other crimes against humanity. However, at the same time, I believe that Serbia will join the community of nations faster if we show a willing hand in assisting it to reconstruct and rebuild Serbian lives.

Mr. Cook: I thank my hon. Friend for the consistent support that she has given to our campaign and to our objectives, which she has expressed at all times in the past 10 weeks. I am glad that my hon. Friend mentioned Montenegro because it gives me an opportunity to underline our commitment to that country. President Djukanovic and his Government demonstrated tremendous courage and steadfastness, despite pressure from Belgrade, in bravely standing out against Belgrade's policies and in opening their borders without restraint to refugees from Kosovo. Our agreement with the Serb forces makes it plain that they must withdraw to Serbia, not to Montenegro, and we shall continue robustly to support the democratic Government in Montenegro.

On support for Serbia, a distinction will have to be made. We want to help the people of Serbia. They, too, face the problem of the coming winter, and we must be prepared to provide humanitarian relief where it is necessary and appropriate. But the international community cannot become involved in major economic reconstruction of Serbia while the country is led by the present Government, if for no other reason than that their economic policies would make any such attempt futile and might well result, as in the past, in much of the money that should be spent on Serbia ending up in foreign bank accounts that do not belong to the people of Serbia.

Mr. Bowen Wells (Hertford and Stortford): Which bank account has the £50 million for the relief of refugees, which I very much welcome, come from? Has it come from the Treasury contingency reserve or the reserves held by the Department for International Development? To whom will that money be given and for what purposes? Is it intended to provide prefabricated housing to enable returning refugees immediately to reoccupy their ruined villages and towns and begin reconstruction—and possibly to be part of the work force?

Mr. Cook: The money has just been announced and we have not yet earmarked how all that £50 million will be spent, but we shall take that forward in consultation with agencies, particularly the UNHCR. I am advised that the money comes from DfID's reserves and will therefore be provided without any cost to DfID's programmes in Africa, Asia and poorer countries.

Mr. David Winnick (Walsall, North): Will it be possible for a report on war crimes to be presented to the House and placed in the Library so that the crimes, rapes and atrocities that have taken place can be understood not only by us, but by generations of parliamentarians in the next century? They would then be able to understand why the operation took place and why it was so essential that Kosovo be liberated.

I want to ask my right hon. Friend a question about a matter that he has touched on before. What reassurance can be given, as soon as possible, to Serbian civilians in Kosovo that NATO troops are there as an international force to protect all, and that we will not tolerate any pogroms or persecution of Serbians because we are there to protect all communities?

Mr. Cook: I am happy to repeat my earlier assurances that our commitment is to protect all people in Kosovo, whatever their ethnic identity. Our objective is to create not a single ethnic state, but a multi-ethnic state under the democratic rules and values that we understand.

I shall consider my hon. Friend's request for a report on war crimes and find out whether we can respond to that in the fullness of time. It is important not only that we know what happened in Kosovo, but that the people of Serbia know what happened. Too many of them are still ignorant of what was done in their name in Kosovo, and I am sure that if they fully understood that they would share our repugnance and revulsion. That education is probably an important part of putting Serbia on the road to democracy and freedom.

Mr. Douglas Hogg (Sleaford and North Hykeham): What proposals does the right hon. Gentleman have for the political reconstruction of Kosovo? I am sure that he agrees that there should be an elected Albanian-Kosovar authority in Kosovo as soon as possible. I recognise that it is difficult to have elections before the refugees return, but could he tell the House what proposals he has for the creation of a democratic body in Kosovo? In the meantime, whom does he regard as having authority to speak on behalf of the Albanian Kosovars? Is it Mr. Rugova, is it the head of the Kosovo Liberation Army, or is it someone else; and on what basis does that person have authority?

Mr. Cook: The short answer to the right hon. and learned Gentleman's last question is that it is not for me to decide who speaks for the Kosovo Albanian community. It is for those in that community to decide. Our commitment is to provide a democratic process, with guaranteed free and fair elections, in which they can decide for themselves who they wish to speak on their behalf. In the meantime, until we can achieve that, it would be helpful if all those representatives of Kosovo Albanian opinion were to work together to help us to co-operate with them in the salvation of Kosovo.

On the political structure, the terms of the Security Council resolution are explicit: a political settlement should take account of the Rambouillet accords. They provide for an elected Parliament of Kosovo. To correct the right hon. and learned Gentleman, they provide not for an Albanian Parliament but for a Parliament representing all the ethnic groups in Kosovo. The OSCE will be charged with the duty of carrying out elections for the creation of that Parliament. We will seek to proceed with that as quickly as is reasonable, but it will not be done overnight. The simple task of creating an electoral register in Kosovo following the past two months will itself take some months.

Mr. Robert N. Wareing (Liverpool, West Derby): Should we not be rejoicing at the presence of Russian

troops in Pristina and Kosovo because it not only gives the Serb population in Kosovo a sense of security, but underlines Russia's feeling that ethnic cleansing should go no further in the province? In view of my right hon. Friend's statement that he wants more Russians in Kosovo, should he not be making representations to the Government of Hungary to ensure that Russian troops can be taken into Kosovo, overflying Hungarian airspace?

Mr. Cook: The Government of Hungary, as a member of NATO, will of course permit overfly as and when there is agreement with NATO for those troops to arrive in Kosovo. I reiterate that I would welcome a strong Russian contribution to Kosovo and to the Kosovo force, but the time for rejoicing will be when we have the agreement that enables those Russian troops to take part in an integrated operation with a unified chain of command.

Several hon. Members *rose—*

Madam Speaker: Order. We must now move on.

NEW MEMBER

The following Member made the Affirmation required by law:

Hilary James Benn Esq., for Leeds, Central.

Points of Order

4.19 pm

Mr. David Rendel (Newbury): On a point of order, Madam Speaker. You will be aware of today's planted written question, which has already been answered, on the habitual residence test and its future. Is it not very wrong that, only a few weeks ago, the Government rejected an amendment to the Welfare Reform and Pensions Bill that would have achieved very much the same as today's answer? Is it not also wrong that, given that the matter affects the right to benefits of 20,000 people every year and will save the Government some £20 million a year, the Government decided to release the information in a written answer, rather than making a full statement to the House, which would much better have enabled those whose rights are at risk to realise what is happening?

Madam Speaker: As the hon. Gentleman is aware, it is for Ministers to decide whether to make such announcements by oral statement or by written answer. No doubt the hon. Gentleman, who I know has a keen interest in this, will find ways of following up this issue through the procedures of the House in due course.

Dr. Evan Harris (Oxford, West and Abingdon): On a point of order, Madam Speaker. The House has a great interest in issues relating to the sexual health of teenagers and the education and welfare of single parents. In recent weeks, there have been many opportunities for the Government to present on the Floor of the House their policies on that matter. Although a planted question was answered by the Prime Minister today, is it in order for the Government to leak the information to the newspapers, and to write an article for a newspaper this morning, before presenting the information to the House in a written answer or, preferably, in a statement, so that hon. Members on both sides of the House may hear those important matters first and have an opportunity to question the Government on them?

Madam Speaker: I am aware that the Prime Minister has answered a written question on this issue today. If there has been advance publicity about this, I most strongly deprecate it. Any such publicity could certainly have waited until tomorrow, as far as I am concerned.

Orders of the Day

Health Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 18

ENGLISH AND SCOTTISH BORDER PROVISIONS

'.—(1) Her Majesty may by Order in Council provide for any functions to which subsection (2) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in English border areas, to be exercisable (instead of any corresponding function to which subsection (4) applies) in respect of the provision of the services in question to persons in Scottish border areas who are specified in the Order.

(2) This subsection applies to any functions under the 1977 Act, or Part I of the National Health Service (Primary Care) Act 1997, which are exercisable by the Secretary of State or any Health Authority or Primary Care Trust.

(3) Her Majesty may by Order in Council provide for any functions to which subsection (4) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in Scottish border areas, to be exercisable (instead of any corresponding function to which subsection (2) applies) in respect of the provision of the services in question to persons in English border areas who are specified in the Order.

(4) This subsection applies to any functions under the 1978 Act, or Part I of the National Health Service (Primary Care) Act 1997, which are exercisable by the Scottish Ministers or any Health Board or NHS trust established under the 1978 Act.

(5) In this section—

"English border area" means the area of any Health Authority adjacent to Scotland,

"Scottish border area" means the area of any Health Board adjacent to England.'.—*[Mr. Denham.]*

Brought up, and read the First time.

4.21 pm

The Minister of State, Department of Health (Mr. John Denham): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss Government amendments Nos. 46 and 47.

Mr. Denham: This is the first debate of the Report stage. We had lengthy considerations Upstairs in Committee, and I am sure that we shall cover some of the same ground today.

This new clause and the amendments consequential upon it will enable sensible provision to be made for local health care services at the border between England and Scotland. It is intended that similar provision will be made at the border between England and Wales, but that does not require primary legislation.

Several GP practices located near the England-Scotland border have patients on their lists from both sides of the border. Under the existing arrangements, that means that the general practitioners concerned are part of both the English and the Scottish national health service systems. In commissioning services, in particular, that has created additional burdens on border GPs, which take up time, energy and resources that might be better devoted to patient care. For example, one practice reported having to liaise with six different teams of community staff to cover its scattered population.

The new clause will enable a GP practice and its patients to be dealt with by either an English health authority or a Scottish health board, instead of having to be dealt with by both. Provisions have been made in England at the boundaries between health authorities so that all the patients registered with a GP practice have their services commissioned by a single primary care group. That enables a more coherent approach to be taken to the planning of local health services, simplifies local administrative procedures and avoids duplication of time and effort.

Mr. Michael Fabricant (Lichfield): Would the Minister be kind enough to clarify whether these provisions have been brought forward primarily because of the introduction of primary care groups, and whether, if fundholding had remained, these provisions would have been unnecessary?

Mr. Denham: No. I understand that the problem that we are dealing with dates back to the introduction of commissioning in the early 1990s. At the moment, it affects relatively few patients and GPs; none the less, it is a problem for them.

As the effect of an order under the new clause will be to confer on the Secretary of State or English health authorities the ability to operate in relation to Scottish patients, and for Scottish Ministers and Scottish health boards to operate in relation to English patients, both Westminster and the Scottish Parliament will be able to scrutinise, debate and approve the order. Amendment No. 47 provides that the Order in Council must be laid before, and approved by resolution of, both Houses of Parliament and the Scottish Parliament.

Although relatively few patients will be affected by these provisions—about 3,500 on current estimates—they are important in ensuring that sensible, practical arrangements can be made for the provision of health care in border areas. We have consulted those who will be most affected by the provisions—health authorities, health boards and GPs in cross-border areas—and everyone who responded was in favour of the approach that we propose to take.

I commend the new clause to the House.

Mr. Philip Hammond (Runnymede and Weybridge): The Minister outlined this rather late Government new clause and presented it merely as a tidying-up exercise that would extend to the border between England and Scotland the arrangements already in place for dealing with primary care groups whose populations straddle borders between health authorities in England.

I accept the Minister's underlying premise that practical and administrative difficulties arise for general practitioners whose practices deal with populations in different health authority areas, and that as a consequence they may have to deal with a multiplicity of commissioning arrangements. It is right in principle that we should seek to address GPs practical concerns in a

way that ensures that the service delivered to their patients is effective, meets their patients' expectations and is seamless in its presentation.

Mr. Fabricant: Does my hon. Friend agree that one of the problems that arises from the border areas is the disparity between the amounts of money paid per capita for patients in Scotland, as against those in England?

Mr. Hammond: I thank my hon. Friend for that comment. He anticipates an issue that I shall come to in a moment.

Let me set the matter in the context of the considerable pressure on general practice throughout the country—by that I mean the United Kingdom. The position is no different in Scotland from that in England. Indeed, there is evidence that GPs in Scotland particularly have been feeling the strain over the past few months.

Over the past year, since the Government made widely known their plans for the reorganisation of primary care in the United Kingdom, general practitioners have been alarmed and disconcerted about the prospects for their future. They have been concerned about the sanctity of their status as independent contractors to the national health service, and they have been alarmed on behalf of their patients about their continuing ability to supply the range of services that those of them who were fundholders were privileged to be able to provide under the fundholding regime.

The Government have gone a considerable distance to reassure GPs about their intentions for the future of general practice services. Hon. Members who were privileged to be members of the Standing Committee that considered the Bill will by now be familiar almost verbatim with the terms of a letter written on 17 June 1998 by the Minister of State's predecessor to the chairman of the general practice committee of the British Medical Association. That letter was written in response to the widespread concerns of GPs that the move to primary care groups would impinge upon their freedom to prescribe and refer as they thought fit.

The reason that I raise the matter now is that, despite probing at some length in Committee, we were unable to ascertain whether the commitments made by the Minister of State's predecessor in that letter to GPs in England and Wales were binding in respect of GPs in Scotland. The new clause deals with the situation in which GPs in Scotland may be treating English patients, and GPs in England may be treating Scottish patients.

The tone of the letter of 17 June was reassuring. The Minister's predecessor wrote:

"The ability to offer patients the individual care they require has been and remains the cornerstone of general practice. The new system allows individual GPs to decide what is best for the patient, whether for example to prescribe drugs or refer patients to hospitals, in the light of their clinical judgement. Patients will continue to be guaranteed the drugs, investigations and the treatments they need."

The Minister went on to state:

"There is no question of anyone being denied the drugs they need because a GP runs out of cash."

That comment is made in the context of the new unified budgets for primary care trusts, which will succeed primary care groups in due course. The Minister concluded that paragraph by stating:

"I can guarantee that the freedom to refer and prescribe remains unchanged."

4.30 pm

The difficulty that I and my colleagues who were members of the Standing Committee faced was that although the Minister was able to give assurances that the commitments made in the letter, which referred explicitly and specifically to primary care groups—the precursors to the primary care trusts that will eventually succeed them—would apply also to the trusts when they came into being and would be equally valid, it was not possible for him to give the Committee any such satisfactory assurance with regard to Scotland. As is clear under the arrangements in the Scotland Act 1998, and given the Bill's provisions relating to devolution, it will be for Ministers in the Scottish Executive to make such commitments and to give such binding undertakings.

There are concerns in the GP community on both sides of the border; there are also considerable morale and recruitment problems. We have additional concerns about the position of general practitioners in Scotland. The new clause clearly highlights the potential divergence between the delivery of health services in England and in Scotland. The Minister is creating a population of people who will live and belong in one country but be treated under the rules of the other country.

When the Minister replies to this short debate, perhaps he will confirm that what I have just said is correct and that when an English person is the patient of a Scottish general practitioner and crosses the border into Scotland for treatment, he will be treated under the rules and regulations pertaining in Scotland, not those pertaining in England. In that sense, that patient would be in a distinctly different position from a national health service patient who is treated at NHS expense in a private hospital, where, notwithstanding the fact that he is not in an NHS hospital, the NHS regime for ensuring quality that is in place in the NHS extends to and covers that patient during the period that he spends in a private hospital. It would be useful if the Minister could confirm my understanding that the rules and regulations and the regime of the country where the GP is located will govern the treatment.

That is not an empty question. At present, in many respects the systems and the services are similar on both sides of the border. However, it is possible—in my view and in the view of my right hon. and hon. Friends, it is quite likely—that over time differences will evolve in the regimes that operate north and south of the border. Those differences will be possible because of the responsibility that Scottish Executive Ministers will have in relation to non-reserved health matters and because of the serious discrepancy to which my hon. Friend the Member for Lichfield (Mr. Fabricant) has already drawn attention in the per capita spending on health services north and south of the border.

Mr. Fabricant: My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) has reminded me that there are fund-raising or tax-raising powers in the Scottish Parliament. Discrepancies between the amounts

[Mr. Fabricant]

of money being spent per patient in Scotland as opposed to those in the rest of the United Kingdom could be increased if the Scottish Parliament were to charge 3p extra on income tax.

Mr. Hammond: My hon. Friend is right to observe that, even under the existing block grant system, per capita spending in Scotland is significantly higher than in England, but, as he says, it would be possible for the Scottish Parliament to raise health spending in Scotland still further. If it were minded to do that, given that health is a devolved matter and its responsibility, that would be a legitimate political decision for it to make in the light of the expressed views of the Scottish people. I do not think that we in this place would question its right to do that.

We are considering a situation in which the evolution of divergent services between the two countries, north and south of the border, could accelerate and could become an issue. I shall give the House an example of one of the areas that we explored recently in Committee, about which I had the privilege of asking the Minister some questions.

It is clear that professions supplementary to medicine which are not already regulated under the present system, but fall to be regulated under the Bill, will be subject to regulatory regimes which can be different north and south of the border. It will be perfectly possible for such professions to have different regulatory regimes, under which someone who is entitled to practise north of the border might not be entitled to practise south of the border. It is important that we recognise those possibilities and the fact that discrepancies could occur over time.

One of the most important changes that the Government will introduce to the national health service through the Bill relates to the duty of quality, which is imposed on all health service bodies, and to the duty of co-operation, which is imposed as a statutory duty between health service bodies and between health service bodies and local authorities. We do not disagree in principle with the imposition of a duty of co-operation—it sounds sensible and we have had an opportunity to explore how well it will work in practice—but the duty of quality will be enforced in England and Wales primarily by the activities of the Commission for Health Improvement, which will have a wide-ranging remit to examine NHS bodies' implementation of their quality programme and the way in which they are interpreting the guidelines of the National Institute for Clinical Excellence.

The remit of NICE does not extend to Scotland, however, so once again there will be a discrepancy between the regimes operating in England and in Scotland. Conservative Members will be greatly interested to know what arrangements the Minister intends to put in place to ensure that people who cross the border for treatment or for diagnosis are not in any way caught in the gap between two different regimes.

The remit of NICE will include looking at the clinical and cost efficiency of various drugs and treatments that are, or will perhaps become, available in the NHS. Subject to not anticipating later debates, let us assume that the Bill will remain unchanged, and that the remit of NICE will thus remain unchanged. Yet another problem will arise in respect of the English-Scottish border: once NICE has deliberated, reported and made its recommendations on the appropriateness of a making a drug or a treatment available with regard to its clinical and cost effectiveness, reality will bring us sharply up against the wide discrepancy between per capita funding of the NHS in England and in Scotland.

NICE cannot operate in a vacuum. It is not realistic to assume that the judgments that it may sensibly make in relation to England can be equally applicable in Scotland, where the NHS is differently funded. In case anyone thinks that the differences are minor or insignificant, I shall give the figures, which are interesting. In 1999–2000, expected per capita NHS expenditure in England is £802, whereas in Scotland it is £964.

Mr. Malcolm Chisholm (Edinburgh, North and Leith): That point has been made several times already, and may be made many more times before the night is out. Does the hon. Gentleman recognise that public expenditure should be related to need? If so, does he accept that all the major health indicators show that Scotland is a more unhealthy nation than England?

Mr. Hammond: I would accept the need element, but if one looks around the English regions, it quickly becomes apparent that the regional distribution of NHS expenditure does not directly reflect need, as the hon. Gentleman suggests it should. I am trying to identify the implications of the different funding per capita in the national health service north and south of the border for the effective functioning of these apparently innocuous cross-border arrangements.

Mr. Fabricant: I should not like my hon. Friend to be misled into thinking that areas of deprivation exist only in Scotland. Last Friday, I attended a meeting of the primary health care group in Salters Meadow centre, Rugeley road, Chase Terrace, which became part of my constituency after the boundary change. My hon. Friend may be surprised to know that the standard mortality rate for Chasetown men suffering from heart disease is 207, which is more than twice the national average. The saddest thing of all is that the local Hammerwich hospital, which serves people from Burntwood, faces the possibility of closure as a direct consequence of the abolition of fundholding practices and the introduction of primary care groups. Is not that a disgrace?

Mr. Hammond: I agree with my hon. Friend: it is, indeed, a disgrace. Hon. Members will know of many local pockets of deprivation and health need around England and Wales that are not being dealt with consistently. We are faced with a discrepancy between per capita spending in England and Scotland of a fraction under 20 per cent. On the Government's own estimates, that figure is not intended to go down: it will stay approximately stable. Those planning the delivery of health care in Scotland will have significantly greater latitude than those charged with the task of planning health care in England and Wales. That cannot but have an impact on the systems, and on the availability of treatments and drugs.

The Minister may have a different view, but I cannot see any way in which the proposed cross-border arrangements could be anything other than one-way

traffic. I do not imagine that many Scottish patients will want to be under the regime that will operate in England, given the much tighter financial constraints that it will face. The 20 per cent. difference—£160 per capita—extrapolated across the country would have a huge effect on waiting lists in a typical English parliamentary constituency. It is a significant factor relating to the delays experienced by constituents of hon. Members with English and Welsh seats who are waiting for treatment, and those being told that treatment is not available to them.

I should be interested to hear from the Minister what additional arrangements to deal with the differences in the regulatory structure will be needed to protect patients who are involved in cross-border arrangements.

4.45 pm

Mr. Graham Brady (Altrincham and Sale, West): Before my hon. Friend finishes, I wonder whether he could shed some light on a potential problem with the new clause. Is it not possible for someone to opt to enjoy the Scottish arrangement at one time and the English arrangement at another? Would the clause not institutionalise a situation that the health authorities in the border regions could exploit by offering some services to a lower standard in the knowledge that the people in their areas could just as easily go over the border and benefit from different provision?

Mr. Hammond: My hon. Friend raises an interesting point to which the Minister should reply. I suspect that the Government's intention is that the arrangements should deal with patients who live in a different country from the practice where they are registered.

My hon. Friend's point brings us to initiatives such as walk-in consultation centres, which the Government favour. A variety of other cross-border issues will arise in decisions on where a person belongs and what that entitles them to. If figures are available, will the Minister tell us how many people will be affected? A finite number of people will be involved in GP practices that already have a cross-border element. Has the Minister made an estimate of what the number might rise to as a result of the incentives that the new clause, which I am confident will be incorporated in the Bill, will give patients on the English side of the border to manipulate the arrangements?

Finally, subsection (2) says:

"This subsection applies to any functions under the 1977 Act".

The Minister was kind enough to write to my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) during the closing stages of the Standing Committee. He said that he intended to make provision for the exercise of health service functions across the England-Scotland and England-Wales borders; that the new clause would be designed to put existing practice on a firmer legal footing; and that provision would be made for the exercise of functions under part I of the National Health Service Act 1977 in relation to GP practices that straddle such borders. What is the significance, if any, of the decision to exclude from the new clause the reference that the Minister was expecting to make to part I?

Mr. Fabricant: As my hon. Friend has already said, doctors are alarmed and concerned about the outrageous fact that fundholding practices have been abolished before the Bill is enacted. I shall not on this occasion read at length—there might be opportunities later, in the early hours of tomorrow morning—from an e-mail that I have received from a local doctor. The hon. Member for Tyne Bridge (Mr. Clelland) smiles, because he knows that a number of doctors in Lichfield have access to e-mail and they e-mail me frequently on the issue. I shall simply quote the first line:

"All right, primary care groups do now exist, but there are still more questions than answers."

That also applies to new clause 18.

When I asked the Minister whether the new clause would have been necessary under fundholding, he answered yes. He said that it was a simple tidying-up mechanism, but, if so, why has it been introduced at such a late stage? Are the parliamentary draftsmen at fault? Is the Department of Health at fault? Why has it been introduced at the final stage?

New clause 18 will amend the National Health Service Act 1977. In Committee, my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) pointed out the strange architecture of the Bill. It is so peculiar and difficult to see through that the Department had to produce a consolidated Bill to incorporate the 1977 Act, of which they printed only two or three copies, so that we could attempt to follow how the Bill and previous Acts will be amended. I cannot but be suspicious that the reason for the Bill's strange architecture is to confuse the Members of Parliament who have to scrutinise the legislation and the doctors.

It is also typical that new clause 18 states in the first line:

"Her Majesty may by Order in Council provide for any functions to which subsection (2) applies".

In other words, yet again a blank chequebook is being given by a Bill that contains no detail. Issues will be determined Upstairs in the privacy of a Standing Committee on Delegated Legislation by only a few Members of Parliament and under a time limit.

The Bill is confused, both in its structure and in what it is trying to achieve. The Bill mentions English border areas and Scottish border areas, but it gives no clear definition of those areas. Does it mean five miles either side of the border, or 10?

Mr. Denham: It might be helpful if I point out that subsection (5) of new clause 18 defines English and Scottish border areas in terms of the health authorities and boards adjacent to the border.

Mr. Fabricant: That is helpful. The Minister is, as ever, well informed, but will patients in the area feel that their position has been clarified? As my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) said, patients might find it beneficial to cross the border into Scotland. My hon. Friend the Member for Runnymede and Weybridge gave some figures that suggest that they might. He pointed out that £802 per capita is spent on health care in England and Wales, whereas £964 is spent in Scotland. That shows the differential.

The hon. Member for Edinburgh, North and Leith (Mr. Chisholm) said that there is greater deprivation in Scotland than in England, and perhaps that is so in

[Mr. Fabricant]

general, but there are pockets of deprivation in England and Wales, just as there are pockets of great wealth in Scotland. During the war, my mother was posted to Morningside in Edinburgh, which I believe is quite a wealthy area.

In Chasetown in my constituency, the standard mortality rate generally is 160 for men, which is 1.6 times the national average, and 142 for women. The SMR for heart disease in Chasetown is 192, almost double the national average. The figure for men is 207, and for women 196. The main causes of death are congenital factors, accidents and cancers. To say that such conditions exist only in Scotland would be a huge travesty of the truth.

Why are the moneys being spent in Scotland not also being spent at the same rate in deprived areas of England and Wales?

Mr. Chisholm: The hon. Gentleman has not completely understood what I said. I made a simple point about headline health indicators for Scotland as a whole compared with England as a whole, whereas he is making an entirely different point.

Mr. Fabricant: I am grateful for that clarification. I thought that the hon. Gentleman's point was that Scotland deserves extra money because it is deprived in comparison with England and Wales, with more disease and higher mortality rates. I think that he is now nodding in assent. I am making the same point: deprivation should be taken into account, not only in Scotland but in England and Wales.

Do not we have a national health service? Instead of the service being truly national, serving Scotland, England, Wales and Northern Ireland, it is becoming fragmented and unfair. If an individual is suffering from a complaint, he may be more likely to receive better treatment in Scotland, where more money is available, than in the rest of the United Kingdom. Is not that wrong? Should not money follow the patient, not the nationality?

Dr. Howard Stoate (Dartford): Have not we always had differential spending on health care, depending on circumstances? The resource allocation working party in the 1980s made it clear that money should be allocated in different areas according to need. We currently use Jarman indices to make deprivation payments available to general practitioners. It is wrong to be hung up on the idea that Scotland gets all the money, because different regions have always had different amounts available, dependent largely on need.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Let us not go too far down the road of regional differences. I remind the House that we are talking specifically about arrangements at the border.

Mr. Fabricant: I am grateful for that guidance, Mr. Deputy Speaker.

I agree with the hon. Member for Dartford (Dr. Stoate), who is a GP. However, he reinforces my argument, which is that money should follow need. It should not be allocated according to deals that favour other countries in the United Kingdom over English regions. Why should 20 per cent. more money be available, per capita, in Scotland than in England and Wales? It is not because of need or deprivation, but because of Scottish Office deals with the Treasury.

5 pm

Patients and doctors will have an incentive to use new clause 18 to move from one part of the borders region to another simply to get extra money and care. Who could blame them? Should not parents expect the best care for their children? If that means crossing the border, they will do so. However, as the hon. Member for Dartford said, money should be allocated according to need. It was a shame that the hon. Gentleman—in whose constituency, incidentally, there was a Tory gain in last Thursday's elections—chose not to be a member of the Committee considering the Bill. He is a GP, and his input would have been valuable, but perhaps the Whips decided that he should not be on that Committee—

Mr. Deputy Speaker: Order. The hon. Gentleman must return to the new clause.

Mr. Fabricant: The new clause is confused. As I said, it is not explicit, and the detail will have to be dealt with by an Order in Council. Much is left to the imagination, and the fear is that the Government will take advantage of that lack of detail when they want to make financial cuts.

We have been led to believe that Scotland will enjoy better health care because of devolution, yet a clause in the part of the Bill that deals with Scotland, to which I shall return later, provides that, under the terms of devolution, the Bill can override legislation passed in the Scottish Parliament. It is clear, therefore, that the Government are merely paying lip service to devolution. They are interested in the soundbite and the general principle, but the Bill allows them to overrule the Scottish Parliament in this matter.

Finally, in our deliberations in Committee, a number of acid tests of the Bill emerged, and one is relevant to the new clause. The Government said that they would abolish fundholding. All the GPs in my constituency were fundholders, and so were able to send patients where they could get the best treatment locally. That secured the future of the two local hospitals in my area, the Hammerwich hospital in Walsall and the Victoria hospital in Lichfield.

We asked the Government to include an acid test in the Bill. The Government had said that primary care groups would not mean a reduction in service, so we asked them to include a clause requiring the publication each year of the details of any service that would be withdrawn or added as a result of the replacement of fundholding with PCGs. That would have tested whether PCGs were improving the health service, and new clause 18 would be less relevant. The Government tacitly admit that the abolition of fundholding and the introduction of PCGs will mean a reduction in service, which is why they are introducing new clause 18.

Patients in border areas may have to cross borders, which would not have been necessary under fundholding. The position became clear in Committee. The Minister chanted the mantra—we have heard it from the Secretary of State—that fundholding was unfair and a two-tier

system. We suggested that every doctor should be made a fundholder, but we were told that that would be too expensive. That is an admission that fundholding was about excellence, just as grammar schools were. We cannot afford to make all doctors fundholders, so the 60 per cent. of patients who were treated by fundholding practices—practices abolished even before the Bill has been enacted—will instead receive a second-class service.

The hon. Member for Dartford is scribbling hard and may wish to take part in the debate. On the other hand, he may be told by his Whips to keep quiet. Why was the hon. Gentleman never a fundholder? The answer is ideology, not his patients' needs. He should come to Lichfield to meet my doctors.

Miss Ann Widdecombe (Maidstone and The Weald): Do not ask him to do that.

Mr. Fabricant: I should invite the hon. Gentleman to come while he is still a Member. After the next election, if last night's European results are anything to go by, he will not still sit for Dartford.

Dr. Stoate: My practice never became a fundholding practice because it realised that that system was bad value for money and it did not give patients a good deal. On a point of information, the hon. Gentleman may wish to know that general practitioners in Dartford formed one of the first pilot groups for the switch to primary care groups. About 50 per cent. of those GPs were fundholders, but they voluntarily relinquished fundholding because they realised that PCGs offered far better services for patients in Dartford and Gravesham. By doing so, they provided an extremely effective PCG a year ahead of anyone else. It is providing far better services at far better value for money than any fundholding practice did. That is why the Government are not keen on fundholding.

Mr. Fabricant: GPs know one thing: Labour's huge majority allows the Government to jackboot any legislation through the House. They knew that fundholding would be abolished—

Mr. Deputy Speaker: Order. This debate is not about the merits of fundholding. Would the hon. Gentleman please return to the new clause?

Mr. Fabricant: The introduction of new clause 18 at such a late stage is typical of the way in which the Bill was drafted. Clauses were added at the last minute in Committee, and the new clause—the Government call it simple tidying up—is also being added at the last minute. It is impenetrable, referring to the Bill and to preceding legislation. Yet again, we find a lack of detail. Instead, huge powers are given to the Secretary of State to make decisions Upstairs. Who can wonder that GPs are disturbed? Who can wonder that they doubt the Government's motives? Most important of all, who can be surprised that a MORI poll has shown that 30 per cent. of the population now know that the national health service is not safe in the Government's hands?

Mr. Brady: Such was the rousing reception with which the speech by my hon. Friend the Member for Lichfield (Mr. Fabricant) was greeted, Mr. Deputy Speaker, that I could hardly hear that I was being called to speak. However, the reception was highly deserved as my hon. Friend made an important contribution to the debate. My contribution will be more technical and I will deal with some of the detail of the new clause.

It would be unwise to suggest that I disagree with your suggestion that the debate should be concerned with the border, Mr. Deputy Speaker, but in my view it is not merely about the border areas but about changing the location of the border for certain purposes. The new clause gives rise to grave concern because of the provision for an Order in Council with all that that implies. When the Minister responds, I would welcome some real detail about what the Government intend to put in the order, and therefore, about the implications for people who live in the border area, whether on the Scottish or the English side.

My concern is that for the purpose of primary health care in particular a different border will be applicable. It is not the border that divides England and Scotland, which is obviously one to which people who live near it have grown used and which has a historical basis. People are comfortable with that border. However, the new clause would change the border. For health purposes, the real border will be that of the health authority area adjacent to the border with Scotland.

The new clause would not simply make arrangements relevant to what happens on one or other side of the border, but would in some ways blur the border between Scotland and England. The critical difference in the treatment that a patient receives will no longer depend on whether he lives on the side of the border that benefits from the Barnett formula and the increased health expenditure to which the broad mass of people in the United Kingdom have been happy to consent for a long time. It will depend on whether people live within the boundaries of the health authority or health board that abuts the border on the Scottish side. That provision has grave constitutional implications and it also has implications for the treatment and funding of health care for the people concerned.

As my hon. Friend the Member for Lichfield sought to suggest, expenditure on health care for the citizens of the United Kingdom differs. It depends on where they live and on the GP with whom they are registered. Due to accidents of geography, there is a question mark over the treatments that people can receive in certain areas. I do not want to stray too far away from the border, but I recently dealt with a constituent who was being denied a treatment that his consultant had told him was essential for his future health. Had he lived on the Manchester rather than the Salford and Trafford side of the health authority boundary, he would have been allowed that treatment.

In the new clause, the difference is writ large—it is between those health authority areas that are English and have roughly 20 per cent. less funding to spend on their residents and those that are Scottish.

We now also have a new distinction between health authorities that have the benefit of abutting the border and those that do not. If the health authority area is at one remove from the border, it will have less flexibility in the planning of its arrangements for the provision of treatment for its residents than if it is directly adjacent to the border. In the planning of treatments that might be discretionary and might contain some element of choice—whether

[Mr. Brady]

handed down by the national institute that will be created, or lying within the discretionary decisions currently taken by health authorities—there will be instances in which a health authority could decide that a form of treatment is too expensive to constitute good value. However, that would not be a problem for residents of that area who could cross the border to Scotland where such treatment might be available, at taxpayers' expense. That treatment would be denied to people living on the English side of the boundary.

5.15 pm

Mr. John Bercow (Buckingham): I am grateful to my hon. Friend for giving way because he is making a powerful speech. Does he agree that the phenomenon of differential treatment by postcode that he describes has no basis either in logic or in equity? Does he experience in his constituency of Altrincham and Sale, West the same backlash against that injustice that I experience in my Buckingham constituency?

Mr. Brady: I think that I am probably experiencing the same kind of response as my hon. Friend. More often than not, it comes down to the fact that, if there appears to be a danger that adverse publicity will arise from treatment being denied, then treatment is provided, whereas if a person is prepared to suffer in silence, treatment may never be provided. That is a real concern. It is also a concern that relates to waiting list figures, which, of course, are being massaged throughout the whole country. Many health authorities have a miraculous ability to find it in their powers to treat a patient who makes a bit of a fuss about a long delay in receiving treatment. That is nothing short of a scandal; we are beginning to see a different standard of treatment and certainly a different length of waiting time for treatment, depending on the area in which one lives or on whether one is prepared to make a fuss.

Mr. Hammond: Has my hon. Friend observed—as I have—that the most effective way to move oneself up the waiting list is to get one's name mentioned in the Chamber?

Mr. Brady: I am reluctant to be drawn on that point.

Mr. Deputy Speaker: Order. We are again straying a long way from arrangements on the border. Will the hon. Gentleman return to them?

Mr. Brady: That is why I was reluctant to be drawn by the question of my hon. Friend, Mr. Deputy Speaker.

In relation to the specifics of the new clause, we are exacerbating the situation. We are enshrining in law that it will be not merely a matter for health authorities—depending on where they are in the country—to provide different levels and types of treatment at different costs, but that there will also, in effect, be a statutory system allowing individual patients to make choices that exploit the inevitable anomalies in the treatment systems available. A patient might have the choice of registering with one GP practice or another, or might be able to register with an English GP or a Scottish one. A patient might register with an English GP, but will be aware that Scottish health care facilities may, none the less, be available to him. That is one of the serious question marks over the way in which the new clause was drafted.

The point made by the Minister when he replied to the question put by my hon. Friend the Member for Lichfield relates precisely to the question of which areas the measure applies to. The Minister is right to point out that subsection (5) states:

"'English border area' means the area of any Health Authority adjacent to Scotland,

'Scottish border area' means the area of any Health Board adjacent to England."

However, will he tell us why? What makes that a logical assumption for the purposes of the measure?

In my view, the truly relevant distinctions would be geographically defined far more tightly than simply according to the administrative boundaries of health authorities. The Minister must accept that there might be people living in parts of Northumbria, Cumbria and the Scottish border areas who have no need of the provisions set out in the new clause but who may none the less, derive benefit from them.

Mr. Denham: The reason that those health authorities and health boards are covered is that they encompass practices in which people are registered on both sides of the border. Therefore, those are the sensible health authorities and boards to draw into the legislation.

Mr. Brady: The Minister says that that is the reason for the inclusion of those health authority and boards, but the new clause does not limit the application of the procedures and situations set out in it to those people who are registered with practices which have patients on both sides of the border. In short, the Government are creating a potentially serious anomaly.

I am not familiar with the health authority boundaries, but as one who knows that part of the country reasonably well, I would hazard a guess that they encompass large geographical areas. Therefore, the Government are attempting to define in legislation extremely large areas to which the provisions will be applicable, even where there is no real need for those provisions or where the real need could be far more tightly defined, for example, by restricting the application of the provisions to those people who are registered with practices which have patients on both sides of the border. The new clause is badly drafted and it gives the legislation extremely wide scope.

Mr. Bercow: The Minister's intervention was interesting. Does my hon. Friend agree that, if the Minister is to offer a convincing rebuttal of my hon. Friend's case, it is necessary for him to show that, in the areas concerned, every practice, without exception, has patients registered on both sides of the border? If the Minister does not take this opportunity to rise and say that, my hon. Friend's case will rest.

Mr. Brady: I do not expect the Minister to leap to his feet, because he knows full well that he cannot demonstrate that that is so, and that is precisely what makes my point.

For the vast majority—probably 99 per cent.—of the residents in the health authority areas which will be affected by the new clause, the provisions are not a necessity. However, the new clause will change the nature of the health care provision that is available to them, and it will do so in a way that distorts the planning and provision of health care in a stretch of land along either side of the border between England and Scotland that is remarkably broad. That part of the country is, in the main, rural, so the health authority and health board areas are relatively large.

The new clause, in effect, blurs the border between England and Scotland for certain purposes. For the administrative basis of health care provision, the border could, in principle, be blurred away from the geographical border to the administrative border of the health authority or health board adjacent to the geographical border. As for the reason why the Government are trying to do that, I can only suggest that it is a conscious attempt to fudge some of the difficult problems raised by the progress toward devolved government in Scotland, for example, the inequities between England and Scotland in tax and spending arrangements that might arise from devolution. It is a cause of great concern. Many people in England and Wales are beginning to question the constitutional balance created by devolution. English voters are becoming increasingly concerned about the Barnett formula and the fact that their taxes will be used disproportionately to fund services in Scotland. The new clause will add to that effect.

For example, the Scottish Parliament might vote to increase taxation—by introducing the tartan tax that was debated at length during consideration of the devolution legislation—in order to provide better health services. However, that tax increase would cease to be acceptable to the Scottish people in the context of the new clause, which would cause those who are not the sole beneficiaries of that expenditure to provide the additional revenue.

The relationship between taxation and the democratic accountability for raising and spending it is ludicrously complicated. The Barnett formula and the existing anomalies in expenditure levels in England and in Scotland have been accepted—if only as a result of the passage of time. However, an additional complication could arise. Scottish electors could be asked to support the decision of the Scottish Parliament to raise taxation for the express purpose of augmenting health provisions on the northern side of the border. However, new clause 18 could lead to Scottish electors being taxed in order to spend more money not just on people south of the border, but on a relatively small and arbitrarily fixed group of them.

It is not appropriate to legislate to create an absurd anomaly. A small number of people may derive a disproportionate benefit for which others have paid and for which their elected politicians are not accountable. That could cause grave concern and a good deal of controversy. Our concerns would be lessened if the Minister would respond to the suggestion by my hon. Friend the Member for Buckingham (Mr. Bercow) and define the areas precisely. If he would come to the Dispatch Box and tell us that the new clause will affect only 50 or 100 people living in the most remote rural areas of Cumbria, Northumbria and the Scottish Borders, we might be prepared to say that its constitutional abhorrence pales into insignificance.

Mr. Hammond: Does my hon. Friend agree that, in order to provide such an assurance, the Minister would have to contemplate freezing the lists of GPs in those border areas? Given the relative paucity of choice available to people living in those sparsely populated areas, would my hon. Friend not find that an unacceptable restriction?

Mr. Brady: I think I probably would—I certainly think that those affected would. Difficulties may arise if the lists are not frozen and this legislation is passed. Rather than registering with local practitioners, people who live outside the areas directly affected that would normally be served by border practices—they could live 20, 30 or 40 miles from the border—might find it advantageous to register with GPs close to the border in order to benefit from higher levels of expenditure. In very rural areas, people's local practice may conceivably be 10 miles south of them.

5.30 pm

Mr. Hammond: My hon. Friend is absolutely right, but the issue is not simply the higher level of expenditure in general, but the availability in one area of a drug or treatment that is not available in another area. We have all heard stories of people selling up and moving house to get into a local health authority area where, for example, beta interferon is available. That could well happen across the border.

Mr. Brady: I absolutely agree with my hon. Friend. I would go further and say that not only is a clear incentive created for people to move house or register with a different GP—they might go to considerable lengths to benefit from treatment that they would otherwise be denied—but, giving due credit to health authorities and boards for their wit and intelligence in seeking to serve the interests of their population, it may be entirely appropriate for them to take into account their privileged status under new clause 18.

As designated health boards or authorities, part of their planning process may be to accept that they are part of a jigsaw that fits with the board or authority on the other side of the border. It would be perfectly possible under new clause 18 for a health authority or board deliberately to refuse a particular treatment in the knowledge that the corresponding board or authority on the other side of the English-Scottish border provided that treatment and that its own residents would not be disadvantaged by the decision.

Indeed, in aggregate, residents may benefit from such decisions because the Bill allows residents to have an à la carte health service in which they can pick a treatment that is available in their local health authority area and turn across the border to Scotland for a treatment that is not available where they live. Treatments such as beta interferon or erythropoetin, which was the treatment in question for the constituent to whom I referred earlier, may be available in one health authority area but not in another. That may become a permanent state of affairs

[Mr. Brady]

and may encourage co-ordination, whether formal or informal, in the provision of health services across the English-Scottish border.

Mr. Hammond: Managed from Brussels.

Mr. Brady: I am not sure whether my hon. Friend wants me to repeat his remark, but he said that it will be managed from Brussels, which is doubtless in the mind of the Government, although they may now think twice about their headlong rush towards integration, following yesterday's election results.

The result of new clause 18, however, for people who live in the border regions may be beneficial in that their health authority can co-ordinate treatment with the health board on the opposite side of the border. That would increase the number of treatments available to residents in that area, without any increase in total expenditure.

The disadvantage is to those people who live on the Scottish side of the border in the next tier of health board areas, but far more so to those people living in the next tier of health authority areas on the English side of the border because they are multiply disadvantaged by the Bill. They are already disadvantaged by having to pay taxes that disproportionately fund health services in Scotland under the Barnett formula.

Health authorities, with which we all deal, must make choices and decisions in conducting their daily business. They must make difficult decisions on how to divide the resources made available to them—whether the prescription of beta interferon is the best way in which to improve overall health in the area or whether money could be better spent on other treatment. Health authorities adjacent to the border would make fewer such choices under new clause 18.

Mr. Bercow: I am sorry to agitate and interrupt the eloquence of my hon. Friend's flow, but the scope for the form of administrative table tennis which he has described is perverse in the extreme. On the strength of his listening to Ministers' statements, does he judge that they are guilty of knavery or of folly? In other words, is this a Machiavellian plot or has the Minister, whom we know to be capable of this, stumbled into the mess inadvertently?

Mr. Brady: I thank my hon. Friend for that elegant intervention. I do not know whether the Minister has stumbled into this or whether his right hon. Friend the Secretary of State, who is perhaps even more capable of stumbling into problems, is responsible for it. My suspicion is that the proposed legislation is simply ill thought out.

The reason why the new clause has been tabled at this point is far from that in the picture painted earlier for my hon. Friend the Member for Lichfield: that there has been a crying need for such a provision for a long time and that it was absolutely necessary that the Government should now deal with something that has been causing difficulty. In fact, there had been no previous difficulty of any significance. Somebody suddenly realised that there might be one and thought that something ought to be drafted that might deal with it, subject to the approval of a suitable Order in Council by not only both Houses of the Westminster Parliament but the Scottish Parliament. Perhaps I am more generous of nature than my hon. Friend the Member for Buckingham; I hesitate to attribute unkind motives to the Minister or suggest that he is making a foolish mistake.

The new clause appears to have been given minimal thought or consideration. It has been tabled on Report, instead of in Committee, where we might have had a much better opportunity to debate its implications. Had it appeared in the Bill in the first place, perhaps some of the very serious complications surrounding it could have been addressed earlier.

I suspect that there is no deliberate intention to deceive, although it may be convenient for the Government—if possible—to blur the inequities that arise from devolution, which are most obvious to those who live adjacent to the border. Those living nearer the border can see such inequities and problems in sharp contrast, whether in taxation, health care provision or other public services. Although I am far from convinced that the Government have made a deliberate attempt to blur such distinctions, my hon. Friend the Member for Buckingham was right to suggest that there is a possibility of knavery—and we should consider that.

Regardless of Ministers' motivation in tabling the new clause, this is an ill-judged piece of legislation. As has happened so many times in the relatively brief time that we have suffered the new Government's control of policy, legislation is being introduced which, as my hon. Friend the Member for Lichfield said, gives the Secretary of State very broad powers to introduce more detailed provisions without the facility for debate and amendment that there would have been, had they been included in the Bill.

That is unfortunate for Members of the House who, rightly, wish to debate these matters properly and in detail. Moreover, if the Labour Government are going to start paying attention to the concerns that the public plainly have about them, as demonstrated in the recent European election, they should address people's concern that the Government still behave in a way that sometimes consciously stifles debate. They are also concerned that, at other times, as in this instance, an over-reliance on delegated powers denies the Government the opportunity—they should start to understand that it is an opportunity—to enjoy the benefit of scrutiny in the House before they embody detailed matters in law.

If a tenth of the concerns that I and my hon. Friends have expressed about the new clause were to prove well-founded, the clause would constitute a bad piece of legislation. Those concerns will come back to haunt the Government, and Ministers will regret not acting on them. If they had had the good sense to put the detail of such material in the Bill, they would have benefited from hearing it debated, and from having the pitfalls highlighted.

Mr. Hammond: My hon. Friend is making an extremely powerful point. He was not privileged to serve on the Standing Committee that considered the Bill, but he might like to know that the Government tabled a new clause at the end of that Committee's consideration and have been forced to come back today with a substantial number of amendments to it. That demonstrates the truth of my hon. Friend's case.

Mr. Brady: I thank my hon. Friend. It is ludicrous to table the new clause in its current form yet still to fail

to address the concerns that are being expressed today. These matters should be the stuff of the primary legislation before us. It is not enough for a slice of the United Kingdom—I suspect, merely 100 miles wide at one point—on either side of the border between England and Scotland to be covered by a catch-all provision in the Bill, which can be defined only by subsequent delegated legislation.

The Minister, in his brief opening remarks, gave no information regarding the numbers of people who are resident in the areas of the health authorities and health boards that we are discussing. He gave us no idea of the geographical size of those areas. He gave us no idea of how many GP practices would be affected, either by the new clause or by the order that he presumably has in mind, but to which the House is not yet privy. He gave us no idea of the current disparity in terms of health expenditure on one side of the border or the other, or, in terms of weighted capitation, of the effect of that on different health authorities on either side of the border. He gave no indication of the kind of treatments that may currently be available in a health authority on one side of the border but which are not available in a health board area on the other side or, more likely, vice versa.

The Minister has given the House none of that information. I live in hope that he may put that right later, when he responds to this short debate. He flicks casually through his notes, but I am not certain that he has that volume of information in his possession as he sits in the House this evening.

5.45 pm

Mr. Bercow: My hon. Friend's patience is renowned throughout the House, but I must trouble him once more. Does he agree that it is not necessary to gaze into the crystal ball when we can read the book? Does he accept that his point has not only intellectual merit, but practical validity? It is not just a theoretical concept that by fleshing out Government proposals in the Bill, we maximise the chance of better legislation and better service to the public. That is manifestly proven in the context of legislation that the Government have introduced in other areas of public policy. Does my hon. Friend agree that it is precisely because of the tendency to legislate by Order in Council and regulation that is not subject to the scrutiny of the House that the right hon. Member for Hartlepool (Mr. Mandelson), for example, got into such an unholy mess in relation to the working time regulations? Can we not learn from that experience?

Mr. Brady: I endorse everything that my hon. Friend said, but I am aware, Mr. Deputy Speaker, that you may not wish me to venture into other areas of policy. Assuming that having sold one house, the right hon. Member for Hartlepool (Mr. Mandelson) does not take advantage of the provisions of the new clause to buy another property in a health authority area where he may benefit from treatment on the other side of the Scottish border, I am not sure that I would be permitted to stray into that area.

The point is sound. Not only should the Government, as a matter of principle, bring these issues in detail to the House of Commons, but their own ends would ultimately be served better if they did so.

I suspect that the Minister does not have the basic, essential information that ought to be available to hon. Members now to enable them to reach a proper conclusion about the impact of new clause 18. We have heard nothing about the number of people likely to be affected, the sums of money available, the sums spent and the treatments available in different areas. None of that information has been given to us, so the House is left in the dark.

Once again, we must agree a new clause that has wide parameters and about which we have virtually no information. That is profoundly wrong as a way of legislating and it will cause the Government considerable regret later.

The hon. Gentleman whose constituency I do not know and who was earlier described as the hon. Gentleman on the fourth Bench, but whom I know to be an hon. Member of great distinction, spoke about different levels of social deprivation in different parts of the United Kingdom. That is relevant. I expect that few hon. Members, if any, would disagree with the notion that there should be some degree of weighting in public expenditure on the basis of need, as the hon. Gentleman said.

However, new clause 18 provides a mechanism for the weighting of provision not on the basis of need, but purely on the basis of geography. It must surely be wrong that someone who lives in a wealthy part of Northumberland, close to the Scottish border, may derive much greater benefit from the measure than someone who lives in the most impoverished part of Newcastle upon Tyne would gain. My knowledge of geography is not quite so good on the Scottish side of the border. However, someone who lives in one of the remote border areas—for example, the Cheviots or wherever—may gain benefits regardless of economic status, the level of need and health indicators, putting him in a preferential position relative to those living in the most deprived parts of Glasgow or of other Scottish cities.

This is not about the provision of health care on the basis of need. It is not justifiable on any rational or moral ground. It is an attempt to gloss over an administrative problem that the Government created, but without giving proper thought and attention to the implications that it could have. The Minister's opening remarks gave me no confidence that the Government have thought things through to a position where they will be able to answer the difficulties when they bring forward their Order in Council.

I raise the question, in conclusion—

Mr. Bercow: Surely not.

Mr. Brady: I am saving myself.

Is it appropriate for the House to agree to accept a new clause that has massively broad parameters when we have been given no detail about the implications and about the people who will be affected by it? We have been given the assurance that these matters will be dealt with when the Government see fit to bring forward delegated legislation. Of course, there will be no opportunity to amend it. As it will have to be approved by both Houses of Parliament as well as the Scottish Parliament, that must leave open the possibility that the supposedly pressing need, according to the Minister, to tidy up administrative problems that have existed for some time, might be rejected and that the Order in Council might be thrown out not by this place, not by the other place, but by the Scottish Parliament.

[Mr. Brady]

If the Members of the Scottish Parliament are to do their jobs properly and are to consider the impact of legislation that carries the potential effect of requiring their constituents to pay for health provision for people living outside their constituencies and outside the boundaries of Scotland, they may see that there will be no benefit for the Scots and that health care resources may be diverted from Scottish people to English people. As an English Member, I may think that that is a reasonable state of affairs and may even up the current discrepancies in health expenditure on either side of the border. However, Members of the Scottish Parliament may see the matter in a different light.

Surely the questions that are being raised by myself and others must weigh heavily on the minds of Members of the Scottish Parliament. They will be dealing with proposals that can carry a huge disbenefit to some residents in Scotland. None of these matters has been dealt with by the Minister. I hope that he will attend to some of them when he replies. I hope that in my brief remarks I have highlighted that the Government have brought forward ill-considered and ill-thought-out legislation with potentially serious consequences, and have not bothered to bring the information to the House on which we can make a reasoned judgment.

Mr. Desmond Swayne (New Forest, West): I propose to be brief. I did not intend to speak on the new clause, but I was tempted to do so by my hon. Friends the Members for Altrincham and Sale, West (Mr. Brady) and for Lichfield (Mr. Fabricant). A possibility has occurred to me that is rather different in scope from the possibilities that my hon. Friends have outlined. I should preface my remarks by saying that I have had some difficulty in understanding the clause although I have read it several times. It is not exactly transparent, perhaps because so little of its substance is present on the amendment paper. It seems that that will be manufactured in the form of an Order in Council somewhat later.

The thrust of the remarks of my hon. Friend the Member for Lichfield was that there would be a movement of patients from the English side of the border, seeking treatments on the Scottish side, because of the 20 per cent. better funding arrangements that are available to Scottish health authorities. I am indebted to my hon. Friend the Member for Altrincham and Sale, West for dwelling on the fact that the border becomes confused—he used the word "blurred"—as a result of the new clause.

My view is that the border will become a much more critical divide than hitherto in health affairs. That is because the Scottish Parliament will have absolute discretion when it comes to the treatments that it funds or does not fund. I shall put a specific possibility to the Minister and ask him to address it when he replies.

There is little doubt that the Scottish Parliament will develop its own identity both with respect to its attitude to health care and its attitude to moral issues. It strikes me that there is a distinct possibility of the flow of patients being entirely the other way round—people who are in the care of health authorities north of the border in the border areas seeking treatments south of the border. There is a real possibility that patients might legitimately expect treatment under, for example, the provisions of the Human Fertilisation and Embryology Act 1990, which remains a reserved matter, while the Scottish Parliament decides as a matter of principle that it will not fund that treatment. There is the possibility that patients who are unable to secure treatment in Scotland will seek to use the provisions of the clause to secure that treatment in England. I have chosen the Human Fertilisation and Embryology Act, but I could have referred instead to the provisions of the Abortion Act 1967.

As I have said, the Scottish Parliament will have absolute discretion as to what procedures it is prepared to fund north of the border. It will be entirely operationally possible for that Parliament to deny a series of treatments in its funding decisions which, in terms of reserved legislation, the British people as a whole have been led to expect they may legitimately receive. There is a strong possibility in the years ahead of health refugees, as it were, coming to the border areas and seeking to use the provisions of the clause to obtain treatments which are not available in Scotland from English health authorities. I ask the Minister to address that possibility.

Mr. David Amess (Southend, West): I apologise to the Minister for not being here at the start of the debate; I was in my room, because I had anticipated that the statement on Kosovo would last an hour, although I think that it finished after only 40 minutes. However, I was watching his performance carefully on the monitor and I have to say to him that the start of proceedings on Report has been, in every sense, a hangover from his style in Committee. He came to the Dispatch Box and gently introduced new clause 18 as though it were harmless, but it certainly is not an innocuous measure.

6 pm

Today, a member of Her Majesty's Cabinet has talked about a low turnout and, according to that right hon. Member, a low turnout indicates that the majority of people are happy. There is a relatively low turnout in the Chamber at the moment, so I assume that the majority of Members are happy with the Bill and the new clause—but I am not at all happy with new clause 18 and I would not trust the Government an inch.

Mr. Hammond: Does my hon. Friend agree that the other possible interpretation of low turnout is bewilderment and the impenetrability of what one is dealing with? That would apply equally to the European elections and to the Bill.

Mr. Amess: My hon. Friend is entirely right and what he has said will perhaps seem even more true when I have developed my arguments about border arrangements.

I say to the Minister that accepting the new clause without query is not what the House is about. The Health Bill is on Report, which is an important stage of our consideration, and I congratulate my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), who taught the House how to be succinct and got a point over so that we understood it extremely well. Of course his constituents are angry about these border

arrangements. I understand, although he will correct me if I am wrong, that the general hospital in his constituency has closed two wards and moved 100 nurses to other—

Mr. Deputy Speaker: Order. Will the hon. Gentleman please return to discussing the border arrangements?

Mr. Amess: Of course, Mr. Deputy Speaker, but I congratulate my hon. Friend the Member for Altrincham and Sale, West on feeling so moved as to talk about the new clause in the way that he did.

Mr. Brady: Staying entirely in order, I should say that the planned closure of two wards at Altrincham general hospital—

Mr. Deputy Speaker: Order. That is not in order.

Mr. Amess: New clause 18 has five subsections, and I want to deal first with subsection (5), which says:

"'English border area' means the area of any Health Authority adjacent to Scotland,

'Scottish border area' means the area of any Health Board adjacent to England."

I apologise if I missed the Minister giving the details of those health authorities in my rush to get to the Chamber from No. 1 Parliament street, but for goodness' sake, the Bill is a shambles. That was what we found all along in Committee and we have been provided with no proper detail.

The Bill was introduced in the House of Lords and has been in Committee, but still the Government have not got their act together. I do not know how many health authorities are involved, but would it not have been sensible for the Minister to tell us precisely which ones we are talking about?

Mr. Fabricant: I apologise for having had to leave the Chamber for a few minutes. My hon. Friend might like to know that when I asked the Minister for a definition, he simply referred me to another provision. He could not—perhaps he was unable to—name the health authorities concerned, and I find that shocking.

Mr. Amess: My hon. Friend is right. I recall forecasting in Committee that the Government would collapse, and I have been proved right—it happened yesterday, when their incompetence was well and truly shown up in those shocking results. I do not know why we are rushing through proceedings—we are here to scrutinise Bills properly—and I challenge the Minister to describe in detail when he responds to this brief debate which health authorities he is talking about.

This is an important matter because my constituents in Southend, West want it to be dealt with properly and want the Government to deal with it evenhandedly. If I knew the details of the individual health authorities, I might be in a strong position to bring out particular points in respect of the border arrangements. I speak only for myself, but I find the whole concept of borders offensive. By using such a style in the Bill and in the new clause, the Government are setting people against people. What is going on is outrageous.

Mr. Bercow: Does my hon. Friend agree that we need to know a number of things from the Minister? First, does he yet know exactly which authorities he has in mind? Secondly, has he informed the Members whose constituencies fall within the areas of those authorities? Thirdly—my hon. Friend will agree that this point is manifestly related to the matter we are discussing—should we not be told whether those Members are in the Chamber, as they are interested parties? If not, why not?

Mr. Amess: My hon. Friend is on to the precise point, but if he had been privileged to serve on the Standing Committee he would have witnessed at first hand what a shambles the Bill is. Although I hope that I will be corrected, I suspect that we will not find out which health authorities will be affected. That will happen when the Bill goes to the other place, because the Government hope that it will not want to scrutinise the Bill properly; but I know that the other place will certainly scrutinise the Bill properly.

One of the Labour Members who has spoken—I am determined to tease out which constituency he represents—was an outstanding Minister who had the guts to resign over child benefit, I believe, or a similar measure. As he responded to a point made by one of my colleagues, he said that Scotland needs more money to be spent on health care and then talked about areas of deprivation. Since this rotten Government came to office on 1 May 1997, there have been areas of deprivation across the length and breadth of the country. Southend, West is now an area of deprivation.

I am delighted that the Conservatives got half the votes cast in my constituency in the European election.

Mr. Bercow: I am interested in what my hon. Friend has to say, but I simply cannot abide any longer the House sitting on the border, languishing between knowledge and ignorance. I therefore hope that he is grateful to me for pointing out that, unless I am much mistaken, the hon. Gentleman in question represents Edinburgh, North and Leith. He has been extremely modest in refusing to take a bow, but I do not want him skulking in the shadows unnamed.

Mr. Amess: My hon. Friend will have helped other people, who report on these matters, and I thank him for his advice.

Mr. Fabricant: On that point about skulking, has my hon. Friend noticed that only at this late stage has the Scottish Health Minister arrived for the debate? We have been discussing the border areas of Scotland and England; while England has been represented, Scotland, as ever, has been unrepresented.

Mr. Amess: My hon. Friend is on to an excellent point.

Miss Widdecombe: Where is the Secretary of State?

Mr. Amess: Indeed, where is the Secretary of State?

Miss Widdecombe: My hon. Friend will be pleased to know that we have had a response to that question—the Minister assures me that the Secretary of State has much better things to do with his time.

Mr. Amess: Well, there we are. Obviously, Her Majesty's Government have learned nothing from what happened on Thursday and the count that took place on Sunday. Their arrogance is beyond belief.

[Mr. Amess]

I shall gently chide my right hon. Friend. Earlier, I referred to turnouts. The turnout in the Chamber is beginning to improve, so it seems that more and more hon. Members, certainly on the Conservative Benches, think that the border arrangements in new clause 18 are important.

Miss Widdecombe: Can my hon. Friend judge the importance attributed to border arrangements in the eyes of the Government by the number of Labour Members who have spoken?

Mr. Deputy Speaker: Order. Perhaps we could now turn specifically to the border arrangements.

Mr. Amess: I was referring to social deprivation. The NHS figures show that in 1998–99, £36,860 million was spent in England compared with £4,642 million in Scotland. For 2001–02, the figures are £45,370 million in England and £5,549 million in Scotland. In 1998–99, the figure per head was £746 in England compared with £907 in Scotland, and for 2001–02 it is £910 in England and £1,087 in Scotland. The Minister owes it to the House to give a thorough answer to the question about the real reason for the disparity in spending.

The Minister's hon. Friend, the hon. Member for Edinburgh, North and Leith (Mr. Chisholm), referred to these matters. I remember serving on a Standing Committee of a health Bill some years ago, when we debated the amount of money being spent in Scotland. Before hon. Members shout me down, I should like to refer to a debate on Scottish teeth. It was clear that in spite of the huge amount of money being spent on dental care in Scotland, Scottish teeth needed a great many more fillings than English teeth. During the Committee stage of that Bill, Labour Members, who were in opposition at that time—it is a pity they are not now—argued that that was due to diet and social deprivation. That is utter nonsense. My constituents' teeth are every bit as important as the teeth of the people affected by these border arrangements.

Mr. Deputy Speaker: Order. I remind the hon. Gentleman, I hope for the last time, that this debate is not about relative spending on health north and south of the border. It is specifically about technical arrangements on the border.

Mr. Amess: I want to draw the Minister's attention to the heart of new clause 18. He told us that subsection (4) applies to any functions under the National Health Service (Scotland) Act 1978 or part I of the National Health Service (Primary Care) Act 1997, which are exercisable by the Scottish Ministers or any health board or NHS trust established under the 1978 Act. I may have missed the Minister giving any detail about the 1978 Act and the matters that would be affected, but I would ask him to spell out in precise detail, when he replies to the debate, what he was referring to.

Mr. Fabricant: Does my hon. Friend agree with me that the questions he asks are a consequence of the fact that the new clause has been introduced so late? If it had not been tabled late, he would have been able to use the excellent explanatory notes, which have been prepared by able officials in the Department of Health.

6.15 pm

Mr. Amess: I have not had time to read the explanat notes. They may be excellent, but I suspect that they not explain the 1978 Act in detail. Perhaps the Minis will tell us whether they deal with the 1978 Act.

Mr. Brady: Before my hon. Friend departs fr subsection (4), will he tell us whether it is understanding—as it is mine—that the phrase "Scotti Ministers" applies to Scottish Ministers in the Hou rather than to members of the Scottish Executive? Shou any of the health matters dealt with by the Scotti Executive also be covered by subsection (4)?

Mr. Amess: My hon. Friend leads me on to anot subject: the powers of the Scottish Parliament in relati to the Bill. In Committee, members of Her Majesty's lo Opposition were somewhat confused about why on ea the Bill was being introduced when it was clear that t Scottish Parliament would take over the matters that were dealing with. I have tried to follow the Bill careful but I am still not convinced about the relationship betwe the powers and duties under the Bill and the powers the Scottish Parliament. If the Minister is saying that t border arrangements in new clause 18 override anythi discussed in the Scottish Parliament, what on earth is t good of the Scottish Parliament? The Scottish people ha been sold a pig in a poke.

Miss Widdecombe: A pup.

Mr. Amess: A pup, or whatever it is. They have be led up the garden path. I am pretty sure that the go citizens of Scotland will be interested to know that t Parliament they voted for in the referendum will not as important as they believed it would be at the tim because subsection (4) will reduce the power that th thought it would have.

Mr. Fabricant: Does my hon. Friend recall that t part of the Bill beginning with clause 45, where n clause 18, if it is passed, will be inserted, provides th powers of the Scottish Parliament can be overridden the Bill? Does that not make a mockery of devolution? that not one in the eye for Scottish electors who thoug they were electing a Labour Government to get Scotti devolution only to discover that—rightly in my opinion the Westminster Parliament can overrule the Scotti Parliament?

Mr. Amess: My hon. Friend's remarks are valid relation to border arrangements.

Subsection (2) states:

"This subsection applies to any functions under the 1977 Act, Part I of the National Health Service (Primary Care) Act 1997".

As a courtesy to the House, the Minister should ha given us a little explanation of the 1977 Act. He may wa to intervene or to deal with the matter when he winds the debate.

I was sent here as a Member of Parliament, supporti my party's beliefs, to represent the interests of m constituents. I genuinely believe that when we compl the Report stage of the Bill tomorrow—*[Interruption.]* sorry, next week. When we eventually complete t

Report stage, my constituents will be very angry about new clause 18. They will not be happy about the cross-border arrangements.

The Bill will be a charter for private medicine. My hon. Friends the Members for Altrincham and Sale, West and for Runnymede and Weybridge (Mr. Hammond) talked about people moving across the border. The situation is a little like the council tax. We all have a road in our constituency where people on one side pay one charge and those on the other side pay a different charge. Usually the charge is lower for a Conservative council and higher for a Lib-Lab council. The disparities caused by the new clause will be similar.

The Minister fought the general election on a manifesto that said "Vote Labour on 1 May and you will save the national health service." Bearing in mind the new clause, the manifesto should have said, "Vote Labour on 1 May and you will end up needing to save the national health service." The Bill is a shambles. Why did the Minister not mention in Committee that he was going to introduce cross-border arrangements? The Government were talking about the Bill last year, but still, on 14 June 1999, they have not got their act together.

Mr. Bercow: The Minister is an agreeable fellow, but I know from experience that he is adept at avoiding questions. He dances round the issue, rather like Muhammad Ali used to dance like a butterfly round the boxing ring. Will my hon. Friend take this opportunity to request that the Minister answer the specific points that were raised earlier? Which authorities does the Minister have in mind? Has he spoken to hon. Members who are directly affected? On what day did he decide to introduce the new clause? We must have specific answers to those specific questions tonight.

Mr. Amess: I hope that we get answers to those points. We kept putting points in Committee, but we were short-changed. We may well be short-changed on Report as well.

Mr. Hammond: I remind my hon. Friend that I said earlier that the Minister wrote to our right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) during the Committee stage about his intention to introduce a new clause along these lines. A more fruitful line of inquiry might be why the issue was so complicated that the Government were not able to include provisions for due consideration in Committee and why we had sight of the new clause only last week.

Mr. Amess: My hon. Friend tempts me to get involved in a very long discussion that may be ruled out of order.

The Government will regret the day they introduced this disgraceful Bill, which has been delivered incompetently. I do not know who is to blame, but I think that it might be the person in charge of the Government. My hon. Friend the Member for Runnymede and Weybridge was right to say that the new clause could have been introduced earlier. He said that he saw the details last week. I had a busy week campaigning, which was my main priority. I did not have time to study the new clause in detail. I have had to mug up in the brief time that I have had today, and I am not best pleased about that. I have had to dump all my other important arrangements to try to understand the new clause.

Mr. Deputy Speaker: Order. The timing of the tabling of the new clause has been more than adequately dealt with. Perhaps the hon. Gentleman will deal with its content.

Mr. Amess: The fifth point about the cross-border arrangements on which I want a direct answer from the Minister relates to an article that I saw in *The Independent* entitled "Pupils to Train as Mini-Paramedics", which said that Scottish schoolchildren were being trained in resuscitation techniques as part of a campaign to reduce the number of deaths caused by heart attacks. I applaud that. I went to a St. John Ambulance reception at which we were shown how to resuscitate people, although I would not willingly and enthusiastically jump to give resuscitation to—no, on second thoughts I would of course want to revive anyone. The article says that the campaign, funded by the British Heart Foundation, will train children in how to keep a heart attack victim alive while they wait for an ambulance to arrive. I understand that similar projects have been undertaken in America.

Will the programme be affected by the cross-border arrangements? That may be covered in subsection (1), but if it is I did not understand it and I heard nothing about it in the Minister's speech. I suspect that it might be affected. A great deal of trouble has been taken over the scheme—possibly unnecessarily.

Surely to goodness the new clause is an admission that the Government were wrong about fundholding and that it is after all a good idea. The new clause will encourage people to cross borders. I assume that the hon. Member for Dartford (Dr. Stoate) has been told to leave the Chamber. He was not welcome in Committee, either. Having tried to intervene here and have a decent debate, he has gone off. He wanted to say something about fundholding. The new clause and the Government's policy of setting citizen against citizen are an admission that they got it wrong about fundholding. Under fundholding, doctors could ring round and find out who was available to perform an operation more quickly. That was a good thing.

Mr. Bercow: I am listening intently to my hon. Friend. Will he entertain the possibility that the hon. Member for Dartford (Dr. Stoate) was excluded from membership of the Standing Committee not because of his views on fundholding arrangements or cross-border provisions—

Mr. Deputy Speaker: Order. That has nothing to do with the new clause.

Mr. Amess: It was kind of my hon. Friend to intervene, but I must concentrate on cross-border arrangements. I have heard a sedentary comment from a Labour Member about queue-jumping. My goodness, given the Government's policy it is appalling for any Labour Member to talk about queue-jumping. However, we will not get to that debate for some time.

6.30 pm

When the Minister replies, I hope that he will give the House a little more detail about subsection (3) of new clause 18. *[Interruption.]* My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) suggests that the Minister has not looked at new clause 18. I hope that that is not the case, because we are on Report and Ministers should be so familiar with the detail of their legislation by this time that the answers should pour forth from them. Therefore, it is not unkind to expect the Minister to give the House more detail about subsection (3). It puzzled me. It states:

"Her Majesty may by Order in Council provide for any functions to which subsection (4) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in Scottish border areas".

I do not understand that and I want to know whether the Minister understands it. As the Member of Parliament for Southend, West I need to understand it because after this debate my constituents will want to know what it means.

Mr. Fabricant: Is it not apparent what the provision means in the sense that yet again it is an example of the Government not knowing what they intend so they give powers to the Secretary of State to make any decision he likes about doctors, patients, border areas, non-border areas, Scotland and England?

Mr. Amess: My hon. Friend may be right, but the new clause is defective. The Minister will claim that it is not and we will be asked to accept it, but when it goes to the House of Lords an amendment will be tabled to it. Subsection (3) continues:

"to be exercisable (instead of any corresponding function to which subsection (2) applies)".

I do not know what subsection (2) is and I wonder whether the Minister knows what it is. It continues:

"in respect of the provision of the services in question to persons in English border areas who are specified in the Order."

Mr. Bercow: Does my hon. Friend agree that the litmus test of whether the Minister understands the new clause is that when he replies to this short debate he is able to explain its rationale and content without reference to a crib sheet provided by those whom we are not supposed to name?

Mr. Amess: I do not know how I should comment on that, although I believe that the Minister was a barrister or a solicitor before he became a Member of Parliament. We will have to see whether he stands at the Dispatch Box without notes and can answer my point about subsection (3).

The Minister, when he worked on new clause 18, could have made it more easily understandable. The arrangements for borders will become a big issue. In fact, I shall suggest to the Chairman of the Health Committee that we ask the Minister to come and give evidence to the Committee to justify the border arrangements. The more I listen to myself talk, the more I believe that the new clause is unfair.

Mr. Fabricant: It is capricious and unfair, but is not it also worrying? Subsection (3) specifically states that the Secretary of State may

"by Order in Council provide for any functions".

Has my hon. Friend discovered any other clause in the Bill that is so open that the Secretary of State can provide for any function? Is not it outrageous that he will be given a blank cheque?

Mr. Amess: The whole flavour of proceedings in Committee was that the Opposition were unhappy with the wide-ranging powers given to the Secretary of State for Health. I do not wish to imply that we thought that the Secretary of State for Health was incompetent, but we thought that he was too busy to do justice to all those functions.

Mr. Fabricant: We are in no position to judge whether the Secretary of State is competent or incompetent because he did not do the Committee the courtesy of turning up for even five minutes.

Mr. Amess: My hon. Friend is right. As my right hon. Friend the Member for Maidstone and The Weald was present throughout in Committee, the Secretary of State's absence was unfortunate.

Mr. Hammond: To return to the point that my hon. Friend was making about the wide order-making powers that the Secretary of State will have, does he agree that the Minister could have saved much debate and given us much reassurance if he had made draft orders and regulations available to us? Does my hon. Friend recall that we pressed the Minister on whether they would be made available in time for the debate today? Sadly, we have not seen any.

Mr. Amess: My hon. Friend is right and I congratulate him on his diligence in Committee and today. As he knows, we were not afforded that courtesy. Indeed, we tried to make constructive, sensible changes to the Bill, but we did not have one amendment accepted.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We are not considering what was accepted in Committee. We are dealing with the new clauses and amendments before us.

Mr. Amess: We would not be in the mess that we are now in—grappling with new clause 18—if the matter had been handled differently. The Minister is charming and persuasive and he thought that new clause 18 would be accepted without any debate. However, I do not trust the Government's motives in the border arrangements.

I wish to go into more detail about the health authorities adjacent to Scotland.

Mr. Swayne: Is it appropriate to call them authorities, given the huge and sweeping powers that the new clause will give the Minister over every aspect of their function? Are they authorities in any sense?

Mr. Amess: My hon. Friend makes a good point. I pointed out earlier that the Bill is defective and we will probably find that that description of authority is removed when the Bill is discussed in the House of Lords. The Minister has so far failed to give us any details of the

health authorities adjacent to Scotland. Many people are waiting to hear which health authorities have been affected. As my hon. Friend the Member for Runnymede and Weybridge pointed out earlier, people will wish to move to those areas because they think that they will get better health care. I thought that the Labour party was supposed to be about equality, but the new clause is all about inequality. It is divisive in every sense.

Mr. Bercow: I am still puzzled by the way in which the new clause was tabled at such short notice and without explanation. Having consulted the reference sources, I have discovered that among the Minister's interests are cooking and walking. We welcome the fact of that hinterland, but perhaps he imagines that tabling the new clause at this late stage, without explanation or apology, is like producing a new recipe. Is not it important that, wherever else he walks, he does not walk away from his responsibility to answer the serious challenges that we have posed to him?

Mr. Amess: That is a telling point. The Minister knows that if he gives us a precise list of the authorities concerned, Her Majesty's loyal Opposition may accept the argument. My constituents want to know which health authorities are to get special treatment.

The Labour Government talk about equality and the Minister disarmingly suggests that the new clause is merely a tidying-up measure. I believe that we have not been given the details because there is an argument going on behind the scenes. There is uproar in health authorities throughout the country, for all manner of reasons that we will discuss later. There is a row about which authorities are to be included, because inclusion will bring favourable treatment. My constituents think that that is unfair.

As the hon. Member for Edinburgh, North and Leith (Mr. Chisholm) said, there are areas of great social deprivation, not only in Scotland but throughout the country. The areas on the other side of the border will be very upset about the favourable treatment given to the authorities on the list.

Mr. Bercow: If the authorities due to benefit from the special arrangements have not yet been determined, is not it possible that, in the argument that is raging behind the scenes, Ministers are planning to work on the basis of a conformists' charter, and that Labour Members who are prepared to suck up to the Government will benefit from the arrangements, while those who are not, such as the hon. Member for Edinburgh, North and Leith (Mr. Chisholm), who is a faithful servant of his constituents, will not? Must not these matters be disclosed to the House without delay? It is not acceptable for this hole-in-corner practice to be allowed to continue.

Mr. Amess: My hon. Friend is entirely right. The Government talk about being transparent. My goodness, they were found to be transparent on Thursday and when the votes were counted on Sunday.

Let me inform my hon. Friend that there is a row going on between the Scottish Parliament and the Government about which health authorities should get preferential treatment. I suspect that the Lib-Lab alliance running the Scottish Parliament is falling out with the Government. If there were nothing underhand—

Mr. Deputy Speaker: Order. The hon. Gentleman should not be addressing the hon. Member for Buckingham (Mr. Bercow); he should be addressing the Chair.

Mr. Amess: I apologise, Mr. Deputy Speaker.

6.45 pm

There is something underhand going on. The Minister must surely realise that the listing of the health authorities is crucial to our accepting the new clause; we could not countenance accepting it otherwise.

All Members of Parliament and of the Scottish Parliament are batting for resources for their own areas, so they all want favourable treatment for their health authorities. My hon. Friend the Member for New Forest, West (Mr. Swayne) said that perhaps the word "authority" was no longer appropriate. He could be right. If the legislation had not been introduced in so shambolic a fashion, we would know what responsibility Health Ministers in the Scottish Parliament have for health authorities and the relationship between that responsibility and legislation going through our Parliament.

The second part of subsection (5) is of equal importance and is perhaps a point on which all Scottish Members should seek to speak. If they do not speak, their constituents will want to know about it.

Mr. Brady: Is not that especially true given that this is one of the few areas of debate in which Scottish Members can rightly participate?

Mr. Amess: My hon. Friend has grasped the precise point. Here is an opportunity for the 72 Scottish Members—

Sir Robert Smith (West Aberdeenshire and Kincardine): On a point of order, Mr. Deputy Speaker. Will you clarify that it is in order for all Members of Parliament to speak on any matter that the House is discussing?

Mr. Deputy Speaker: Every hon. Member would know that. Hon. Members are making a debating point.

Mr. Amess: Thank you, Mr. Deputy Speaker. I could comment on that point of order, but I had better not.

Every Scottish Member should note the second part of subsection (5). Sadly, we have no Conservative Members of Parliament in Scotland at the moment. *[Interruption.]* My hon. Friends remind me that we have two Members of the European Parliament there; or perhaps more. We have Scottish Euro-Members but no Scottish Members of Parliament. Labour, Liberal and Scottish National Members should surely to goodness want to know about the health boards adjacent to England.

If the point made by the hon. Member for Edinburgh, North and Leith about areas of social deprivation is valid, surely many Scottish Members should want the Minister to tell us which health boards are affected.

Mr. Chisholm: I want to put it on the record that I never mentioned areas of deprivation, but I have been

[Mr. Chisholm]

slightly shy of intervening because, after five weeks in the Scottish Parliament, I am in a state of culture shock: up there we are trying to have genuine debate and scrutiny rather than the time-wasting self-indulgence that we are witnessing today.

Mr. Deputy Speaker: Order. The hon. Member for Southend, West (Mr. Amess) is not time wasting. I would not allow that. However, he has made his case about the cross-border authorities, and must move on.

Mr. Amess: Thank you, Mr. Deputy Speaker, for not allowing me to respond to the point. In fact, I had not realised that the hon. Member for Edinburgh, North and Leith was also in the Scottish Parliament.

Mr. Bercow: I do not want to tempt my hon. Friend away from his normal path of rectitude, as he always adheres to the traditions of the House. However, the hon. Member for Edinburgh, North and Leith is the only Scottish Labour Back Bencher in the Chamber. Does not my hon. Friend agree that it is important that the Minister, when he winds up, says whether those hon. Members affected by the new clause have been briefed in advance? Are Labour Members absent because, as the relevant information has been vouchsafed to them already, they think that they need not contribute, or because they are incompetent and have simply forgotten that the Bill has come back on Report today?

Mr. Amess: The reason is arrogance: Labour Members think it a bore to scrutinise legislation. They accept without question everything that the Government propose. That is outrageous. This is the mother of Parliaments, and hon. Members should understand that they are not irrelevant to the scrutiny of legislation. I would not have spoken if the Minister had intervened to list the authorities and health boards affected, but he has not done so.

It is frustrating that Opposition Members get no answers to their questions. I find that I am able to challenge the Executive only in Select Committee. New clause 18 deals with important matters. It is all about money spent in the health service, but the disparity that it introduces is unacceptable. It is also unacceptable—and arrogant—of the Government to table a new clause and expect no one to question the detail. The National Health Service Act 1977 and the National Health Service (Primary Care) Act 1997 matter.

Mr. John Hayes (South Holland and The Deepings): My hon. Friend makes a profound point, but this is not the first example of such behaviour by the Government. Introducing new clauses in this way has become the hallmark of this Administration. It is impossible to examine important measures in sufficient detail, and I am surprised that Labour Back Benchers—who are also entitled to hold the Executive to account—do not feel the same way. Although my hon. Friend is too generous and liberal with the Government, I support him and hope Labour Back Benchers will do the same.

Mr. Deputy Speaker: Order. I have no argument with the point being made by the hon. Member for Southend, West, but he has made it several times. Once a point has been made, it cannot be repeated. The hon. Gentleman must move on.

Mr. Amess: The Minister owes it to the House to convince us that the new clause is in the best interests of all United Kingdom citizens. For myself, I found it profoundly unsatisfactory that the Minister moved the new clause without giving any detail of its affect on the rest of our constituents. The detailed arguments about people moving house and changing doctors are relevant, because the Government's health strategy reveals a profound misunderstanding of how health care should be delivered.

This is bad legislation. As I said earlier, I am suspicious of the Government's motives with the new clause, which will affect health care delivery in every part of the country.

Mr. Swayne: On the national question, I refer my hon. Friend to the brief intervention from the hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith). My hon. Friend was very courteous in giving way, so short was the hon. Gentleman's appearance in the Chamber. Does my hon. Friend agree that some legislation, such as that covering human fertilisation, remains the prerogative of this House, but that determination of the provision in Scotland of treatment under that legislation is the sole preserve of the Scottish Parliament? That may place a differential burden on health authorities—

Mr. Deputy Speaker: Order. I invite the hon. Gentleman not to get into such matters.

Mr. Amess: I shall say to my hon. Friend only that it is a discourtesy when an hon. Member intervenes in a debate and then scuttles out of the Chamber.

Dr. Evan Harris (Oxford, West and Abingdon): My hon. Friend the Member for West Aberdeenshire and Kincardine (Sir R. Smith) made a point of order, not an intervention.

Mr. Deputy Speaker: Order. I am not concerned about who enters and leaves the Chamber, as that has nothing to do with new clause 18. I am concerned with the debate, which is about the amendments before us.

Mr. Amess: I am worried that new clause 18 will have an adverse effect on health care throughout the country. It will be discriminatory, and will introduce a great disparity in health care provision between areas. People will find it very confusing.

I think that the Minister's heart has never been in the Bill. I do not doubt that he is doing his duty for the Government, but I doubt that he would table new clause 18 were he in overall charge of the Bill. I think that he agrees that it will cause great dissatisfaction among our constituents, and believe that he will regret the day that he came to be associated with the Bill and the new clause.

Although some hon. Members believe that a low attendance in the Chamber indicates satisfaction with a proposal, I feel so passionately about the Bill that it is important that we scrutinise it properly on Report. I shall not desist until I get some straight answers. I have asked

five specific questions of the Minister. If the Minister would, at the very least, provide a list of the health authorities and boards affected on either side of the border, he would restore my faith in his good will.

7 pm

I am dissatisfied with the way in which this legislation is being handled. People look to this Chamber to legislate in the best interests of everyone, and I hope that the Minister will realise that the disparity in treatment that will be caused by new clause 18 is not in the best interests of his own constituents, of my constituents or of the constituents of my hon. Friends the Members for Altrincham and Sale, West, for Buckingham (Mr. Bercow), for Uxbridge (Mr. Randall), for New Forest, West, for South Holland and The Deepings (Mr. Hayes), for Runnymede and Weybridge, for Rutland and Melton (Mr. Duncan), and for my right hon. Friend the Member for Maidstone and The Weald. The Minister should withdraw new clause 18 because he should admit that it has been defectively drafted. If he thinks that we will accept it without question or that it will not be properly scrutinised when it returns to the other place, he will be disappointed.

I appeal to the Government to give the House detail on the five points that I have raised and the other points made—so succinctly—by my hon. Friends.

Mr. Denham: I shall try to answer as many points as possible, but the hon. Gentleman will understand if I have sometimes missed his meaning during the past hour.

It is worth remembering what I said earlier. We estimate that about 3,500 patients will be affected by the Bill, which is the number of patients in England and Scotland who are registered with a GP practice on the other side of their border. I would not be introducing the new clause if I had not been assured that it had been fully explained to health authorities and boards and the other groups involved and that they had been fully consulted. Everyone who has responded has been in favour of our approach. The new clause addresses practical problems that have faced GPs who provide primary care in what are often scattered rural communities.

Mr. Brady: What about the health authorities or boards not immediately adjacent to the border? Were the next ones up consulted too?

Mr. Denham: I am fairly certain that they were not; I see no reason why they should have been. The health authorities and boards concerned are responsible for areas rather larger than those covered by the practices involved. I could see no point in extending consultation further south or north of the border. I had to be sure that the measure was supported. In fact, the idea was initially suggested not by the Government, but by general practitioners who have complained about the current position for several years.

Mr. Swayne: In what detail were the health authorities consulted? How the Government intend to proceed is not clear from the new clause. Presumably, the health authorities were given detail that we have been denied.

Mr. Denham: As I have already said, they were told that we intended to use the new clause to enable health authorities, primary care groups, primary care trusts and the Scottish equivalents to commission services for all their patients, irrespective of on which side of any border they lived.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) asked about part II services.

Mr. Bercow: Was the estimate that 3,500 people are likely to be affected based on current figures, which could increase or decrease? Alternatively, was it predicated on the assumption, to which my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) has referred, that lists would be frozen?

Mr. Denham: For 1998-99, the exact estimate was that 2,313 English residents were on lists of GPs in Scotland, while 1,125 Scottish residents had GPs in England.

Several hon. Members have asked about how orders would be made and which patients would be affected by them. Although it is highly unlikely that people will sign up for a practice many miles from their homes to gain some perceived benefit, I can assure the House that any order would be specific about the category of people to whom it would apply, which gives us the ability to tackle that unlikely scenario. I was asked whether orders could fix the number of patients at the time of their introduction. Order-making powers might enable us to prevent people from signing up for practices many miles from their homes where it would be unnecessary or perverse. However, we see no need to fix lists and have taken no such decision. New patients are always moving in and out of areas and registering with a GP practice.

Mr. Brady: Surely there must be many cases—beta interferon, for example, or any other expensive drug or treatment—in which it would be entirely rational for someone to move house into an area covered by an order. However an order is drafted, it cannot possibly preclude people who do that from being allowed to register with a GP.

Mr. Denham: The position has been misunderstood. If people felt now that it would be better to move either north or south of the border, they could do so. We must focus on the need to sort out the practical problems faced by GP practices and patients when it comes to the delivery of health care in border areas. The new clause is a sensible means of dealing with those problems.

Mr. Bercow: Will the Minister give way?

Mr. Denham: I have given way several times and would like to get on. We have had a lengthy debate and I want to move on to some of the other reasonable questions that were posed.

Mr. Hammond: I have listened carefully to the Minister. Without going to the extreme solution of moving house, will the hon. Gentleman clarify one matter? Where a health authority area includes a number of people who are patients of a GP over the border, would anything prevent any other persons residing in that authority area from signing on with that GP if they wished to do so, or can only certain people in the area access that privilege?

Mr. Denham: I may have missed the hon. Gentleman's point, but at the moment if a Scottish patient, for example,

[Mr. Denham]

registers with an English GP, that GP has to make provision under the Scottish health service and vice versa. New clause 18 seeks to deal with the problems that arise from that situation.

At present, if one crosses the border to register with a GP one none the less remains treated by one's own, English or Scottish, health service. That decision was taken during the early 1990s, I presume. That causes GPs or primary care groups practical problems, such as being able sensibly to commission treatment on behalf of their patients. That is why it is more sensible for treatment for all patients of the practice to be commissioned because they are attached to that practice rather than according to the health authority in whose geographical area they live.

Mr. Hammond: I thank the Minister for that explanation, which was extremely useful. However, he did not deal with my question. Is he telling the House that only people who live in a tightly defined sub-region of the health authority or health board area can access a GP on the other side of the border, or would I be right in thinking that any patient who lives in the area has the right to transfer? Would he not anticipate an exodus of patients to those border GPs, if there were sufficient incentive—for example, if there were significant differences in treatment and service availability on either side of the border?

Mr. Denham: I do not anticipate that trend developing in practice. One can construct such a theoretical argument—the hon. Member for Altrincham and Sale, West (Mr. Brady) did so—but in practice, most people, sensibly, want their GP to be within a reasonable distance. We are talking about vast rural areas. GPs can be a long way away and it is unlikely that people will want to go even further. Also, it is unlikely in practice that such a disparity in services will arise. Indeed, had real concern that that would happen existed, I am sure that it would have been mentioned by the people we directly consulted—the GPs themselves, who are concerned about their patients, and the health board in the area.

There are two further protections. The hon. Member for Runnymede and Weybridge asked whether anyone could theoretically sign up to a GP over the border. The order can specify the persons to whom it applies and the functions affected. Also, as I said—this answers the question about overruling the Scottish Parliament—each order will be subject to affirmative resolution both here and in the Scottish Parliament. Therefore, the provisions being made under the new clause could be scrutinised.

Mr. Bercow: Will the Minister give way?

Mr. Denham: One more time.

7.15 pm

Mr. Bercow: I am grateful to the Minister, whose patience and charity are well established throughout the House. Will he explain whether the order could not only specify categories of people to whom the arrangements would apply, but limit the number to whom they would apply? Does he accept that in either case a problem would arise? If there is a limit on numbers, it is arbitrary; if there is not, the flood gates have been opened.

Mr. Deputy Speaker: Order. That was not a very brief intervention.

Mr. Denham: I had quite settled back into my seat, Mr. Deputy Speaker.

The order could specify the number of people. I am not sure that that is likely to be the way in which one would approach the problem, but the hon. Gentleman asked a reasonable question about the breadth of the legal provision, and the answer is yes.

I must deal with two specific points. First, the hon. Member for Runnymede and Weybridge asked about the fact that part II arrangements are included in the drafting of the clause and about our intentions in that regard. That has been done to allow the scope, if it were decided that we should do so, for streamlining part II arrangements for cross-border GPs who—this is analogous to the commissioning of care for patients—work to two different Red Books for two different sets of patients. The drafting of the Bill would enable that to be streamlined, but I must stress for the record that we have not decided to go down that road and we have not even begun any consultation with the GPs, health authorities or health boards affected. We would certainly want to do so before moving in that direction. The extension to part II would allow that change to take place.

Mr. Hammond: I thank the Minister for that clarification. If he has made no moves in that direction and has not begun any consultation, what changed between the date of his letter to my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) the week before last and his tabling of the new clause last week?

Mr. Denham: The answer to that question is that the clause was tabled after further examination of the issue and the provision that we should make.

I have always regretted the introduction of new clauses at a late stage in a Bill, as I did when we were in opposition. During the passage of the National Health Service (Primary Care) Bill, which was considerably less lengthy and complex than this Bill, three times as many new clauses were introduced on Report than have been introduced for this Bill, which I thought regrettable. I recall Conservative Members making speeches from the Government Benches that deprecated the fact that so many new clauses were introduced—well, I would like to think that I can recall that, but I think that they overlooked the matter at the time.

The final and most important question concerns the funding arrangements. I do not intend to debate the entire Barnett formula, save to note again that hon. Members who have suddenly discovered its existence seemed to be silent about its dire consequences throughout most of the 18 years of the previous Administration.

We intend that the allocations of the health authorities and boards concerned will be adjusted to reflect the new arrangements and through that the different level of funding. It is intended that the adjustment should affect the actual level of spending on the patients concerned as is reflected in current commissioning arrangements.

For example, the allocation of an English health authority or primary care trust would be increased to reflect the current levels of spending on any Scots on the GP list. There is no question of money being lost to Scots patients because of the arrangements.

However, that is not to push the concept of capitation funding too far. It is not as though each individual is entitled to a fixed amount, which flows—ultimately—from the Barnett formula. Even under the previous Conservative Administration, the health service was not divided up with a fixed sum per head. A health authority, a health board or a primary care trust will use its funds to respond flexibly to the needs of its local population—whatever level of capitation each individual may, notionally, have attracted. That applies on both sides of the border.

It is worth bearing in mind that the existing arrangements have their drawbacks, which is why we want to take this action. Those arrangements take up time, energy and resources that might better be devoted to patient care. For example, at present, practices have to provide different arrangements for their English and Scottish patients. As I pointed out earlier, one practice reported having to liaise with six different teams of community staff to cover its scattered population.

A question was put about the letter from my predecessor to Dr. John Chisholm of the GPC—part of the British Medical Association. When my predecessor wrote that letter, the then Minister at the Scottish Office with responsibility for health wrote to the BMA in Scotland and gave similar guarantees. I am advised that those were repeated in guidance issued to local health care committees in Scotland on 8 February this year.

Mr. Hammond: Does the Minister know whether the assurances given by Scottish Ministers in this Parliament have been repeated by Ministers in the Scottish Executive since that body came into being?

Mr. Denham: I have no knowledge of that, although I shall look to the Under-Secretary of State for Scotland, my hon. Friend the Member for Western Isles (Mr. Macdonald), for information on that point. That matter is clearly not my responsibility.

I confirm that, fortunately for geography teachers and students throughout the country, there is no debate on which areas of England and Scotland lie adjacent to the border. There is no option in that matter. The English health authorities defined in the Bill will be North Cumbria and Northumberland and the Scottish health boards will be Borders and Dumfries and Galloway.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 4

CRITERIA FOR APPRAISALS BY THE NATIONAL INSTITUTE FOR CLINICAL EXCELLENCE

'The Special Health Authority known as the National Institute for Clinical Excellence shall make its appraisals of different treatments and clinical interventions on the basis of clinical efficacy or relative cost-effectiveness compared with alternative treatments or clinical interventions for the same symptoms, but not on the basis of their affordability in relation to the funds available to the National Health Service.'.—*[Dr. Harris.]*

Brought up, and read the First time.

Dr. Evan Harris: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: New clause 14—*National Institute for Clinical Excellence (duties and consultation with public)*—

'.—(1) The Special Health Authority known as the National Institute for Clinical Excellence (the "Authority") shall meet in public.

(2) The Authority shall publish annually a report on its activities during the preceding calendar year which the Secretary of State shall lay before Parliament.

(3) The Secretary of State shall establish a public consultative committee in relation to the Authority, which shall have the duty of advising the Authority on the public's view on the priority to be accorded to different treatments and clinical interventions within the NHS.

(4) The constitution and membership of the committee mentioned in subsection (3) shall be such as the Secretary of State may determine in Regulations.'.

New clause 16—*Protection of doctors' clinical freedom to prescribe appropriate drugs*—

'.—The Secretary of State shall not exercise his powers to include a drug in schedule 11 to the National Health Service (General Medical Services) Regulations 1992 (as subsequently amended) in such a way as to restrict the circumstances in which the drug may be prescribed by reference to the different underlying causes of the symptoms for whose treatment it is clinically effective.'.

New clause 17—*Cost or affordability not to be criteria for restricting prescribing of drugs*—

'.—In issuing guidance on prescribing, or in exercising his powers to include a drug in schedule 10 (drugs and other substances not to be prescribed for supply under pharmaceutical services) or schedule 11 (drugs to be prescribed under pharmaceutical services only in certain circumstances) to the National Health Service (General Medical Services) Regulations 1992 (as subsequently amended), the Secretary of State shall not base his decision on the criterion of either the cost or the affordability of the drug in question.'.

Dr. Harris: I hope to introduce the new clauses relatively quickly, but at this point it is appropriate to pay tribute to the work of the hon. Member for Runnymede and Weybridge (Mr. Hammond), who in Committee paid great attention to the detail of our proposals—as I am sure he will do to these proposals. He did so assiduously during the Bill's Committee proceedings, while simultaneously fathering a child—or rather overseeing the birth of a child—*[Interruption.]*—There was some confusion as to that point in Committee.

More than mere scrutiny of the Government is involved in the new clauses. Like the other groups of amendments that we shall discuss in the near future, they show that some critical issues must be decided. On this occasion, the Liberal Democrats are raising those issues—of rationing in this group of new clauses; and of the hours worked by junior doctors and discrimination in the national health service in later groups. For more than three hours, we debated the border provisions in Scotland and we shall probably have a long debate on this and future groups of new clauses. One cannot help but think that the contributions of hon. Members—I am sure that those

[Dr. Harris]

contributions were always in order—were lengthy because of hon. Members' chagrin that they had not tabled such important new clauses as those that we are now discussing.

Mr. Bercow: Will the hon. Gentleman give way?

Dr. Harris: I shall do so in a moment.

It seems strange that, at the rate that we are carrying out our scrutiny of the Bill, we may well be discussing the hours of junior doctors in the middle of the night and spending a great deal of time discussing other matters that were covered at length in Committee. Nevertheless, although the House will want to discuss those issues, for those outside the House, it should be pointed out that something is going on—

Mr. Deputy Speaker: Order. We should not be worrying about what is to come; we need to worry only about the new clauses before us.

Dr. Harris: Thank you, Mr. Deputy Speaker. I was keen to point out that I will attempt to keep the substance of my remarks brief, because I know that Conservative Members will want to contribute—probably at length.

Mr. Hammond: I point out to the hon. Gentleman that any chagrin felt by Conservative Members is due entirely to the fact that the Government have allowed only one day for Report. We consider that to be wholly inadequate in view of the Bill's importance.

Mr. Deputy Speaker: Order. We need not go into those matters; we need only to worry about the group of new clauses before us.

Dr. Harris: The new clauses are about what the Government should and should not do in the rationing of treatment.

Mr. Bercow *rose—*

Dr. Harris: I should be grateful if the hon. Gentleman would be patient so that I can get into the substance of my speech. I shall then willingly give way to him. On this Bill, we have a spirit of giving way—liberally, if he will excuse the expression.

New clause 4 provides that the National Institute for Clinical Excellence

"shall make its appraisals of different treatments and clinical interventions on the basis of clinical efficacy or relative cost-effectiveness compared with alternative treatments or clinical interventions for the same symptoms, but not on the basis of their affordability in relation to the funds available to the National Health Service."

That is a key point and the new clause states the matter clearly. It goes to the heart of rationing, priority setting or managing the resources of the health service—whichever term we use.

New clause 14 refers to the need for openness and accountability and for public participation in whatever decisions are appropriately made through NICE.

Mr. Bercow: I welcome the fact that the hon. Gentleman is introducing this group of new clauses. He has a long-standing interest in, and some considerable knowledge of, the plight of many of our constituents throughout the country as a result of rationing. However, will he tell the House why, when he is introducing these important new clauses, he is accompanied by only two of his hon. Friends? Is that because most Liberal Democrat Members are unconcerned about the problem of rationing and do not suffer its consequences?

Mr. Deputy Speaker: Order. I certainly do not want to hear a debate about the party make-up in the Chamber at present. We must discuss the new clauses.

Dr. Harris: I was going to say that I am aware of the interest of the hon. Gentleman in rationing. As he has acknowledged, he is aware of the interest of at least two Liberal Democrat Members who have raised that matter in Adjournment debates. They will be following the proceedings carefully.

New clauses 16 and 17 consider rationing of the drug Viagra from two different approaches. We take the Government to task for what has happened, in a way that is analogous to that in which the courts and the Government, by their own admission, feel that the issue has been mishandled. We also want to help the Government by introducing a measure to ensure that those mistakes are not repeated and that such rationing decisions are made fairly and rationally, rather than irrationally.

As I did in Committee, and as is customary, I declare an interest. I have a non-declarable interest as a fellow elect to a pharmaceutical company, under the Industry and Parliament Trust scheme, which gives Members of Parliament experience of private sector companies. I am attached to Glaxo Wellcome plc for that purpose, although I receive no remuneration. In addition, my interest in rationing took me on a study trip to the United States with NHS commissioners and clinicians to study the details of the association with the American Society of Clinical Oncologists, and the trip was funded by a pharmaceutical company.

We hope not to have to press new clause 4 to a vote, important though the issues are, because we raise those issues in a spirit of constructiveness and in a workmanlike manner. We hope that the Government will be able to reassure us that our fears are unfounded. Our great concern is that NICE will be a means for the Government to ration treatments, which is the term we use, or to deprioritise treatments out of the NHS in a way that is not politically accountable. The Minister knows that I have raised these concerns before, so his answer will be well rehearsed, but I seek specific undertakings from him.

7.30 pm

I hope that the Minister recognises that my approach to the National Institute for Clinical Effectiveness is not unreasonable.

Mr. Hammond: Clinical Excellence.

Dr. Harris: Sorry, the National Institute for Clinical Excellence. When I referred to the National Institute for Clinical Effectiveness, I was thinking of the Government's original press release on the special health

authority with that name, which was corrected from cost-effectiveness to clinical effectiveness, and then to clinical excellence.

The Liberal Democrats accept that treatments should be used only when they are likely to be efficacious and when they are effective. We have no time for an NHS that wastes money on prescribing drug treatments or carrying out operations that are not of clinical benefit to the patient, or where the adverse effects of the medication are likely to outweigh any clinical benefit that the patient may receive. Clearly, there is a need for national standards, not only to get rid of what the Government rightly describe as unacceptable variations in the delivery of treatment, but to ensure that treatments that are a waste of money are not carried out through best practice not being disseminated sufficiently widely.

We would go further on the issue of cost-effectiveness. We recognise that the NHS has limited funds, although we would argue that it should be better funded than even the Government have managed over the past two years. Given that funds are limited and that there is a great need for services, it would be wrong for health authorities, trusts and clinicians to prescribe drugs or offer treatments that are more expensive than other treatments for the same condition or symptoms, but no more effective. It is sensible to consider the relative cost-effectiveness of treatments and to ensure, given the NHS's limited budget, that money is not spent needlessly. I hope that that is common ground between us.

We have two concerns, however, on which the Government have yet to reassure us. The first is whether the measure of cost-effectiveness will be wide enough and, if it is sufficiently wide, whether it will be fair, especially to pharmaceutical companies and in respect of drug treatments that are relatively new. Our second concern is that, even if the test of cost-effectiveness is met, the Government will use NICE to ration on the basis of affordability drugs that are highly effective, efficacious and relatively cost-effective, but whose widespread effective and cost-effective use would have implications for NHS budgets. We acknowledge that there is a need for tough decisions to be made on those issues, but the Government must publicly announce those decisions, not shelter behind NICE.

We are concerned that, so far, the Government have not ruled out NICE making its recommendations on the basis of affordability, even in respect of treatments that are effective and cost-effective. We are also concerned that the chairman of NICE, Professor Rawlins, in his evidence to the Select Committee on Health, did not rule out the possibility that he might be forced—against his will, I am sure—to make recommendations based on affordability in respect of treatments that would otherwise pass the effectiveness and relative cost-effectiveness tests. I see that the hon. Member for Runnymede and Weybridge shares my concern.

The issue of efficacy is not all plain sailing, which is why it would be of great benefit to the House if we had a debate on NICE. However, I shall not take up time considering such matters in detail now. In respect of the efficacy of new treatments, it will be difficult for NICE to be fair to patients and to treatment providers. There are several new treatments whose efficacy dawned on the NHS rather late. For example, some of the new HIV treatments were never felt to be particularly effective on their own; but, a significant time after their introduction, they were found to be highly effective and cost-effective if used in combination. If their use on the NHS had been prevented, NHS patients would never have benefited from that combination therapy and, in this country at least, doctors might never have found out that the drugs were so useful in combination. There are significant concerns about the way in which NICE will judge the efficacy of new drugs.

Dr. Nick Palmer (Broxtowe): I, too, should declare an interest in that, from time to time, I advise Novartis, although I am not sure that that company would agree with the question that I am about to ask. Does the hon. Gentleman agree that the approach taken today, whereby such decisions are being made by dozens of individual units around the country, is not necessarily superior to having one body deciding centrally? Does he also agree that it is difficult to consider the question of cost-effectiveness completely separately from that of clinical effectiveness, because it is only one of several factors? It is rather artificial to expect NICE completely to ignore that aspect.

Dr. Harris: I think that I have already covered the second part of the hon. Gentleman's question. As for his first point, it is not a question of centrally set guidelines versus the relatively quick or slow uptake of new treatments in various parts of the country. Clearly, having NICE lay down what should or not be prescribed and then insisting on its guidelines being followed—incidentally, the level of insistence is not clear—will mean that a treatment is either quickly introduced everywhere or not introduced anywhere. My concern is that the data on which that uniform, NHS-wide decision is based will not be complete and that the wrong decision will be made and its effect last for all time, or for a significant period of time until the decision is re-examined. Such an approach might well have held back the introduction and use of the HIV drugs to which I referred.

Although we support the idea that NICE should examine efficacy, costs and prescribing practices in respect of new drugs and treatments, we recognise the difficulties with data on efficacy. Another example of that is ACE—angiotension converting enzyme—inhibitors. They were felt to be of limited clinical use when they were first introduced, and certainly when I was a medical student, but were later found to be highly effective for conditions other than those for which they were originally used. That discovery would not have been made had they not been prescribable on the NHS on the basis of more limited evidence.

There is concern that the way in which NICE will consider cost-effectiveness will be too pure—that it will not consider "relative cost-effectiveness", which is the wording in the new clause, but will use some pure measure of cost-effectiveness without stating how that measure should be arrived at. There are many measures of cost-effectiveness, such as the numbers it is necessary to treat in order to achieve a valuable clinical effect in one patient, or the cost of a treatment, perhaps combined with the costs per life-year saved or per quality adjusted life-year. There is a series of such measures, but the NHS is not experienced in assessing them.

Patients, patient groups and the pharmaceutical industry are concerned that NICE will seek large amounts of data that are not readily available. The new clause makes it

[Dr. Harris]

clear that we should be considering "relative cost-effectiveness", where it is measurable, against existing treatments. When the data are poor, the new treatments should be given the benefit of the doubt.

An example is the drug erythropoetin, which is used to stimulate the production of red blood cells in patients who are anaemic and suffering from renal failure. That treatment was very expensive when it was first introduced. It was believed not to be cost-effective, and its availability was extremely limited. However, it proved to be relatively cost-effective in preventing hospital re-admissions and negated other costs associated with chronic renal failure. The early prevention of that drug's prescription may have hidden its relatively high cost-effectiveness.

Our main concern is which budgets NICE will examine when measuring cost and benefit. For example, the new anti-psychotics—the so-called atypical anti-psychotics—used to treat schizophrenia are much more expensive than the old reliables, such as haloperidol. There is no justification, on a purely cost basis, for prescribing the atypical anti-psychotics. However, it is now well recognised that the side-effects of the older drugs are so great that compliance is poor. Patients do not take them; they then suffer acute relapses and require hospitalisation, which generates more costs. The new drugs are tolerated better, and should therefore be prescribed.

We are concerned that the cost-effectiveness data will comprise only NHS drug budgets, not broader NHS treatment budgets. In the case of Alzheimer's disease, we are concerned that the measure will be NHS budgets rather than the wider social care budgets. Even if wider budgets across the health and social care fields were examined and the data were available—it may be difficult to obtain without investment in research and development, which the Government have cut in the first few years of this Parliament—there is concern that NICE will not take account of social security budgets and the benefits to the nation of having healthy people working and paying taxes.

Mr. Fabricant: Does the hon. Gentleman not consider that there are parallels with a cost-benefit analysis that the Government should undertake regarding the free provision of nicotine replacement therapies in order to reduce the cost to the national health service of treatments for cancer and pulmonary and other dysfunctions caused by tobacco smoking?

Dr. Harris: I agree with the hon. Gentleman. My point is reinforced by Stephen Thornton, who is quoted in an excellent booklet produced by the Association of the British Pharmaceutical Industry and authored by Chris Mihill, a well-regarded former medical correspondent on *The Guardian*. Stephen Thornton, the chief executive of the NHS Confederation, is reported as saying that he

"doesn't think the savings from other budgets, such as social services or social security, will revert to the health service, even if they could be fully quantifiable."

The booklet quotes him as follows:

"If patients go back to work and pay taxes, the money goes to the Treasury, and when does the health service see that? It's an argument the Health Department must have with the Treasury, that investment in the health service produces economic benefit. But at the moment, from a GP and trust point of view"—

I think he also means from a commissioning point of view—

"if it's outside the health sector, it's money which we can't have."

Mr. Thornton argues that that cost-effectiveness calculation should not be made, or is not currently being made. I fear that the wider arguments that would prevent false economies will not be made unless the Government pay particular attention to the workings of NICE.

7.45 pm

Mr. Bercow: The hon. Gentleman has largely dealt with the point that I proposed to raise. Does he agree that, on the basis of ministerial pronouncements thus far, it would appear that Ministers intend to adopt a very narrow interpretation of cost-effectiveness? Although they have not excluded the consideration of social factors, the Minister has attempted to play them down on several occasions. That is a worrying portent for the future.

Dr. Harris: I have read the Minister's responses to Adjournment debates about multiple sclerosis, and I have listened carefully to his comments in previous debates. I remain optimistic that he will recognise the concerns that we have highlighted and will confirm now that, in their response to the consultation on NICE, the Government will give the institute adequate resources so that it may undertake true cost-effectiveness work. Narrow cost-effectiveness measures will not be fair to patients or to those seeking to develop new treatments.

Regardless of how the Minister deals with the problem of cost-effectiveness, I hope that it is clear to all—I trust the Minister will agree—that it cannot be right for NICE to set out guidelines preventing or advising against use by the NHS of a drug or other treatment when it is effective and cost-effective but when the take-up of that treatment would adversely affect the NHS budget. That is a consideration for Ministers, but NICE would be abusing its power if it were to restrict the use of cholesterol-reducing drugs, for example, that would prove both effective and cost-effective in the long run by reducing cardiovascular mortality and morbidity simply because it would have significant cost implications for the NHS.

If such restrictions must be made, the Government should say that the NHS cannot afford to provide the treatments out of current resources. We could then debate publicly how much the Government should spend on the NHS or, as the Conservatives would have it, how much use those who can afford to should make of the private sector in order to create more space in the NHS. We believe equity dictates that there should be much more funding for the NHS, but that is a matter for another debate. The key point is that the public have a right to consider that issue. Even if new clause 14—to which I shall turn in a moment—is agreed to, I do not think the public will have much of an idea about the pronouncements of academics and others from NICE.

I believe that the Government adopted the correct position on Viagra. That was a pure case of rationing on the grounds of affordability, and the Government were right not to impose restrictions through a covert health service circular or through some quango, although there were some problems. I seek the Minister's assurance—we

have not received such an assurance from the chairman of NICE—that the institute will not apply the criterion of affordability when considering effective and relatively cost-effective drugs. I will be happy if the Minister will provide that assurance. I know that many, if not all, clinicians, as well as those who take a sensible and mature approach to the difficult question of prioritisation and deprioritisation, will be relieved to hear that the Government are taking a responsible view of where political accountability lies.

We discussed proposed new clause 14 in the Third Standing Committee on Delegated Legislation on 10 March this year, when I asked the Minister whether meetings of NICE would be open to the public. He said that I was

"right to say that the regulation as drafted does not require public access to meetings of the institute's board. There is a case for that in the climate of openness and transparency, as he said, although he also acknowledged that issues of confidentiality would need to be protected."

He continued:

"If the matter proved in practice to be a problem, it could be dealt with by further regulation."

I say to the Minister that it is not a question of whether there is a problem in practice, but making public access subject to matters of commercial confidentiality should be a default principle. The Government should ensure that meetings are held in public unless there is a reason why they should not be. I look to the Minister to reassure us that the public will normally be admitted to the board's meetings and that the Government will introduce regulations to ensure that, so that I will not need to press that part of new clause 14.

Subsections (3) and (4) of new clause 14 set out a way in which the public can be involved in decisions relating to NICE. It is important that the public have a say in the issues that the institute should consider because we have to find a way to involve the public in decisions on rationing.

Mr. Bercow: The hon. Gentleman is making a powerful point about public involvement and the need for accountability. Does he agree that the machinery of consultation and public involvement is likely to be effective only in so far as there is a guarantee from the Government that there will not be private words between Ministers and NICE, the purpose and effect of which will be to disregard the outcome of the consultation and, in other words, to make it a sham? Do we not need to be reassured that under no circumstances will that happen?

Dr. Harris: That is a very important point. The decisions about which treatments, processes and drugs the institute should consider should be made openly. There should not be seen to be collusion between what is supposed to be a semi-independent health service body—a special health authority—and Ministers. If Ministers are to give directions, which they may feel is their right, they should do so openly and in consultation with the public.

Many people have called for the public to be more involved in such decisions. In the Standing Committee that considered the statutory instrument, to which I have already referred, the Minister said:

"I confirm that it is important that patients' interests are represented in all NICE's work. From a patient's point of view, quality has sometimes been neglected in the drawing up of professional guidelines in the past."—[*Official Report, Third Standing Committee on Delegated Legislation*, 10 March 1999; c. 18-19.]

By having not only lay representatives on the institute's board but a public consultative committee for the authority, we shall ensure that the institute's deliberations are seen to be publicly accountable in a way that, with the best will in the world, one could not guarantee if there were only a cosy arrangement between the Minister and the institute.

Mr. Hayes: The hon. Gentleman is making a good case for a wider debate about this matter, and he is right to do so because some of the institute's judgments will not be clinical but ethical or moral in a broad sense. Is that open and public debate helped by Ministers' continual denials that those restrictions are not already operating? The truth is that there is already rationing. One can euphemistically call it strict management of resources, as the hon. Gentleman has done—I understand why he has done so—but continual denials that those choices are already being made does not help the process of public, open and honest debate that the hon. Gentleman is advocating.

Dr. Harris: I agree with the hon. Gentleman, and both Opposition parties have initiated debates on that. There is scope for a separate debate on the workings of the national institute, but I am keen to make progress now. I hope that by making points that hon. Members agree with, I shall enable them to restrict their comments so that we can make quicker progress.

On public accountability, the Consumers Association's magazine *Health Which?* pointed out that, in its survey, three quarters of the people who were interviewed felt that the public should have a say in which services were available on the NHS, but only a third of the 35 health authorities surveyed made any mention of public consultation in their material.

Oxfordshire has a priorities forum that is open to the public, and I attend that forum to find out exactly what is happening in health service rationing. I can assure the Minister that the word "rationing" is used by all the people in that forum, whether they are professionals or lay people. I know that Buckinghamshire and other health authorities try to involve the public. However, that is not sufficient public involvement. There should be a national scheme to mirror those local arrangements. We support the Consumers Association's call for wider public involvement.

I press on now to new clauses 16 and 17, which relate to the way in which the Government have used the scheduling procedure in the National Health Service (General Medical Services) Regulations 1992 to restrict the availability of drugs on the NHS, particularly Viagra. I make two criticisms of the Government in speaking to those new clauses. My reasons for tabling new clause 17 echo my arguments about the Government using affordability as a criterion for using schedule 10 or 11 of those regulations on the basis of cost or affordability.

Schedule 10 relates to drugs that are not available on the NHS, and schedule 11 relates to drugs that are available only under limited conditions. Since their introduction, those procedures have traditionally been used, in the case of schedule 10, for drugs that are not

[Dr. Harris]

efficacious, or are no more efficacious, than cheap alternatives and, in the case of schedule 11, for drugs that are effective only in treating certain conditions. It is not the case that certain conditions are specified to control cost. The use of those schedules has been based on effectiveness and, even if drugs are effective, on strict relative cost-effectiveness.

Mr. Fabricant: Does the hon. Gentleman have a view, as his party's spokesman or as a former houseman in a hospital, on the effect of prescribing generic drugs that may be cheaper but have side effects very different from those of the main drug for which they are a substitute?

Dr. Harris: I do have views on that, but I shall not express them in this debate. If the hon. Gentleman sees me afterwards, I will be happy to go over those issues. There are issues of generic substitution but they do not relate to these new clauses.

Mr. Fabricant: They do.

Dr. Harris: No, they are different, and controversial, issues, although I understand the point that the hon. Gentleman is trying to make.

Dr. Stoate: I seek clarification from the hon. Gentleman. He seems to be telling us that drugs that are proscribed from being used for certain conditions under schedule 11 are simply not effective in treating those conditions, but that is not the case and it is not borne out by my knowledge of medicine. For example, a severe case of sunburn may be due to overexposure to the sun or to photosensitivity. Sunblock will work in both conditions, but schedule 11 specifies that sunblock should be prescribed only in clear cases of photosensitivity and should not be prescribed as a cosmetic treatment to allow people to spend more time in the sun. Another example is scaly scalp condition—

Mr. Deputy Speaker: Order. The hon. Gentleman should know that interventions should be brief, so perhaps he will allow the hon. Member for Oxford, West and Abingdon (Dr. Harris) to respond to that point.

Dr. Harris: The hon. Gentleman is making the same point as I am. The scheduling of drugs for certain conditions is based on their effectiveness and cost-effectiveness. I agree with the examples that he has given. Those schedules do not include drugs that are effective and relatively cost-effective for a recognised clinical condition and have never been used for that purpose. However, that is exactly what the Government plan to do from 1 July for Viagra. There is no doubt that the Government accept that Viagra is effective and also relatively cost-effective, but the increased demand for an acceptable and cost-effective treatment creates problems of affordability for the NHS. The Government are misusing schedules 10 and 11 for such a drug.

As I have said before, if the Government suspect budget implications as a result of increased need for a drug, it is right that they make an announcement. Our concern is not that the Government made such an announcement, but that they did so irrationally. Part of that irrationality was the misuse of schedules 10 and 11. The criteria should have been based on effectiveness and relative cost-effectiveness, not on pure cost or affordability. That is why we have tabled new clause 17. My criticism of the Government on that matter has been shared by many clinical authorities.

8 pm

Mr. Fabricant: I do not like to press the hon. Gentleman—he is very reasonable—but surely the very new clause that he has tabled relates to generic substitution. The Government would argue at times that cost-effectiveness could be secured by prescribing a substitute for a drug at the expense of clinical side effects that may be detrimental to the patient.

Dr. Harris: I do not want to be drawn into the question of generic substitution simply because it is controversial whether the differing availability of generic drugs and patented drugs causes side effects. That is a drug-specific matter. Regardless of the details of generic substitution, I am talking about the general principle—I hope that the hon. Gentleman will accept this—of the Government's misuse of schedules on effectiveness and cost-effectiveness in order to get themselves off a hook.

As the Government may know, new clause 16 is a direct criticism of the way in which they chose to ration Viagra. If accepted, it would prevent the Secretary of State from doing what he did with respect to Viagra. I think that the NHS, lawyers and the Department of Health would be grateful for such legislation, since the Government would be prevented from breaching what I consider to be a doctor's ethical duty: to prescribe a drug that he or she considers to be effective, regardless of the origin of the complaint from which the patient suffers, if, in each situation, the drug is equally effective.

The Minister will know that there was a court case concerning the interim guidance and that the final guidance that the Government are producing under schedule 11 almost certainly cannot be challenged legally. New clause 16 is not about the legal judgment but about whether the Government are rational in saying to a group of patients, "However effective and cost-effective this drug may be in treating your recognised condition, you will not be given it because your condition stemmed from"—for example—"cardiovascular or psychiatric causes." As a result of the Government's creating two lists and direct discrimination, a diabetic, for whom the drug may be less effective and cost-effective, may well qualify for the drug.

We shall come in due course to another group of new clauses that address discrimination. The Government have said that they do not believe that the NHS should be discriminating irrationally. We have agreed, I hope, that where such rationing occurs, there should be a clinical basis for it. In the case of Viagra, the basis was cost. The Government wanted to ensure that only 15 per cent. of potential patients were treatable, and therefore chose conditions that accounted for only 15 per cent. of patients.

It would have been more rational to give hospitals, primary care groups or individual GPs a budget, enabling them to use their clinical judgment to treat the 15 per cent. of patients who would benefit most from such treatment. The Government should not lay down rules. To give them credit, they did say that only 15 per cent. of potential

patients would be treated; that is part of the openness and accountability in rationing decisions about which we talked earlier. It was entirely wrong, unfair, inequitable and discriminatory for the Government to do what they did over Viagra.

In Committee, I pressed the Minister on this point and asked whether, if such a situation arose again, he or his right hon. Friend the Secretary of State would use the same technique in order to ration. He reassured me partially that he thought that unlikely—I think we were still awaiting the outcome of the legal matter at that point. I should be grateful if the Minister confirmed that discrimination on the basis of cause of condition rather than effectiveness of treatment will not be the basis on which future rationing decisions are made. If that reassurance cannot be given, we shall press new clause 16 to a Division.

Mr. Fabricant: Does the hon. Gentleman accept that the Minister, just like his boss the Secretary of State, will not allow the word "rationing" to cross his lips? They will not even admit the existence of rationing in the health service, so any reassurance that the hon. Gentleman may have been given would have certainly omitted that word.

Dr. Harris: The hon. Gentleman knows that I agree with those sentiments, which have been expressed before by other hon. Members. I hope that we shall not have a long discussion on the Government's refusal to use the dreaded "R" word, although I fear we will. Despite the fact that the Government refuse to call a ration a ration, I am trying to make a constructive point. I very much look forward to the Minister giving an assurance that prioritisation or deprioritisation or resource management, or whatever he calls it, will not be conducted on such an irrational basis again, and to his accepting the principle of new clause 16.

The new clauses go to the heart of the rationing issue. They identify many of the key points that the Government have not yet clarified, despite hours of debate both in Committee and on the Floor of the House. I know that the Minister has a deep understanding of these issues, so I look forward to his offering considered reassurances. The matter is set out clearly on the amendment paper. He will be judged by the health profession and those involved in the NHS on the satisfactory nature of his answers.

Mr. Hammond: It is very appropriate that the hon. Member for Oxford, West and Abingdon (Dr. Harris) ended on an explicit discussion of rationing and whether we should call it by its name, because this debate on Report is on the question of rationing. Many hon. Members present will regard the question of rationing and the attempts to rationalise rationing without ever admitting that it exists as one of the most important issues to address in considering this Bill.

Mr. Fabricant: I am sorry to interrupt my hon. Friend so very soon in his peroration, but does he not find it ironic that it took a High Court judge to tell the Secretary of State that rationing—in that case of Viagra—was wrong, but that the Secretary of State still cannot bring himself to use the word?

Mr. Hammond: My hon. Friend is entirely right. I shall return to that matter in a moment.

I thank the hon. Member for Oxford, West and Abingdon for acknowledging the role that the Conservative Opposition played in Committee in seeking to widen the debate on this Bill to embrace the very important issue of rationing. It was not as easy as one might have expected. Although the clauses before us deal specifically with the National Institute for Clinical Excellence, which is indeed a key part of the Government's machinery for rationing service delivery in the NHS, many hon. Members who have not had the privilege of serving on the Committee that considered the Bill, and perhaps may not have studied the Bill in great detail, might be rather surprised to discover that NICE is not a child of the Bill. It was introduced by the Government by means of a statutory instrument. Therefore, it is only by means of new clauses such as new clause 4, which seeks to restrict the scope of NICE's operation, that we can use this Bill in any way to bear on those very important issues.

Mr. Bercow: Given my hon. Friend's deserved reputation as an intellectual giant in the House, I wonder whether he can clarify a matter that has puzzled me for some time, upon which I feel sure that he has dwelt in reflecting on the Bill. In his judgment, what is the difference between rationing, which the Government disavow, and prioritisation of resources within a finite budget, of which they apparently approve?

Mr. Hammond: My hon. Friend asks a very good question—one which I put to the Minister of State—

Mr. Fabricant: Another intellectual giant.

Mr. Hammond: Indeed, as another intellectual giant. My hon. Friend asks a question which I put to the Minister in the Committee on the statutory instruments that introduced NICE. I feel a little sorry for Ministers who have to deal with this question time and again, because they are intelligent people who well understand the situation in which the NHS operates. They understand as well as we do, as well as the BMA, as well as the royal colleges, as well as the Patients Association, that of course there is rationing in the national health service. That is nothing to be ashamed of. We should accept and acknowledge that, and then we might have a sensible debate about how best to ensure that that rationing occurs in a way that is fair, transparent and rational.

The absurd situation that we all find ourselves in this evening is that the Government have created, in NICE, a mechanism that will make more rational the imposition of rationing in the national health service, but they cannot proclaim that success because they will not admit that there is any rationing in the NHS. Indeed, my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), after an exchange at the Dispatch Box a few months ago, asked the Minister for Public Health outright the question,

"Is there rationing or is there not?"

and the answer came,

"No."—[*Official Report*, 15 December 1998; Vol. 322, c. 746.]

We cannot have a more explicit statement of Government policy from a Minister at the Dispatch Box

[Mr. Hammond]

than that, and yet, absurdly, although every commentator—qualified or not—recognises that there is rationing in the NHS, the only party that does not is Her Majesty's Government.

In defence of the Minister of State, I am certain that he and his colleagues—the Minister for Public Health and the Under-Secretary—privately recognise, in their own intellectual analysis of the situation, that of course there is rationing, and find having to keep denying it publicly deeply embarrassing.

Miss Widdecombe: In case my hon. Friend was prepared to be generous and felt that the Minister for Public Health was put on the spot by my question and said no by accident, would he now like to consult written answers in which he will find that the Secretary of State has said that there is no rationing in the health service?

Mr. Hammond: I was not suggesting for a moment that the Minister for Public Health might have answered no through inadvertence or for some other reason. I am saying that, having dealt with the Minister of State for several months on many issues and having had a chance to appreciate his rational and analytical approach, I cannot believe for a moment that he really believes that there is no rationing in the NHS. I was merely pointing out that I find it deeply embarrassing that Ministers have to keep repeating the nonsense that there is no rationing—but not so deeply embarrassing that I shall not ask them that question again in due course.

Mr. Bercow: On the "pedantry pays" principle, I am anxious that we should be accurate as regards the record of oral questions. Am I right in thinking—my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) will probably correct me if I am wrong—that the Minister for Public Health insisted that there was no rationing, not once in answer to one question, but on no fewer than three occasions in answer to three questions from my right hon. Friend? My photographic memory is not serving me on this occasion.

Mr. Hammond: My hon. Friend is right, and that assurance that there is no rationing has been repeated by the Minister of State and the Secretary of State. However, I have not yet come across any other body—I mean that in the literal sense—that shares that view. Almost everyone else that I have come across accepts and acknowledges that there is rationing and believes that we should be discussing how to deal with that rationing.

8.15 pm

Mr. Fabricant: Will my hon. Friend give way?

Mr. Hammond: If I may, I should like to pay tribute to the hon. Member for Oxford, West and Abingdon for raising those issues tonight. He has done us a service in doing so. They are important issues, and the hon. Gentleman is well qualified to raise them. Apart from being instantly recognisable as the only member of the Liberal Democrat party not yet to have declared himself in the leadership race, he is a former junior doctor so he speaks with some authority on such matters.

Opposition Members have noticed that the Bill is about separating power and responsibility: about moving power upwards to the Secretary of State through an ever more centralised system of directions and determinations, so that the Secretary of State has more and more power at his fingertips to control every minute part of the operation of the NHS, while at the same time delegating down responsibility for the results of actions over which the bodies held responsible have a decreasing amount of power or influence.

We have been very focused on the issue of rationing. The new clauses that the hon. Member for Oxford, West and Abingdon has introduced tonight focus us on the wider issue of rationing. In that context, he has picked two specific examples of rationing as it currently exists and is proposed to exist—the role of NICE and the use by the Government, in dubious circumstances, of schedules 10 and 11. I shall disappoint some of my hon. Friends by pronouncing "schedule" as the hon. Member for Oxford, West and Abingdon did—with a hard c—but it is a habit that I, too, find difficult to drop.

It might be useful if we look at that bogey word, "rationing", because it is not really as awful as Ministers' constant denials of it might have us believe. Conservative Members believe that there is no shame in acknowledging that there is rationing within the NHS. There has always been rationing within it. For the record, there was rationing within the NHS during the period of the previous Conservative Government. We do not deny it, and have not sought to deny it.

Mr. Denham: I wonder whether the hon. Gentleman would explain a question that has been worrying me, which is why, for 18 years under Conservative Governments, not a single Conservative Minister—or, as far as I know, Conservative Member of Parliament—said that there was rationing in the health service.

Miss Widdecombe: I did.

Mr. Hammond: My right hon. Friend says from a sedentary position that she did. Perhaps the hon. Gentleman did not ask the right questions. I regret that I was not here at that time to observe what was going on.

Those of my hon. Friends who happened to be watching last night's television coverage of the results of the Euro-elections may have seen Peter Snow conjure up a rather whizzy little graphic that showed the change of the Government's popularity rating on various different issues, and the issue on which the Government's confidence rating among the British population had declined the most since May 1997 was health. The graphic showed that very neatly.

The Minister might reflect upon the extent to which reiterating a statement that the vast majority of the British public know from experience to be untrue, and which the vast majority of the professions involved know to be untrue, may have, in no small part, led to the significant decline in the British public's confidence in the Government's health agenda.

Rationing is an undeniable fact. Professor Sikora of the World Health Organisation stated that terminally ill cancer patients have to pay thousands of pounds for life prolonging drugs because of lack of cash. It has long been the case that doctors prioritise cancer cases on the chances

of an effective cure or a lengthy prolongation of life, but the Government still deny that cancer services are rationed.

Breast cancer patients are paying £12,000 for a six-month course of Taxol. Many hon. Members have examples from their constituency correspondence of constituents who have had to go to extreme lengths, in some cases having to sell houses, to pay for life chance-enhancing drugs that are not available from the health authority where they live.

Patients with cancer of the colon are paying £8,000 for a course of Ironotecan. One of the hazards of engaging in a debate on rationing with people who have a specialist knowledge, such as the hon. Members for Oxford, West and Abingdon and for Dartford (Dr. Stoate) is that one must wrestle with the pronunciation of such unpronounceable words. Lung cancer victims must find £6,000 for a course of Gemcitabine.

Professor Thomas from the university of Surrey, which is close to my constituency, and a specialist cancer referral centre that serves cancer patients from my constituency, states that she has cash disputes with the NHS on behalf of patients every two or three weeks.

The concerns that have been voiced regarding drugs for the treatment of people with psychotic illnesses, as we heard, are even more notable. In many cases, drugs developed in the 1950s are preferred not only over the latest 'atypical anti-psychotics, but even over drugs developed in the 1970s, such as Clozapine.

Mr. Hayes: That highlights the issues raised by my hon. Friend the Member for Lichfield (Mr. Fabricant) in his intervention—the definitions of efficacy and of effectiveness. When we speak about effectiveness, we may be speaking of a cure, but we should also consider the route to the cure, and the effect on the patient during treatment. In measuring effectiveness, we must take such aspects into consideration, and the Government are simply not doing so.

Mr. Hammond: My hon. Friend raises an interesting question, which could take us still wider on the issue of rationing: what are we measuring when we look at the outcomes? What are we measuring as a benefit—extension of life, or extension of life with a certain quality attached to it, as the hon. Member for Oxford, West and Abingdon said? It is legitimate to ask such questions, and it would be legitimate for us all to engage in a sensible debate about them, but we cannot do so while the Government insist that no rationing exists.

Mr. Fabricant: May I ask my hon. Friend a philosophical or historical question? Does he recall that in the 19th century, many great medical schools were unable to offer cures for certain dysfunctions, but they thought it important to diagnose a dysfunction such as diabetes, for which no cure was known until the 1920s? Without being able to identify a problem, one cannot seek a solution. Until the Government identify the fact that rationing exists, there cannot be a sensible debate about how we solve that problem.

Mr. Hammond: My hon. Friend's suggestion of using an evidence-based medical approach to the Government's problem of acknowledging rationing is interesting, but, as I said, I imagine that the Government have already identified the problem, but have boxed themselves into a corner. They cannot acknowledge it and engage in a sensible debate. I expect that, to their credit, many Ministers greatly regret that they are in that position. When they could be addressing the issues, they must instead deny the fact that rationing exists at all.

Beta interferon is a favourite example in the House whenever rationing is debated. Many hon. Members have harrowing tales of availability that is often limited by crude numbers, so that patients who need treatment with beta interferon may have to wait for someone else to die before they can get on to a course of that treatment.

Rationing has manifested itself in many other ways throughout the NHS. Operations for many minor procedures in many health authorities have ceased to be available. Operations on lipomas, sebaceous cysts and non-acute varicose veins are unlikely to be available in many health authorities across the country. West Hertfordshire health authority has a list of 32 operations and treatments that it will not provide other than in exceptional circumstances.

The waiting list is a form of rationing—rationing by inconvenience. Reducing the convenience of the service provided and making people wait for the provision of a treatment constitutes an additional form of rationing.

In the NHS that the Government are seeking to create through changes in primary care, increasing pressure will be directed at general practitioners to restrict their prescribing practices to meet the budgetary needs of the primary care trusts or primary care groups of which they are members, or to fall into line with prescriptive guidance from mechanisms such as NICE.

Mr. Bercow: Does my hon. Friend agree that because Ministers are not prepared to acknowledge the indubitable fact that rationing exists, that has led them down the dark alley of making invidious comparisons of relative cost-effectiveness? Does he agree that even at this, the 59th minute after the 11th hour, it would be helpful if they would abandon that pretence so that a genuine and meaningful debate, rather than a bogus one, about the relative cost-effectiveness of different treatments could take place?

Mr. Hammond: My hon. Friend raises an interesting point. There is a place for the important debate on relative cost-effectiveness. Although we need to examine the overall resource constraint under which the NHS labours, we all have a duty to ensure that the money available in the NHS, whatever the amount is, is spent in the most effective way.

Where there are different treatment approaches to the same symptoms, and one of them can be shown to be more cost-effective than another, that is precisely the sort of issue that a dispassionate, apolitical, technical institute should consider and report on. That is quite different from allowing that institute to recommend that a treatment should not be available at all because it is too expensive to the NHS and cannot be afforded.

The new clause specifically draws that distinction between what I think of as the technical function of assessing the relative cost effectiveness of different alternative treatments or clinical interventions for the same symptoms and assessing the affordability of a given

[Mr. Hammond]

treatment or intervention in relation to the overall total funds available to the national health service. I would characterise that as a political rather than a technical function.

That is what I had in mind when I mentioned that there is a trend or a tendency within the Bill to devolve power upwards to the Secretary of State and responsibility downwards to other NHS bodies. The technical process of evaluating the relative cost-effectiveness—I emphasise relative—of different treatments or clinical interventions is properly something that the Secretary of State can devolve to a body such as NICE. In an environment where the Secretary of State acknowledged that there was overall rationing and that there was a resource constraint that limited the amount of treatment available, the input from the institute would be vital information in moving to the next stage, which is to ask who gets what within the overall resource constraint.

8.30 pm

We are concerned because, given the Government's refusal to acknowledge that there is an overall resource constraint, the role of NICE, which should be a technical, dispassionate and apolitical one, exactly as the new clause suggests, risks becoming politicised, with the institute being encouraged or forced to make judgments about what should or should not be available on an absolute basis, in the context of assessing treatments and drugs against the overall budget that the NHS has available to it.

Mr. Hayes: The dilemma that my hon. Friend is describing—the contradiction in the structure—coupled with the lack of clarity or openness in the debate, will encourage the public to blame NICE or, more likely, the local hospital or the local GP, rather than taking a view that the Government should have made wider strategic judgments. The Government are not simply setting up something that is contradictory and paradoxical. Instead, they are passing the political buck. People will be angry and they will direct that anger at professionals rather than at politicians. My hon. Friend is putting the case in an informed way, but I will put it rather more bluntly when dealing with my constituents in my case work.

Mr. Hammond: My hon. Friend is right. If he reads the medical press, he will see that general practitioners have rightly recognised that they are being lined up to take responsibility for rationing decisions and to bear the brunt of the complaints and criticisms that he anticipates his constituents will raise with him. My hon. Friend is right to identify the issue.

Power resides with the Secretary of State throughout the Bill, but it is someone else's responsibility to answer for the delivery of the service. That is the antithesis of transparency and openness in government, where power and responsibility should be seen clearly to reside together. The overall issue of rationing and how the available resources within the NHS are to be allocated is intrinsically a political decision. There is no shame in making it, but it is not a decision that can be shunted off on to an institute that has been set up to make evaluations and to report on the relative merits of one thing or another.

Neither is it a decision that can be made by doctors on the basis of clinical priorities without a political framework being placed around them so that they know the context in which they are required to make that clinical prioritisation. It is relatively simple to ask doctors to place in order of priority a group of patients in terms of who is the most needy or deserving of treatment in a particular circumstance. However, it is not reasonable to ask doctors to determine where the cut-off point should come in allocating the available resources. The amount of the available resources is, of course, a political decision. The determination of the level of those resources must reside with the Government. There responsibility must also reside for deciding how the impact of rationing will fall.

The new clause correctly defines the role of NICE if we take the Government entirely at face value and if we take their assertions that the institute will spread best practice and will examine the relative cost-effectiveness and clinical effectiveness of different treatments and interventions so that the NHS can operate in a more logical and rational way, so that it does not waste money on things that are relatively ineffective or expensive for a given outcome.

If the Government are to be believed, and if their assertions about their intentions for NICE are to be taken at face value, they should have no difficulty in accepting new clause 4, but we have long believed that they have another agenda for NICE. They intend to create through NICE a quasi-clinical respectability for the rationing decisions which increasingly will have to be made.

As the hon. Member for Oxford, West and Abingdon has already pointed out, we have to consider not only Viagra and other well-known drugs that are already available, at least in the technical sense, but drugs that we all know are coming along, although they are not yet even theoretically available on the market. Such drugs will be very expensive, but they could change quite radically the outcomes for people in certain disease groups or with certain conditions.

The chairman of NICE, Professor Michael Rawlins, has already openly admitted that the institute may have to recommend that a treatment or a drug should not be available on the NHS because of the overall constraint on resources and the impact that such a product or treatment would have on the NHS budget.

Mr. Bercow: My hon. Friend is making an important point and I should like to clarify one aspect of it before he moves on. Does he agree that the only way in which the Government can refute the charge that he has made about their reasoning in creating NICE is to confirm this evening that there will be no private discussions between Ministers and the chairman of NICE and that their content will be disclosed publicly?

Mr. Hammond: My hon. Friend is right. That would be one way in which the Government could provide some reassurance about their intentions for NICE, but I say again that NICE, despite its rather overblown title, was conceived as a vehicle for assessing clinical and cost effectiveness, which was a sensible idea. However, what happens with that information afterwards might become dangerous. That is essentially a matter for the politicians and it is extremely important that we keep the distinction between what they decide and what information the

technical experts and advisers can bring to us, better to inform our debate about the way in which to use the limited resources available to the NHS.

Mr. Swayne: On the suggestion of the chairman of the national institute that it might have to recommend that a treatment is too expensive, the current situation is that many health authorities have made such a decision, which has given us the horror of treatment by post code. By transferring that responsibility to the national institute, we are in effect ensuring that such treatments will be available within no post code whatever.

Mr. Hammond: My hon. Friend is exactly right. The Government have said that they want to reduce regional disparities, but they are unable to put forward a convincing argument that the advice of NICE, properly implemented, will not inevitably mean a levelling down of services.

The Government have not said that they will make funds available—they have been given plenty of opportunities to give us that assurance—to enable best practice on every drug to be followed nationally as a result of the initiative to eliminate regional disparities. If the budget is not to be expanded, and if the service is to be increased in other areas, it is logical that the availability of some treatments will inevitably be reduced. The Government cannot have it both ways: they cannot eliminate regional disparities and also assure us that the purpose of their reforms is a levelling up of service.

I accept new clause 4 for what it is, and I think that NICE works well in that role. However, my criticism of new clause 4 is that it begs the question whether we should assess treatments, interventions or drugs that are available for a condition if there are no alternative treatments against which they can be appraised for clinical and cost effectiveness.

That brings us right back to the original question of how we are to make rational rationing decisions in the NHS, recognising the overall resource constraint. Beyond the role that new clause 4 would cast for NICE—that of assessing the relative clinical and cost effectiveness of different solutions to the same problem—we would need to debate the question of how we go about assessing which areas should or should not be prioritised if there is only one solution to a problem and it is very costly and there are a number of such problems and not enough resources to allow all the demands for treatment to be met. There may be many answers to that question, but the position is pretty clear to anyone who has considered the scale of the problem and the funding gap were there to be—as Ministers would like to believe—no rationing in the NHS. The problem could certainly not be solved with the product of 1p on income tax, which is the standard Liberal Democrat response to these difficult questions.

The technical input of NICE would be extremely welcome and useful in that debate if we could solve the political questions of how the total budget should be divided up and how we should deal with the overall resource limitations. If we had a good mechanism for doing that, it would presuppose that the Government recognised that there was an issue to be addressed. Politicians should not shunt decisions on to NICE. We must set the framework, and then let the experts deal with the technical questions.

I cannot be quite so complimentary about new clause 14. New clause 4 is worth while, but its provisions would be unravelled by new clause 14. The first two subsections are unexceptional. They require NICE to meet in public and to publish a report annually. Both themes were pursued in Committee, with the objective of making the processes by which difficult decisions are made more transparent and understandable to the public, who feel the impact of those decisions.

Subsection (3) of new clause 14 proposes:

"The Secretary of State shall establish a public consultative committee in relation to the Authority, which shall have the duty of advising the Authority on the public's view on the priority to be accorded to different treatments and clinical interventions within the NHS."

I was disappointed to read that, because it goes against the grain of new clause 4, which would make NICE an objective and technical body that weighed up the clinical efficacy and cost effectiveness of treatments. Feeding the result of a public consultation exercise into NICE's decision-making process would be dangerous, because it would introduce an element of subjectivity that is properly the domain of politicians. It would be better for NICE to consider the relative cost and clinical effectiveness of various treatments and for another body to consult public opinion. Both those strands of information could feed into the political decision-making process. The Secretary of State must ultimately make the decisions.

8.45 pm

Mr. Hayes: As well as compromising the empiricism of that professional body, might not the notion of public consultation that my hon. Friend describes be interpreted by the Government—but no one else—as an alternative to a proper, full and open public debate? Is not the proposal a sop to public consultation rather than the proper debate that should be taking place in the wider community and in this place about the key priorities that my hon. Friend identified earlier?

Mr. Hammond: My hon. Friend is right. We must never be trapped into believing that, because NICE exists and will examine the issues objectively, there is no need for a wider debate on the rationing of resources in the NHS.

The experience of public consultation in prioritising health care is not particularly happy. Most people who are interested in the subject will think immediately of the Oregon experiment. I suspect that none of us was impressed by the priorities that the public in Oregon gave for publicly funded health care. A straw poll of Members of Parliament would probably put cosmetic breast surgery a lot further down the list than the citizens of Oregon did. I caution the hon. Member for Oxford, West and Abingdon about the usefulness of a crude public consultation exercise.

New clauses 4 and 14 appear to contradict each other. New clause 4 rightly emphasises that NICE should stay out of the political debate, but new clause 14 would send it straight to centre stage.

Mr. Bercow: My hon. Friend is invariably courteous in exchanges in the House. Perhaps I can try to decipher what he is saying. Is he telling the House, in his

[Mr. Bercow]

extraordinarily polite fashion, that the hon. Member for Oxford, West and Abingdon is guilty, in new clause 14, of vulgar and unworthy populism?

Mr. Hammond: I leave it to my hon. Friend to decide whether it is vulgar and unworthy. In fairness, the desire for public consultation at all stages and on all issues is almost a mantra with the hon. Member for Oxford, West and Abingdon. In some cases, we have disagreed with him because he has suggested taking that process too far. He has a genuine desire to have some public input into the debate and we believe that that will be required, but we also feel strongly that their input should not be to NICE but should run in parallel with its work and inform the political process.

Mr. Hayes: Is my hon. Friend saying that although the hon. Member for Oxford, West and Abingdon is implicitly unworthy by being a Liberal Democrat, he is personally incapable of vulgarity?

Mr. Hammond: I shall move on from that subject. I detect a certain muddle in the juxtaposition of new clauses 4 and 14. None the less, new clause 4 has served a useful purpose in allowing attention to be drawn to the gap between the role that the Government have consistently implied for NICE and the one that we fear may evolve, by design or by chance, and which its chairman has acknowledged will be a potential issue.

New clauses 16 and 17 deal with a separate issue that is another example of the working of the rationing agenda. The two new clauses, as the hon. Member for Oxford, West and Abingdon acknowledged, have been driven by the public debate over Viagra, which has raised awareness in the popular press and the public mind about some issues that might have remained obscure had they been discussed only in connection with beta interferon and the other drugs that were mentioned earlier.

By focusing the debate on Viagra, the popular press has moved forward the overall debate about rationing and the mechanisms by which rationing decisions are made. As has been mentioned, the courts have become involved in the debate about the availability of Viagra and have sent a message to the Secretary of State for Health about what he may and may not do in the exercise of his powers.

It is important for hon. Members who were not present in Committee and have not had the opportunity to consider the Bill in as much detail as the rest of us to set this issue in the context of wider concern among general practitioners about the undermining of their freedom to prescribe and threats to their independent status. As we move from GP fundholding to the new system of primary care groups and, ultimately, primary care trusts, it becomes important to maintain the confidence of GPs that the system will protect the important role that they play.

The Government have implicitly recognised the concerns and apprehensions of GPs. The first sign of that was when the former Minister of State wrote the now famous letter to the chairman of the general practitioners committee, and there have been various attempts since—not least by the Minister himself a few weeks ago—to reassure GPs about what the transition to primary care trusts would mean for them.

GPs have never before come up against such an explicit act of rationing as the Secretary of State implemented with his decisions on Viagra. He may have chosen Viagra deliberately as the ground on which to hold the debate, because it is not a drug which has a life-saving effect. However, I should say immediately that it deals with a condition that can be distressing and costs the NHS a lot of money to treat in other ways. If I did not say that, the hon. Member for Oxford, West and Abingdon would jump up and say it for me.

The Secretary of State has moved the debate on rationing forward another notch. A couple of weeks ago, *Doctor* magazine ran the headline "Rationing: it's official". The Secretary of State may not have used the word "rationing", but everyone in the medical profession knows that a Rubicon has been crossed. For the first time, he has proposed making a drug or treatment available to some people only, on a basis other than need. That is a significant change. It may not touch many lives as long as it is limited to Viagra, but we, and most commentators, would expect that, as other innovative drugs become available, the methodology tested with Viagra will be more and more widely employed.

Mr. Bercow: I am confused about the stances of different members of the Government. How does my hon. Friend reconcile—if it is possible—the stated position of the Secretary of State in respect of Viagra and the oft quoted remark of the Minister for Tourism, Film and Broadcasting that there would be more and better sex under Labour?

Mr. Hammond *rose—*

Mr. Denham: He is embarrassed.

Mr. Hammond: I am somewhat at a loss. I thought that my hon. Friend was going to challenge me to reconcile the actions of the Secretary of State with the remarks of the Minister for Public Health; I am afraid that he has thrown me a little. I must confess that I cannot reconcile the Secretary of State's actions with that rather unwise promise.

This is a matter of significance and not merely something for the tabloid press to titter at. Until September 1998, when the Government introduced their interim guidance on Viagra, treatment for erectile dysfunction was fully funded throughout the NHS. The Government may have been panicked by media stories exaggerating the likely demand for Viagra when it became available in the United States; the Secretary of State has said that the stories were material considerations in formulating the policy. It has subsequently appeared that such stories were exaggerated both here and in the United States.

The Government issued interim guidance advising general practitioners that they should not prescribe Viagra other than in exceptional circumstances—which were not properly defined. The High Court recently found that guidance to be illegal on the grounds that it contravenes both the doctor's professional duty to treat his patient and the requirements of European Union law. You see, Mr. Deputy Speaker, that I was not being facetious when I mentioned Brussels earlier.

There have been attempts to suggest that erectile dysfunction is different—that it is somehow less worthy than other conditions and so automatically of lower

priority. However, the Secretary of State has admitted that it is a distressing condition, that it has serious medical consequences for sufferers and their partners and, interestingly, that 85 per cent. of cases result from underlying organic disease rather than from psychological problems.

9 pm

Mr. Fabricant: Does not my hon. Friend find it worrying that several Labour Members have said that the problem is a life style issue? Is not it far from being that?

Mr. Hammond: That is right, and some of the early scaremongering in the popular press focused on that. However, in fairness to the Secretary of State, he has made it clear that erectile dysfunction is a serious medical condition with serious consequences. Until recently, its treatment was fully funded under the national health service, but an arbitrary decision has been made to cease that funding for all patients. The result will be discrimination between groups of patients.

I suspect that the medical profession's outrage at the Secretary of State's decision to use schedule 11 to the 1992 regulations to limit the prescription of treatments for erectile dysfunction is what has caused the hon. Member for Oxford, West and Abingdon to take action. The British Medical Association said that the Secretary of State's action was arbitrary and that it would exclude people with genuine clinical need. It is important to recognise the significance of that: for the first time, official policy has acknowledged that people in genuine clinical need will be denied a treatment. That is a change in the ethos of the national health service, and deserves serious exploration.

New clauses 16 and 17 would make it impossible for the Secretary of State to resort to the mechanism that he has used previously to limit the availability of such a drug. If the Minister could bring himself to recognise the rationing that exists, he might say that the proposal from the hon. Member for Oxford, West and Abingdon is not the best way to deal with the matter. He might admit that a mechanism is needed to resolve the problem posed when a clinically effective but increasingly expensive drug is available for use but cannot be afforded within the national health service's resource constraints. Both I and my right hon. Friend the Member for Maidstone and The Weald has been saying that for the past year, but there cannot be a sensible debate until the Government acknowledge that rationing exists.

The real objection, which we share with many clinicians, is to the fact that the Government make rationing decisions on grounds of costs—and it is clear that the decision about the availability of Viagra is one such—but then try to justify them on pseudo-medical grounds that are quickly disowned by authoritative medical opinion. One of the important issues to flow from the recent decision is the question of discrimination in the NHS, a matter to which we shall come in a later debate. However, that discrimination will not be for reasons of gender, race, sexual orientation or age. People with a given condition will suffer discrimination based on how they came to have the condition.

That is equivalent to accident and emergency departments being asked to treat people with broken arms differently depending on whether the limb was broken in the course of work or leisure. Instinctively, we find that inappropriate, and new clauses 16 and 17 would make it impossible in the future.

The Government's approach to the treatment of male erectile dysfunction has shown the reality of the existence of rationing. There are, however, numerous examples of so-called post code rationing, when health authorities themselves have decided that they will or will not fund something. That is incompatible with the Government's expressed desire for universality in the NHS and their commitment that doctors should be free to treat patients according to clinical need. Given the resource constraints of the NHS, the Government must explain how they will square their desire to eliminate unjustifiable regional variations—a form of discrimination—with the lack of any significant additional resources to enable levelling up.

We would have been delighted if the Government had accompanied the introduction of the National Institute for Clinical Excellence with an announcement that it would provide a levelling-up process so that the best and most clinically effective practice would be made universally available. That would have been good news for many patients, but it would have raised questions of how the improvement would be paid for and how the wider debate over rationing would be dealt with.

Rationing is one of the most serious problems faced by the NHS, and the Government and Parliament, rather than institutions with powers and responsibilities devolved by the Secretary of State, must confront it. It is, and must remain, intrinsically a political issue. As new clause 4 implies, NICE must remain an advisory body, and Ministers must take the hard decisions.

Although new clause 4 usefully highlights the rationalisation potential of NICE and the Government's unwritten agenda of using it as a rationing device, it does not fully answer the problem of rationing. With the greatest respect to the hon. Member for Oxford, West and Abingdon, that is not compatible with new clause 14.

New clauses 16 and 17, by contrast, go to the heart of rationing, demanding a coherent response from the Government and something more than the mantra that rationing does not exist—a denial which does not move the debate a millimetre forward. Despite the Minister's consistent assurances that he is anxious to engage in constructive debate, the denial that rationing happens continues to prevent sensible debates that would benefit our constituents and the people of the UK. Instead, the Government have condemned themselves to continual stonewalling and have boxed themselves into an absurd position.

Mr. Bercow: I congratulate the hon. Member for Oxford, West and Abingdon (Dr. Harris) on the presentation of his argument. As my hon. Friend the hon. Member for Runnymede and Weybridge (Mr. Hammond) observed, there are flaws in his position and in that of his party. There is not a complete identity of view between the stance of the Liberal Democrats and that of the official Opposition. However, I respect the hon. Gentleman's medical experience, in spite of the occasional eccentricity of his political viewpoint. A good deal of the rationale behind his arguments will have commended itself to hon. Members and to people outside the House. In so far as it attempts to flush out the Government's position and to deny them the opportunity of continued obfuscation, it is welcome.

The contribution of my hon. Friend the Member for Runnymede and Weybridge was typically succinct. It was a remarkable performance for my hon. Friend to confine

[Mr. Bercow]

his remarks to one hour in the interests of the progress of the debate. His lucidity and eloquence are such that we should have been happy to listen to a continued exposition of the arguments for considerably longer. I can only assume that his natural concern that others should get in on the debate caused him to relent and resume his seat.

At the heart of this debate and essential to any meaningful discussion of new clause 4, and certainly to discussion of new clauses 14, 16 and 17, is the concept of rationing. We come back to that central issue time and again.

Without giving him any advanced warning, I asked my hon. Friend the Member for Runnymede and Weybridge what he considered to be the difference between rationing and the prioritisation of resources, or at least the allocation of resources, within a finite budget. My hon. Friend legitimately chose not to answer directly. He cannot be expected to surmise exactly what Ministers are thinking. Much of the time their thoughts are impenetrable and their expression of whatever thoughts they have, still more so. It is not reasonable for my hon. Friend to be expected to decipher exactly what Ministers—in their statements or lack of them—intend us to infer. However, the Minister has the opportunity to tell us tonight his understanding of the difference.

For the avoidance of doubt, the challenge is simple. What is the difference between rationing and the prioritisation of the allocation of resources within a finite budget in the national health service? I cannot conceive of a way in which the question and the challenge could be more simply put. I appeal to the hon. Gentleman to answer that question tonight.

Also, I ask the Minister to confirm that he is content absolutely with the reply on rationing offered by his right hon. Friend the Minister for Public Health on 15 December 1998 at Health Question Time, which is in *Hansard*, column 746—it is important to be precise about these matters. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) challenged the right hon. Lady as to whether there was rationing in the NHS. On that occasion, the Minister for Public Health looked like a rabbit caught in front of the headlights. I say that with no disrespect to the right hon. Lady. Her predicament was understandable. My right hon. Friend the Member for Maidstone and The Weald scares the living daylights out of me and she is my right hon. Friend, so it is perfectly imaginable that she would have caused terror in the heart and mind of the Minister for Public Health. Nevertheless, the right hon. Lady was obviously frit. She did not know what to say and thought that the shortest possible answer was probably the best escape route. She unwisely replied to the challenge of whether there was rationing in the NHS, "No." Moreover, she did not content herself with giving that answer once. Working on the assumption, I think, that having said it once it was best to stick to it and say it as many times as necessary, she repeated that answer on two further occasions in response to challenges from my right hon. Friend.

That begs the question that if there is not rationing in the NHS, what does the Minister believe is happening daily in our health service when, because of a lack of funds, the availability of treatment is limited and people are either denied it altogether because of the absence of funds or are told that they will have to wait longer than they otherwise would for that treatment, until further funds are available? If that is not rationing, the Minister must explain the intellectual distinction between rationing, which he disavows and claims is not occurring, and the denial of treatment because of an insufficiency of resources, which he cannot disavow and that he knows is occurring.

9.15 pm

I am sure that the Minister will be interested to hear the official definition. I have taken the trouble to find out that, on page 2482 of "The New Shorter Oxford English Dictionary"—copies of which are available for consultation in the Library during the drier parts of my speech—the verb "to ration" is defined as follows:

"to limit to a fixed allowance."

The dictionary helpfully continues with another definition of the verb:

"to share out in fixed quantities."

I am grateful to my hon. Friend the Member for Boston and Skegness (Sir R. Body) for suggesting that ratios are involved in this matter. To ration implies the existence of ratios. I hope that, at least on that point, there can be unanimity among the parties in the Chamber. Does the Minister accept those meanings of the word "ration", or is this new Labour Government so arrogant that they believe that they know the definition of words better than the distinguished sources who compiled the "New Shorter Oxford English Dictionary". We know not. Perhaps we shall be told. I hope that we shall hear about that before the conclusion of the debate.

Mr. Swayne: Is not the attitude and the new-speak of the Labour Government made manifest in the Bill by NICE, CHIMP and PRODIGY?

Mr. Bercow: I am grateful to my hon. Friend for making that point. In previous reflections on these matters, I have challenged the Government as to the profusion of those new bodies and the peculiarly inelegant titles that Ministers have conferred on them. Indeed, on one occasion I regarded it as a particular pleasure to reel off no fewer than six such bodies during a question to the former Minister of State at the Department of Health, the right hon. Member for Darlington (Mr. Milburn), now the Chief Secretary to the Treasury. I should like to trouble my hon. Friend for further details, but fear that I should try your patience, Mr. Deputy Speaker, if I did so tonight.

I should be happy to give way to the Minister at any point in my remarks, if he feels inclined to answer this central question: if there is no rationing, what is happening now? If there is no rationing, why does almost everyone in the United Kingdom—intelligent, unintelligent or of varying degrees of intelligence—believe that there is? Why is it that the Government are right about this question, even though they are in a tiny minority and are disbelieved, but that everyone else is wrong?

Sir Richard Body (Boston and Skegness): Surely, the origin of rationing was to give to five people what was normally available for four—hence the word "ratio". In relation to the health service, in most of our

constituencies, although five people are lining up for operations, there is time to carry out only four operations. Resources are available only for four operations, but five people want an operation.

Mr. Bercow: Rationing can take a variety of different forms. It is not in dispute that, because of the constraint of insufficient resources, if people cannot receive treatment, or cannot receive it until a certain period has elapsed, that constitutes a form of rationing. My hon. Friend is right to describe another form of rationing, but if people cannot have treatment now because there is no money to pay for it—or there is money to pay for treatment for only four people, rather than for five—manifestly, in ordinary, everyday parlance, we must conclude that that constitutes a rationing of the available treatment.

I hope that the Minister will agree with that. I look to him, with beads of sweat upon my brow, in eager anticipation of a straightforward answer to a straightforward challenge. He sits there, he cogitates, he looks down at his notes—

Mr. Brady: He sweats.

Mr. Bercow: I am not in a position to confirm the accuracy or otherwise of that observation. I simply ask the Minister to confirm that he accepts—so far, because I want to take him step by step through this issue—the validity of what I have said. Does he accept the definition of rationing that I have given?

Mr. Deputy Speaker (Mr. Michael Lord): Order. I am sure the House will agree that we have now dealt adequately with the definition of rationing. Perhaps the hon. Gentleman will now move on.

Mr. Bercow: I am happy always to be guided by you, Mr. Deputy Speaker. Although I immediately accept your ruling that we have adequately debated the definition of rationing for tonight and that to avoid tedious repetition and defiance of the rules of order we cannot continue to have that debate on this occasion, there will be ample opportunities in the course of this Parliament for debate to be rejoined.

I say to the Minister of State in the friendliest spirit, he should not imagine that he can get away with avoiding an answer to my question tonight, because we shall be back. We shall be back before breakfast, before lunch, before tea, before dinner and before we consume the bedtime Ovaltine to harangue him on this issue. He knows that all of those present in the Chamber are assiduous attenders of parliamentary debate, as is my hon. Friend the Member for Boston and Skegness, and we shall pursue the issue at every opportunity.

New clause 4, moved by the hon. Member for Oxford, West and Abingdon, specifies that clinical efficacy or relative cost effectiveness should be the criterion on which treatments are prescribed. He suggests that overall cost or the possibility of additional cost to the NHS should, of itself, not be a criterion. However, I agree with my hon. Friend the Member for Runnymede and Weybridge that there have to be limits to total expenditure. We would argue an absurdity if we were to suggest that there could be limitless expenditure.

I have reflected carefully on this issue. I have reflected carefully on the unpopularity of rationing: it is almost the inadmissible sin of the operation of the NHS. It is to the great credit of my hon. Friend the Member for Runnymede and Weybridge and my right hon. Friend the Member for Maidstone and The Weald that they have tried to cut the Gordian knot of that debate. They acknowledge that there are, of course, limitations of resources within which judgments have to be made, but that ordinarily clinical judgments should be respected and once there is a budget known, Ministers should not retreat into arguments about resources when to do so negates the power and clinical freedom of, for example, in the field of multiple sclerosis, neurologists.

The hon. Member for Oxford, West and Abingdon referred to the debate about beta interferon. He and I are currently engaged in a correspondence on this important matter, and I know that hon. Members on both sides of the House with genuine concern about multiple sclerosis sufferers have raised with Ministers the question of the funding of beta interferon and its continuing provision.

My concern is that the Government are not being up front and saying that resources are of the essence and that it is a lack of resources that is causing them to think about ways in which to restrict the availability of the drug. Even though to make that admission would give rise to some hostility and considerable debate, the admission would be honest. I would go so far as to wager—and I believe that my right hon. Friend the Member for Maidstone and The Weald would concur with me on this—that the Government would win respect for candour and openness. In respect of beta interferon, it is their pretence that factors other than limitations on resources are uppermost in their minds that leads sufferers from that chronic neurological disease to distrust them.

I would go so far as to say that there are some who despise the attitude of the Government because it is not frank, candid or open. The Government treat the people of this country and the sufferers of the disease who know about it and feel it in a way that none of us can emulate as stupid: they simply consider that they cannot grasp the issue. That is unfair.

Let us take the particular case of the provision of beta interferon to sufferers of multiple sclerosis. The House will be aware that there are four forms of multiple sclerosis, of which the two most commonly debated in the Chamber are the relapsing-remitting and the secondary progressive forms of the disease. There is a limited number of manufacturers of the drug beta interferon, of which perhaps the most notable is Schering Health Care plc. It currently supplies beta interferon to those who suffer from the relapsing-remitting form of the disease, but it has recently been granted a licence—I believe I am correct in saying that it is currently the only manufacturer to have been granted such a licence—to supply that version of the product that treats the secondary progressive form of the disease.

Ministers have acknowledged that there has been some testing of the efficacy of the drug, but, either deliberately or inadvertently, they have sought to convey an impression of ambiguity. The Minister will acknowledge that he does not have medical expertise—if I am mistaken, he can correct me. I am not trying to score a point against the hon. Gentleman because I do not have medical expertise either. However, consultant neurologists have such expertise, as do those who undertake the trials of this

[Mr. Bercow]

drug, and of others. I hope that the Minister will accept—I have made this point before—that there have been so far no fewer than four independent and separate trials of the clinical effectiveness of beta interferon. I shall come to the question of cost in due course.

I suggest that those separate, independent trials have proved conclusive. They have shown—the Minister acknowledged this recently in reply to an Adjournment debate introduced by me on 14 May this year—that treatment for the relapsing-remitting form of multiple sclerosis with beta interferon can reduce the rate of relapse by up to 30 per cent. as well as the severity of the relapses. Treatment with the drug over a period of three years can reduce the speed of deterioration in the condition by up to one year.

Mr. Fabricant: I am sure that my hon. Friend would not want the House to think that it is only beta interferon that the Government claim has clinical deficiencies. Is my hon. Friend aware that the Government also claim that Taxol, an excellent drug used in the treatment of certain cancers and in the reduction of certain malignant tumours, should be restricted not because of its cost but because of its efficacy? However, clinical oncologists argue that Taxol is an effective means of treating certain forms of cancer.

Mr. Bercow: I am grateful to my hon. Friend. I was not aware of that point. My hon. Friend has now enlightened me and, in so doing, he underlines the fact testified to by my hon. Friend the Member for Runnymede and Weybridge that this problem applies across the board.

If there were just one disease to which the Government's rather curious attitude applied, our argument might not be conclusive. It is a fact that for many diseases there is a drug that clinicians believe will be effective but over which Ministers hesitate, and that is a serious problem. Ministers claim that their decisions are based on the fact that the efficacy of the drug is unproven. We suspect, and patients are convinced, that a reluctance to fund is at the root of the Government's constant prevarication.

9.30 pm

Mr. Fabricant: Would my hon. Friend care to speculate that the Government would earn respect not only among parliamentarians but among those in the medical profession if they came clean and said, "Yes, there is rationing. That is not surprising. There ought to be rationing because, whether we like it or not, there are limited resources. Given that there is rationing, let us approach the problem logistically, logically and systematically and try to find a solution"? The fact that they deny that rationing takes place and that they try to deceive the electorate and patients means that they earn the disrespect of this House and those who know that the NHS is not safe in Labour's hands.

Mr. Bercow: I agree entirely with my hon. Friend. That lack of candour applies across the board. I appeal to the Minister to abandon his nescience and to admit that the Government are trying to present the issue in a way that clouds the facts instead of clarifying them. *[Interruption.]* I am sorry if the Minister is uncertain about the word "nescience". The late parliamentarian of 37 years' standing, the right hon. Member for Down, South—and, before that, the Member for Wolverhampton, South-West—once said to the Member for Harrow, East, who was so unwise as to claim that Mr. Powell had used a word that did not exist, that if, during the drier parts of his speech, the hon. Gentleman would like to avail himself of a copy of the Oxford English Dictionary in the Members' Library, he might look up the word "transfretation", and he would find it all right. I say to the Minister that if he looks up "nescience" in the dictionary, he will certainly find it. I shall not help him because he should learn by discovery and the effort required to consult the dictionary. He will benefit from that.

The Minister acknowledges that there is a patchwork of provision of beta interferon throughout the country. That point is common ground between us. In the debate on 14 May, he reiterated what he had said at health questions some 10 days earlier. He said that there are great disparities between what health authorities in different parts of the country provide. We agree on that.

Dr. Dennis Briley, consultant neurologist at Stoke Mandeville hospital, which serves many thousands of my constituents, has described that situation as treatment by postcode. He disapproves of that, I disapprove of it and the Opposition disapprove of it. The Minister of State implies that he disapproves of it and contends that the Government's proposals for the National Institute for Clinical Excellence will lead to increasing provision and greater equality of provision throughout the country. I am not sure that their proposals will deliver anything of the sort because I subscribe to the view of my hon. Friend the Member for Runnymede and Weybridge that NICE is being set up in a way that will give the Government an excuse to ration while avoiding the blame for its effects. They intend NICE to carry the can.

I am concerned, and my concern is reinforced because the Minister of State has on several occasions given a bogus reason for the disparities in treatment. I will not accuse him of bad faith.

By the standards of a Labour Minister, and at the risk of causing grave embarrassment and damage to his future, I shall go so far as to say that I have always thought the hon. Gentleman the closest approximation to a normal human being on the Government Benches whom I have encountered since 1 May 1997. I do not think that he is advancing such a reason deliberately. I think that he genuinely believes that difference of opinion among consultant neurologists is the reason for the disparity in provision of beta interferon across the country.

On 4 May, in answer to a question from me, the Minister suggested that differences of opinion among consultant neurologists explained the variations in the amount of treatment provided by different health authorities.

Mr. Denham: I am grateful for the hon. Gentleman giving way on this very important point. I believe that the record will show that I indicated that it was one of the factors that influenced the differences in prescribing.

To my recollection, I certainly did not indicate that it was the only explanation of differences in prescribing policy in different parts of the country.

Mr. Bercow: I am grateful for that assurance. The Minister is edging his way towards a more satisfactory position. He will forgive me for saying so, but when he made that point before, he did so with some emphasis. The impression which many of us gained, including my constituents who suffer from the relapsing, remitting form of multiple sclerosis, was that he was taking refuge behind clinical differences of opinion. I do not say that unkindly to the Minister, but my constituents, Caroline Cripps, who is 28 years old and from Westcott, and 31-year-old Mr. Marc Smith from Buckingham, both believed that the Minister was trying to use that point as an excuse for the variations in provision. If he is assuring me now that it is but one of the factors and that it is by no means the major factor, I am very grateful. The debate has already advanced if he is prepared to make that admission.

I should like to take the debate a stage further. If the Minister is to advance difference of opinion among consultant neurologists as an explanation—not necessarily a justification—for the disparities in treatment, he is duty bound to consider the position when no such disagreement exists, but, rather unanimity of view.

I cannot expect the Minister, much as I would like him to do so, to recall word for word the exchanges between us during an Adjournment debate on 14 May. He may recall that I reminded him of the position in the south-west of England, where all 18 consultant neurologists had decided that the provision of beta interferon for particular multiple sclerosis sufferers would be clinically effective. Despite that unanimity of view, such treatment was for long periods not made available. Therefore, it is simply not good enough for the Minister to talk about differences of opinion as an explanation for the provision of treatment.

When there is unanimity of view among the people whom we all accept are the experts, and still the funding is not made available, we must conclude that other factors are at work. Either a political decision has been made or financial factors explain the unwillingness to fund.

Mr. Swayne: Is not the very purpose of new clause 4 to ensure that the national institute takes a considered view on the basis of positive science as to the efficacy of a treatment such as beta interferon? The danger, as evidenced by the statements of the chairman of the national institute, is that NICE may well decide that such treatment should not be available simply on the ground of cost.

Mr. Bercow: That possibility does exist. I am sure that my hon. Friend will agree that it emphasises the importance of having the maximum discussion in public of what the priorities should be, the criteria upon which judgments are made, and the mechanisms to review those judgments.

There is no shame, even for a commission, in making an honest mistake. There is only shame in failing to acknowledge the possibility of having done so. It is precisely because we can get it wrong from time to time, and clinicians can make mistakes, that there must be review mechanisms. The magnifying glass of publicity, which the hon. Member for Oxford, West and Abingdon mentioned in different terms, is important in that process. The more private discussion and confidentiality there is, the less confidence there will be. The more public discussion and openness there is, the greater confidence there will be in the propriety of the decision-making process.

Mr. Brady: Does my hon. Friend agree that it is a matter of concern that, in the pursuit of cost saving through the activities of the National Institute for Clinical Excellence, there may be a reduction in communities' ability to have an input into the priorities for health care, and that, in pursuing uniformity, NICE may be the enemy of good provision because, at the moment, some communities may set different priorities from others?

Mr. Bercow: There is a respectable argument for the view that my hon. Friend is expressing. I think that, essentially, his thesis is that, if there is competition and local flexibility, the best will tend to drive out the worst, or, at least, that the better will tend to drive out the worse. Is that what he is suggesting?

Mr. Brady: That would tend to be the case, but, more fundamentally, it is appropriate for local communities to have some input into the decision-making process, and for a health authority to be able to set priorities different from those of a neighbouring health authority if the population that it serves wishes.

Mr. Bercow: There is an argument for that. However, it is important that, if such arrangements are to be instituted, the forum in which such decisions are taken does not become dominated by the activist who is willing to attend most regularly. There must be a check on the idea that, simply by packing a particular meeting, for example, one view can hold sway, even if the validity of that view turns out, on later inspection, to be outweighed by that of another. I am not averse to what my hon. Friend is suggesting, but I think that we could get into difficulty unless we very carefully consider the constraints within which such local discretion is operated.

Mr. Swayne: Will my hon. Friend bring his precise use of language and analysis to bear on the problem in the way that I suggest it is defined now? The easy bit is to decide, on the basis of positive science, whether a treatment is clinically effective. The question whether it can be afforded is a normative question, requiring a normative judgment, and our difficulty is finding the forum in which that normative judgment can be made. In putting together the Bill, the Government have run those two functions together into NICE, and it is entirely inappropriate for that one body to try to fulfil both the positive and the normative role.

Mr. Bercow: My hon. Friend makes a powerful point. There is no sense in which we can honestly say that a specific treatment cannot be afforded. In fact, although we might not realise it, it constitutes bad faith so to argue. In practice, the Government do not go bankrupt any more than local authorities, the creations of statute, do, so it follows that, in the final analysis, the judgment is about whether we want to afford a specific treatment or whether we prefer resources to be directed to the provision of an

[Mr. Bercow]

alternative treatment for the same condition or for an entirely different one. Therefore, I accept the thrust of what my hon. Friend is saying.

9.45 pm

I have spoken about a situation in which there is unanimity of clinical judgment that is ignored or, worse, scorned by administrators or politicians. However, the argument can be taken a stage further. I have made the point to the Minister before. I do not recall that he had an effective response to it, which rather suggests to me that he did not. If he had, I think that I would remember it. I do not, so I do not think that he possessed such an answer.

What about a situation in which there is no unanimity of view, but individual clinicians are advising what they think is right for their particular patients? In the debate on 14 May, in which I raised the problems of multiple sclerosis sufferers in Buckinghamshire, the Minister said quite reasonably to me and to the House that he recalled that the four neurologists in Buckinghamshire who were consulted about the efficacy of beta interferon disagreed. He said that given the difference of opinion among the four consultants, it was not surprising that a decision to fund on a significant scale by the Buckinghamshire health authority had not yet been made.

I see the hon. Gentleman's point, but I hope that he will not use the fact of differences of opinion among respected consultant neurologists as a justification for the denial of funding. In short, just because one neurologist does not think that the treatment is generally effective, or concludes from his analysis that it would not be efficacious for his particular patient, that does not mean that it should be denied to others.

If another neurologist, readily accepting the drug's inappropriateness for other patients, said, "Ah, yes, I accept that, Minister, but beta interferon will be efficacious for my patient", does the hon. Gentleman accept that that judgment should be respected? Does he agree with the proposition that where the neurologist judges that the provision of beta interferon will be clinically effective, it should ordinarily be prescribed? The hon. Gentleman does not answer. He is mute. The position is fixed. The head does not move. There is no flicker of emotion or indication of stance from the hon. Gentleman. I shall wait patiently for his winding-up speech.

I have on previous occasions worried that at a late hour, Ministers might inadvertently neglect to respond to the points that my hon. Friends have made.

Mr. Eric Forth (Bromley and Chislehurst): No. Surely not.

Mr. Bercow: My right hon. Friend cavils at the suggestion that a Minister might inadvertently fail to respond to a point. I have the highest regard and affection for my right hon. Friend. Not every hon. Member or every current Minister can match his high standards. Just because he has instant recall, never forgets a point that is put to him, and is unfailingly effective and courteous in his response to any challenge, does not mean that he can demand or expect the same high standards of members of the new Government. My right hon. Friend had a number of years experience—*[Interruption.]*

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) says from a sedentary position that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) may expect such high standards. He might expect them, as my right hon. and learned Friend points out, but he assuredly will not get them. It is possible that Ministers will neglect to respond to particular points.

I challenge the Minister, when he replies to the debate, to give me an answer to this question: does he agree that where a consultant neurologist believes that the provision of a treatment is clinically appropriate, it should ordinarily be prescribed? If he does agree, the hon. Gentleman will have made an important admission. The fact of differences of opinion does not mean that the judgment of an individual consultant neurologist in respect of a particular patient at a given time, possibly for a limited period, should not be respected. Rather, it tends to imply that that judgment should be respected and translated into practice.

I challenged the Minister on 14 May to make it clear beyond peradventure that the period between now and the issue of new guidance by NICE should on no account be used by any health authority to justify the reduction, still less the withdrawal, of funding of beta interferon. That goes to the heart of the issues raised by the hon. Member for Oxford, West and Abingdon.

I believe that the Minister gave a categorical assurance on that point, saying that until the new guidance comes forward the November 1995 guidance in the Government's circular should be honoured. I was grateful for that. So we assume that, for the time being, on the basis of a judgment about clinical effectiveness, neurologists should be free to prescribe and the drug should be available.

We now come to the question of the National Institute for Clinical Excellence and how it will operate. I should like to think that the institute will be absolutely independent, free to make judgments about clinical appropriateness and not subject to public or private pressure of any sort from Ministers or officials in the Department of Health.

It was because I wished to establish the status of NICE and the freedom that it would have to make recommendations and to issue guidance that I challenged the Minister on this point on 14 May. I asked whether NICE would be genuinely independent. I was not encouraged by the hon. Gentleman's reply. He told me that NICE would operate on the basis of a framework agreement with the Department.

I am a new Member and, on the whole, I am inclined to give people the benefit of the doubt. I have not yet been afflicted by the world-weary cynicism that characterises my right hon. Friend the Member for Bromley and Chislehurst. However, I smelt a rat. I detected a desire by Ministers to ensure that the institute would not be fully independent. I did not like the talk of a framework agreement. It seemed to me that the Department of Health would be saying to the institute, "You will volunteer to agree with the Government", with the proverbial gun being held to its head.

Mr. Forth: Will my hon. Friend give way?

Mr. Bercow: I shall readily give way to my right hon. Friend, who is wearing a particularly fetching tie.

Mr. Forth: If a word from the very old to the very new would be helpful, may I point out to my hon. Friend—he seems uncharacteristically to have missed this opportunity—that any Minister must have regard to the financial aspects of his policies? Therefore, it must be inevitable that real financial constraints must be placed on the policy that we are discussing from the outset. My hon. Friend seems to be suggesting that "framework" is being used to disguise real financial constraints, which will inevitably operate on the apparent clinical neutrality of the new organisation.

Mr. Bercow: This evening, there have been competing attractions. There has been the opportunity to enjoy a congenial dinner. There has been the option, which I admit is much the lesser of the two, of listening to my oration. My right hon. Friend was absent during the earlier part of my speech in which I said that it would be welcome if the Government would be candid, if they would say, "Yes, financial factors are at stake. Monetary judgments have to be made. There is not enough money and we cannot afford everything. We shall restrict the supply of some treatments because of cost limitations."

I pay tribute to the candour of my right hon. Friend the Member for Maidstone and The Weald and my hon. Friend the Member for Runnymede and Weybridge. They have acknowledged the existence of rationing and they are not afraid of it. They are principled conviction politicians. They are not scurrying around and retreating into the dark, afraid to admit the inevitable. The great British public are not stupid. They know that there is not a bottomless pit. They know also that there is a limit to what the public purse can afford. They know that judgments about what can be managed have to be made. It is a case of demand always exceeding supply. With a service that is free at the point of consumption, that will always be the position.

So, my right hon. Friend the Member for Bromley and Chislehurst is right: if Ministers would only say that there will be financial restrictions on what NICE can do, we would know that they were being honest. They could say, "The chairman of the institute takes one view. We, who have to apply the cash limits throughout the public sector, take another. We will insist that our view holds sway and the chairman of NICE will be shown the door if he does not like it." However, they are simply not prepared to do that.

Ministers want to give the impression that an independent body will make the judgments. If that independent body—knowing of the framework agreement and of the limitation on resources—declines to provide a particular treatment or reduces the quantity of that treatment in a given year, Ministers will retreat behind the fiction that that is an independent judgment decided by the national institute. Why do not they say, "There is a lack of funds. We politicians have to balance the books and we are restricting the freedom of NICE to do as it wishes"? As my right hon. Friend the Member for Bromley and Chislehurst said, there is nothing dishonourable in imposing some constraints on the freedom of NICE, but there is something dishonourable about denying the intention to do so.

Mr. Forth: Perhaps I can help my hon. Friend. Is it not at least possible that, in framing the terms of reference for that body, the Government could arrive at some compromise in which they would charge it with investigating clinical excellence while having regard to the availability of resources? Perhaps they could use another term of art, something with which we are all too familiar. Does he accept that that would at least be a way forward for the Government, even though it would effectively reduce the independence of the body that is being set up?

Mr. Bercow: That would reduce the independence of the body that is being set up and it would of course entail an acknowledgement by the Government that they hold the purse strings.

The absurdity of the present position is that, although we all know that Governments fund the NHS, Ministers would like to give the impression that responsibility for funding will in future lie with NICE. We know that to be a monstrous fiction; it is such an absurd proposition that, as the late and great parliamentarian Enoch Powell would have said, only an extraordinarily clever person could fail to see the point.

Mr. Brady: I fear that, for once, my hon. Friend is missing the point. The Government do not want NICE to be seen as controlling funding. They want to be seen as providing funding, but they want NICE to be seen as restricting the treatments available.

Mr. Bercow: That would be a tortuous position for the Government to adopt. I do not rule out the possibility that that is what lurks in the inner recesses of what passes for the mind of a Minister in the new Labour Administration, but that does not make it a satisfactory position. Such a position is wholly unacceptable—it is dishonourable, it lacks candour and it flatters to deceive.

The hon. Member for Oxford, West and Abingdon, in addition to a number of other important points that he flagged up in this brief debate, raised the issue of the appraisal of treatments. *[Interruption.]* We are delighted at this stage of our proceedings to be joined by the right hon. Member for Holborn and St. Pancras (Mr. Dobson)—the Secretary of State for Health himself. As Lord Archer of Weston-super-Mare, when Member of Parliament for Louth, said to Prime Minister Harold Wilson, "Good of him to drop in."

We are delighted to see the right hon. Gentleman, but it is a pity that he has not attended the debate. I would like to say that it has been left in good hands, but I fear that that would not be correct. The Minister is a genial fellow, but he is finding it all a bit too much to take. We do not know whether a response from his lips will be forthcoming, but I hope that he will confirm in the short time that remains that the appraisal of the efficacy of a treatment will consider not only clinical costs, which have been referred to, but the wider costs entailed such as loss of tax revenues because of unemployment and help with adaptations to the home—for sufferers from extreme conditions such as multiple sclerosis, for example. All those factors must be considered in the equation and I would welcome an unequivocal assurance from the Minister that they will always be taken into account.

This is a debate of the utmost importance. Before the Bill creeps on to the statute book, we need to know what Ministers really intend for NICE.

It being Ten o'clock, the debate stood adjourned.

Debate to be resumed tomorrow.

Business of the House

10 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, I should like to make a short business statement. The business for tomorrow will now be the consideration of a timetable motion relating to the Health Bill and to the Immigration and Asylum Bill, which will be followed by the conclusion of the remaining stages of the Health Bill and progress on the remaining stages of the Immigration and Asylum Bill. The remaining stages of the Immigration and Asylum Bill will be brought to a conclusion on Wednesday as previously announced.

Sir George Young (North-West Hampshire): When the right hon. Lady announced this week's business only last Thursday, there was no mention of a timetable motion on either the Health Bill or the Immigration and Asylum Bill. The House will want to ask her what has happened between last Thursday and today to precipitate these announcements if it is not the Government's disastrous performance in the European elections. Will the right hon. Lady tell the House how many hours of debate she proposes for these two Bills? With regard to the Health Bill, we note that the Secretary of State for Health did not appear until a few minutes ago and had not attended the debate for the past few hours.

Is not the Immigration and Asylum Bill being guillotined to curb criticism from the Government's own supporters on the Labour Benches—criticism of a Bill that has few friends outside the House? Is that not further evidence of a Government who lost votes over the weekend and are now losing their nerve?

Mrs. Beckett: The right hon. Gentleman says that I announced this business only last Thursday, and that is true, but that was the third occasion on which I had announced that a full day's debate would be held on the Health Bill, and on none of those occasions did the Opposition say that there was any difficulty with that. I announced this business on 20 May, 26 May and last Thursday.

I am grateful to the right hon. Gentleman for asking me what has happened between then and now. I draw his attention to two things. First, the Opposition were offered a programme motion for the Health Bill to ensure that it was adequately debated in the time allowed, and for the remaining stages of the Immigration and Asylum Bill, but that opportunity was rejected for both pieces of legislation.

Secondly, this afternoon the House has spent three hours debating new clause 18, which relates to a relatively minor, technical and uncontroversial matter, about which the Opposition parties were forewarned in Committee in a letter from the Minister of State, my hon. Friend the Member for Southampton, Itchen (Mr. Denham). It was so uncontroversial that they did not even vote on it. If we were to continue at that pace, it would take us until the end of the week to conclude proceedings on the Health Bill alone, and that does not seem to us to be reasonable. If we are to allow time tomorrow to conclude proceedings on the Health Bill, which is only right, that will have an impact on the two days that I had announced for the remaining stages of the Immigration and Asylum Bill, so that is the reason for this motion.

Mr. Paul Tyler (North Cornwall): Will the Leader of the House confirm that there have been 85 Government amendments and new clauses to the Health Bill? Will she also confirm that the Bill was extensively discussed in the other place, so the late arrival of those amendments and new clauses is unacceptable. Will she give us further information on precisely what discussions have taken place with members of the Conservative Front Bench on an agreed programme motion? Was that proposal turned down on principle, or were the details of the programme motion that the Government proposed to put before the House unacceptable to the Conservatives? Do the Government accept that both Bills are very important, excite great public interest and attention and deserve much more careful attention in the House on a proper programme motion? A guillotine motion is certainly not the best way. It is a sledgehammer to achieve nothing.

Mrs. Beckett: I do not dispute the hon. Gentleman's last point. The Government would have much preferred to have a sensible programme motion. We have been driven to fall back on the guillotine because that was not possible. The hon. Gentleman is right to say that the Bill has already been extensively debated. It had 42 hours in the House of Lords and 77½ hours in Committee. The hon. Gentleman is also right to say that there are a large number of amendments. Most of them are minor and technical. Indeed, most were asked for during earlier consideration. Finally, the hon. Gentleman asked whether it was on a matter of detail or on principle that the Conservatives rejected a programme motion. We never got as far as details. The hon. Gentleman will understand why the Government have found it necessary to propose a guillotine motion.

Mr. Peter Luff (Mid-Worcestershire): Will the Leader of the House acknowledge that in the past three weeks we have had one week of recess and two weeks of exceptionally light business by any standards? If she had had the decency to give the House a reasonable amount of time to debate the Bill, the difficulties that we have had tonight would not have arisen. Does she understand that many of us feel that the three weeks of light business were intended to give Labour Members time to campaign in the European elections, and much good it did them? Their arguments were rejected by the voters. Does she understand that her running shy tonight of a proper debate on the Health Bill shows that the Government are fearful of having the arguments on the Bill properly tested in the House of Commons?

Mrs. Beckett: First, the hon. Gentleman's points about the previous business and the recess are irrelevant. If there was a problem with the time allowed for the Bill, it could have been raised on the past three occasions when I announced the time available. It was never raised by the hon. Gentleman or anyone else. The Bills could not have been considered earlier, because they have both just come out of Committee. I do not think that the hon. Gentleman has been in the Chamber this evening. If he had—I beg

his pardon if he has—he would have known that people have been wasting time and the House of Commons does not have time to waste.

Mr. John Hayes (South Holland and The Deepings): Given the right hon. Lady's difficulties over the past week or so, particularly since Sunday, and her problems with ordering the business of the House effectively, which are clearly becoming profound, will she make time for an early statement on the Government's position on proportional representation for this House?

Madam Speaker: Order. That is totally irrelevant to the statement that has just been made.

Mr. Eric Forth (Bromley and Chislehurst): Is the Leader of the House bringing the same deft management to organising the business of the House that she brought to organising the Labour party's strategy for the recent elections? If so, will she answer the question put to her by my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) and explain why the Government were prepared to mark time in the House of Commons for the past two or three weeks, but are now trying in indecent haste to ram through controversial and difficult business? Why cannot the Government face up to difficult issues and give the House of Commons a proper amount of time to deal with them instead of scurrying around trying to hide the difficult issues while wasting time in the lead-up to what was a disastrous election for them?

Mrs. Beckett: I do not think that the right hon. Gentleman can have been listening or paying attention. I have already said that the Government were prepared to discuss a programme motion for both Bills. The right hon. Gentleman always attends business questions. I pay tribute to him for being an assiduous attender. Not once has he or any Conservative Member said that the time allowed for debate on the Health Bill was inadequate. It is too late to say it now.

Mr. Ian Bruce (South Dorset): Will we have an opportunity during the debate on the Health Bill to talk about the £21 billion that the Prime Minister keeps talking about? The Leader of the House may have noticed that, for some reason, it was claimed as a great plus for Labour's candidates during the European elections. Will she confirm that that £21 billion is only £3.5 billion extra a year: £3.5 billion in the first year; £7 billion in the second year; £10.5 billion in the third year? We have to add them together to get £21 billion. Surely the country has found out about the Government's health policies and we need plenty of time to highlight what is going on.

Mrs. Beckett: I am sorry to say to the hon. Gentleman that no matter how much time we have, the Opposition are incapable of doing anything sensible with it, judging by their performance this evening.

Dr. Evan Harris (Oxford, West and Abingdon): While I regret that the Leader of the House has had to make this statement, does she agree that part of the explanation for the behaviour of the increasingly extremist Conservative party is the fact that it has failed to provide opposition on the Immigration and Asylum Bill or on the Health Bill? On the issues of junior doctors' hours, rationing, discrimination and the work force crisis, it was Liberal Democrat amendments that would have been discussed tonight before the Tories' futile behaviour intervened.

Mrs. Beckett: I do not think that it is for me to intervene in a private fight on the other side of the House, but I share the hon. Gentleman's view that we have not spent time discussing the Bill this evening.

Mr. Douglas Hogg (Sleaford and North Hykeham): The right hon. Lady will know that, as Leader of the House, she has a role to take into account the interests of the House as a whole and not exclusively those of colleagues on her own Front Bench. Does she understand the concern felt by Conservative Members that what she has just announced may substantially reduce the overall time available for the debate on the Immigration and Asylum Bill? Can she give the House a guarantee that there will be no reduction in the time available for that debate?

Mrs. Beckett: The right hon. and learned Gentleman is right to say that I have a responsibility to the House. My responsibility is to see that the House has the opportunity sensibly and properly to debate the issues that come before it. It is not my responsibility to find time for time wasting.

Mr. Desmond Swayne (New Forest, West): The Leader of the House will know from her experience of running a campaign over the past three weeks, during which she attempted to deal with every other issue than those that were the proper subject of that campaign, that it is on the issue of her stewardship of the health service that the public estimation of the Labour Government has fallen most rapidly. There was no complaint about the lack of time available for debate because there was plenty of time available. I and many other Conservative Members were looking forward to exploring the Government's attitude on rationing throughout the night. Why is the Leader of the House not prepared to do that? Is she tired or just frightened?

Mrs. Beckett: I fear that I have already pointed out that at the rate of progress achieved so far it would have taken to the end of the week to conclude proceedings on the Bill and I did not feel that that was a useful expenditure of the time of the House.

Mr. John Bercow (Buckingham): Does not the Leader of the House recognise that she is guilty of ignorance and uncharacteristic discourtesy to the House in describing the new clauses and amendments as minor and technical? Does the right hon. Lady seriously think that the issues of clinical freedom, discrimination in the NHS, health and energy efficiency schemes, the regulation of independent hospitals and the partnership between the public and the private sectors, to name but a few, are minor and technical? Is that illustrative of the contempt that she feels for the national health service which she claims to uphold?

Mrs. Beckett: Uncharacteristically, the hon. Gentleman has misunderstood what I said and I am sure

[Mrs. Beckett]

that he would not wish to do so. I did not say that the issues in question were minor and technical but that the amendments were.

Sir Patrick Cormack (South Staffordshire): Would the right hon. Lady be kind enough to answer a question asked by my right hon. Friend the Member for North-West Hampshire (Sir G. Young) and tell us how much time will be allowed for the Health Bill? Why is it necessary to guillotine the Immigration and Asylum Bill, which the House has not even begun to discuss and about which many Labour Members have strong views, as we know? In answer to the question posed by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), will she tell us how long we shall have for that Bill?

Mrs. Beckett: The motion will be tabled following the conclusion of this business statement. There will be sufficient time for the debates and the Government have given proper consideration—as we would have done if we had been able to discuss a sensible programme motion—to allowing the House adequate time to debate these matters.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1999, which was laid before this House on 13th May, be approved.—*[Jane Kennedy.]*

Question agreed to.

TRUSTEE DELEGATION BILL [*LORDS*]

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 90(6) (Second Reading Committees), That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

DEFENCE

That the draft Army, Air Force and Naval Discipline Acts (Continuation) Order 1999, which was laid before this House on 6th May, be approved.—*[Jane Kennedy.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No.118(6) (Standing Committees on Delegated Legislation),

PROFESSIONS SUPPLEMENTARY TO MEDICINE

That the draft Professions Supplementary to Medicine (Clinical Scientists Board) Order of Council 1999, which was laid before this House on 18th May, be approved.—*[Jane Kennedy.]*

The House divided: Ayes 314, Noes 136.

Division No. 202] **[10.16 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil

Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Robert Ainsworth and
Mr. Keith Hill.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Cash, William
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cormack, Sir Patrick
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'bry)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'ds)*
Soames, Nicholas
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew

Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tim Collins.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

PROFESSIONS SUPPLEMENTARY TO MEDICINE

That the draft Professions Supplementary to Medicine (Speech and Language Therapists Board) Order of Council 1999, which was laid before this House on 18th May, be approved.—[*Jane Kennedy.*]

The House divided: Ayes 337, Noes 110.

Division No. 203] **[10.30 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra

Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Robert Ainsworth and
Mr. Keith Hill.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cormack, Sir Patrick
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
St Aubyn, Nick
Sayeed, Jonathan
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tim Collins.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

PROFESSIONS SUPPLEMENTARY TO MEDICINE

That the draft Professions Supplementary to Medicine (Paramedics Board) Order of Council 1999, which was laid before this House on 18th May, be approved.—[*Jane Kennedy.*]

The House divided: Ayes 334, Noes 109.

Division No. 204] **[10.43 pm**

AYES

Ainger, Nick
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale

Cann, Jamie
Cator, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Keith Hill.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cormack, Sir Patrick
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
[illegible]ait, Mrs Jacqui
[illegible]insley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
St Aubyn, Nick
Sayeed, Jonathan
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Mr. Tim Collins.

Question accordingly agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

GLOBAL NAVIGATION SATELLITE SYSTEM

That this House takes note of European Union Document No. 6528/99, a Commission Communication: Galileo—involving Europe in a new generation of satellite navigation services; and endorses the Government's prudent approach to the Commission's proposals as set out in the Explanatory Memorandum.—*[Jane Kennedy.]*

Question agreed to.

EDUCATION AND EMPLOYMENT COMMITTEE

Ordered,

That Mr. Joe Benton be discharged from the Education and Employment Committee and Mr. Bill Rammell be added to the Committee.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

NORTHERN IRELAND AFFAIRS COMMITTEE

Ordered,

That Mr. Ken Livingstone be discharged from the Northern Ireland Affairs Committee and Mr. Stephen Pound be added to the Committee.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

Care in the Community

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

10.56 pm

Mr. Archie Norman (Tunbridge Wells): I am delighted to have this opportunity to raise the question of the care of the mentally handicapped—or as we now know them, people with learning disabilities—in the community. I am delighted not just because it gives me a break from the world of corporate mergers and takeovers but because it is a subject in which I have a very personal interest.

I have a brother who is mentally handicapped. He used to be accommodated in a national health service hospital and is now cared for in the community. The subject is also topical in my constituency because The Pines care home was recently threatened with closure. I want to raise the question of The Pines because it illustrates so many of the dilemmas and problems facing us concerning policy on the care of those with learning disabilities in the community.

The Pines was built only 11 years ago. At the time, the 24 residents, who are accommodated in clustered bungalows around their therapy centre, were assured that it would be a home for life, as were their relatives. Most of the residents were moved out of a major NHS hospital. Despite the home's being only 11 years old and ideal accommodation for the relatives and those who live there, it is threatened with closure by the area health authority.

It is not that there are not good arguments for closure or movement; there are of course two sides to every case. This case illustrates the extent to which local authorities and officials are pursuing a policy of accommodating people which to many seems doctrinaire—the policy of normalisation, pushing people with acute learning disabilities and mental handicap into

"ordinary houses in ordinary streets",

despite the fact that, very often, such accommodation is uneconomic and wholly unsuitable for such people. The case also illustrates the lack of involvement of parents and relatives of people with learning disabilities. They are in many ways without any rights; there is a real sense of helplessness when faced with officialdom and official policy.

The Pines is not unique; similar situations arise in many areas across the country. The problem is growing, and is bound to, because, over the past 20 or so years, we have, for understandable reasons, closed so many long-stay beds in NHS hospitals for people with learning disabilities. The numbers have declined from 65,000 in the mid-1960s to 3,000 today. At the same time, the number of care in the community places has only risen from 7,300 to 36,000. By definition, therefore, many of the people previously accommodated in some permanent care of the state are now resident elsewhere.

There is already a shortfall in places. Restcare estimates a shortfall of some 25,000 residential places for people with mental handicap. An increase in demand is forecast for the next two decades because people with a handicap of one kind or another are expected to live longer. Many of these people are currently accommodated with ageing relatives, on whose death those residents will have to be moved into community care.

Now is the time for a thorough review of our whole approach to care in the community of those with learning disabilities. It is time to flush out and to tackle the dogma that has grown up following the abolition of the major residential hospitals, the understandable and absolutely correct move away from institutional care—the dogma that is all about normalisation, moving people into ordinary homes in ordinary streets. It is time to bring back a much more individual approach to care, and to create clustered homes in communities, which I believe to be the way of the future. It is time to create a framework of rights for those people who are, in a real sense, dispossessed by the health services and by the state. These people are in the possession of the state; they are totally dependent. They and their relatives need rights. It is time to clarify responsibility for these people as between the national health service, social services and local authorities.

Mr. John Burnett (Torridge and West Devon): I wonder whether the hon. Gentleman is aware of the judicial review of the case of Marden house in Exeter, in which the actions of the North and East Devon health authority were successfully challenged in the High Court—the case is now going to the Court of Appeal. A home just like the home that the hon. Gentleman described has been challenged successfully in the High Court. I wonder whether he is aware of that case, and whether that might be of some—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman must be careful, because some matters are sub judice.

Mr. Burnett: I take that point, Mr. Deputy Speaker, and I am grateful to you. The case is going through the courts, but it does illustrate—

Mr. Deputy Speaker: Order. If the matter is going through the courts, it is not a matter for us to discuss this evening.

Mr. Norman: I am grateful to the hon. Gentleman for mentioning the case, which shows that the problem is prevalent throughout the country, and that the case in Tunbridge Wells is far from unique.

It is time to end the dogmatic approach and the view that there is one right solution: normalisation. It is time to bring back an investment in communities of people with a learning disability within which they can have a sense of companionship, belonging and role. I believe that there is a great deal more dignity for people with a learning disability if they can live together, if they can choose their friends within a community and if they can find a role in that community, than if they are in a sense isolated in an ordinary street, where they have very little contact with their neighbours and those who live locally.

The time has come to move to medium-sized and clustered homes and away from single houses in relative isolation. It is time to concentrate on care in the community, not dissipation in the community. Many residents today—

Mrs. Claire Curtis-Thomas (Crosby): I should like to comment on some of the things that the hon. Gentleman has said. He mentioned the dogma of care in the

community. As the mother of a daughter with a learning difficulty, not a mental handicap—a term that I find wholly offensive—as someone with a sister with a learning difficulty and some physical difficulties and as, until recently, the daughter of a person who has quadriplegia, I very much welcome the inclusion of my relatives in a community, instead of the ghettoisation that the hon. Gentleman seems to be advocating. I believe that the latter would be a return to the past.

Most of us who are striving to get the best, not necessarily for an individual's parents, but for that individual, very much welcome the ethos that now pervades the social services. My experience of my community is that, at all times, it has tried to do the very best for the individuals whom I love and care for.

Mr. Norman: I thank the hon. Lady for enabling me to clarify the point. I am certainly not advocating a return to the past. The move away from the large, isolated institutions was absolutely right, but we must have the right policy for each individual. There are individuals—relatively able people with relatively slight learning disability—who are well accommodated and can be integrated in local communities and be cared for best in that way. There are problems with that approach—we understand that—but that may be right for some individuals. However, in the case of those with a more acute learning disability who need 24-hour care and attention, it is my experience and belief, which are shared by residents of The Pines and their relatives, that they value being part of a slightly larger community where their choices are greater.

Living in such a community enables people to select their friends from a wider circle. All too often, when they are moved into small homes, with perhaps only three, four or five residents, their friends and companions for life are selected by the state or by the local authority. That cannot be the right approach.

Very small homes are a much more expensive mode of care. There are various estimates of the cost, but it is clear from all those estimates that clustered homes where specialist care and facilities can be shared are likely to be more economic. In a document entitled "The Case for Residential and Village Communities" and prepared for the Rannoch Trust, Baroness Cox and Lord Pearson mentioned that Government figures for annual revenue costs for 1994 showed that it can cost £74,000 a year to support an individual in the community, whereas a place in a congregated village community with all services included can cost £25,000 a year.

There are questions about those calculations, but it is clear that some sharing of facilities is likely to be more economic. There will be a huge problem for the funding of such care, and the most important priority is that in future we should be able to finance the care that all people with a learning disability deserve.

It is estimated that 50 per cent. of those with an acute learning disability require more or less full-time or continuous medical support. It is much easier to provide such support in a slightly larger community.

It is important to remember that people put into ordinary houses in ordinary streets are totally dependent on their professional carer. There is no doubt that many carers are fantastic people who are devoted to the residents, but others have no great qualifications for the role. They are working with people who have complex problems and need complex help and often medical support as well. There is an increased risk to residents who are in the hands of someone relatively unqualified for 24 hours a day. Grouping and clustering in village communities allows much better quality support.

The issue is not whether Government policy supports one form of care or another, but that we need clarification of the right circumstances for the individual. As the hon. Member for Crosby (Mrs. Curtis–Thomas) mentioned, it is a matter of finding the right situation to meet individual requirements. It is not clear how that should be done, although it is clear that, in different local authorities, different solutions are adopted.

Dr. Maurice Brook, vice-chairman of the National Society for Mentally Handicapped People in Residential Care, points out that all too often these people do not have much help or support. Many cannot make decisions without a great deal of help. Some have relatives who can stand up for them, but others do not. They are entirely in the hands of local officials. In many cases, as Dr. Brook states,

"choice is often denied because of locally based officials."

He continues:

"The most important test is the quality of life of an individual, not any ideological assumption about what model of care is best."

Whatever people may say, it is the experience of many that there is an official dogma regarding the best approach.

Dr. Brook goes on to state:

"The views of parents and relatives should be treated as the views of an individual. In too many areas the Local Authority tries to impose their views. Those who are able to impose decisions that are in conflict with the wishes of parents and relatives are not democratically accountable."

I believe that many relatives across the country share that feeling. The time has come to review the entire framework.

The second major issue concerns the rights of those with a learning disability who are resident in homes supported by the NHS or social services. Although there is much talk of rights, in practice the experience of people such as the residents of The Pines and their relatives and the residents of many other homes across the country is that the reality does not match the talk. In too many instances, changes are made without adequate consultation, and where that consultation takes place it is often ignored. I shall illustrate that with the instance of The Pines. I have a letter in my possession written to residents by Kelsey Care, which is a sub-contracted care organisation. In most respects, it is a fine organisation. The letter is dated November 1990. It asks what would happen if ever there was a need or desire to move the residents elsewhere:

"As the residents of The Pines will have either a tenancy agreement or a licence giving them a certain security of tenure, any decision would have to have the agreement of the persons concerned, parents or relatives, members of staff and the health authority."

In reality, that has turned out to be entirely untrue. Today, The Pines is threatened with closure. If it were not for the action taken by residents, many people would argue that it could be in the process of closure now, without adequate consultation and certainly without the permission of the relatives.

[Mr. Norman]

Is it not time that people who are so vulnerable and dependent on support from the state and residing in homes maintained by the national health service or by social services had an established set of rights of their own within a clear framework? A process should have to be followed before their lives can be entirely disrupted, before they can be taken to locations to live with people whom they might not know and not of their own choosing, and before they can be moved miles away from their relatives and their families? Is it not time that we established a basic framework that will prevent those things happening without the appropriate permissions and consents of those who are closest to them?

Is it not time there was a more effective process to encourage the involvement of parents and relatives? All too often, the system works to alienate those who should be supportive of people with learning disability in care. That applies not to those who have lived and been brought up at home with support, but in many instances to those who have been institutionalised and have lost touch with relatives.

One illustration concerns financial support. As parents age, people with a learning disability have to move into homes. It would be desirable if parents felt able to leave them bequests or moneys in other forms to provide enhanced support in future. Unfortunately, they fall into the classic means-testing trap whereby if the parents leave them money, that bequest represents a tort in terms of paying for their benefits. As a general practice, the making of bequests and the leaving of moneys in other forms is not done as much as it should be.

Should it not be an explicit part of the Government's policy and programme to involve parents and relatives more substantially and provide them with an on-going involvement or participation in the running of homes? Should not that be part of the new framework?

Is it not time to clarify responsibility for those with severe learning disability? Over the past 20 years, we have seen a huge transition from the NHS and the great NHS hospital institutions into local authority care. However, local authorities vary substantially in their approach to the problem and the way in which they make provision. It is well understood by those who are close to these matters that the level of benefits provided varies as well. Provision is patchy. The danger is that as local authority funding is squeezed, particularly in those areas where the cost of support and of property is much higher, it is the residents who will end up suffering.

Is it not time that, as we make the transition into local authority care and support from social services, the role of the NHS in terms of medical support should be clarified? An NHS Confederation document dated 14 June states:

"There is a lack of core understanding of what the NHS is responsible for. This hampers service development. Access to general healthcare such as general practice, dental and ophthalmic services is poor."

It goes on:

"There is no up-to-date national government policy on health services for people with learning disabilities. The last policy document was published in 1992 and is in urgent need of updating."

I know that some work is being done on updating that policy, but it is high time we had an outcome.

I believe that the time has come for a wholesale review of the framework of policy for those with learning disabilities who are cared for in the community. At times, it is hard to avoid forming the impression that that part of our community is a forgotten corner of society. All too often—as the great institutions are being closed, and rightly so, and as people emerge into the community—there is a risk that they will be dissipated in that community and lost in it; that parents will be disfranchised; and that the most vulnerable people will not be given the rights that we want to afford to them and which we would afford to the average citizen.

11.15 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I congratulate the hon. Member for Tunbridge Wells (Mr. Norman) on his choice of subject for this debate. The issues that he has raised, although they arise from a particular situation in his constituency on which I shall comment in a moment, go much wider and are important for all people with learning disabilities and their parents, relatives and friends.

Health and social services play an important role in the lives of people with a learning disability, because many of them will rely on those services throughout their lives. We need to ensure that they are delivered in ways that are responsive to them as individuals, enabling them to develop their full potential and to be as independent as possible, yet providing appropriate support and protection for those who need it.

The hon. Gentleman raised the particular issue of the future of the Pines in his constituency. As I am sure he would acknowledge, decisions about the provision of services in a particular locality are rightly a matter for the local statutory authorities. Health and local authorities are best placed to make such decisions in the light of their knowledge of local needs and resources, taking into account departmental guidance and the needs and wishes of the local people with learning disabilities and their relatives.

I understand that West Kent health authority has no immediate plans to close The Pines. Choice Consultancy Services, which was employed by the health authority to review learning disability services in the southern part of west Kent, concluded that the service provided at The Pines in some respects fell below currently applied standards. The health authority is therefore unable to give a firm assurance at the moment that reprovision of the service at The Pines will not be considered at some time in the future. It has, however, confirmed that any possible reprovision will involve full consultation with residents and their relatives and will take account of individual needs. That is as it should be.

Services for people with learning disabilities are becoming increasingly responsive to individual needs. Many people with learning disabilities have a greater choice of living, work and leisure opportunities open to them than ever before, giving them a far better quality of life than was possible in the institutions of the past. The hon. Gentleman recognised that in his contribution.

Many health and local authorities are finding that the aspirations of people with learning disabilities and their families are changing and that what might have been acceptable forms of reprovision in the early days of hospital closures need to be replaced by even more integrated and individualised services.

I have visited services—a village community in Berkshire—and have talked to people with learning disabilities and their relatives. Many would prefer to live in ordinary houses in ordinary streets, and we need to try to respond to that wish when it is clearly expressed. Others would prefer to live in larger units or residential or village communities. It is important that, in planning and commissioning the services to be provided in any given area, health and local authorities take decisions based not on rigid ideology, but on what is best for the individuals concerned. I agree strongly with much of what the hon. Gentleman had to say on that point.

People with learning disabilities and their families have a wide range of needs and an equally wide range of views about the best ways of meeting those needs. It is therefore important that, as far as is practicable, individuals and their relatives should be offered real choices.

Mrs. Curtis-Thomas: Will my hon. Friend please clarify one point? The hon. Member for Tunbridge Wells (Mr. Norman) mentioned financial considerations and said that running a communal home costs substantially less than furnishing an independent home in a normal street. Will my hon. Friend confirm that financial considerations are not given any notable significance in decisions about what constitutes an appropriate home for an individual?

Mr. Hutton: The Department's current guidance to authorities on developing health and social services for people with learning disabilities is quite clear on choice. It states that the aim should be

"to arrange services on an increasingly individual basis, taking account of age, needs, degree of disability, the personal preferences of the individual and his or her parents or carers, culture, race and gender."

The guidance gives authorities considerable flexibility over the provision of services, including residential services. There is nothing to prevent authorities from commissioning, or providing places in, supported living arrangements, group homes, residential or village communities or indeed any other form of provision if they deem that to be appropriate. What is important is what will best meet the assessed needs and wishes of the individual and his or her relatives within the resources available.

Guidance issued in relation to the 1992 directions on choice also made it clear that there should be a general presumption in favour of people being able to exercise choice over the residential services they receive, and that accommodation should not be deemed unsuitable simply because it does not conform to the authority's preferred model of provision. That is an important point.

To help authorities decide on the most appropriate pattern of residential services for their area, the Department of Health commissioned an independent evaluation of the cost and outcomes of various forms of residential provision for people with learning disabilities. This complex research compared dispersed housing, such as supported living and group homes, with NHS residential campuses and village communities. I hope that the results will be published later this month, and I am sure that the hon. Gentleman and my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) will read the research findings with great interest.

Residential services are not the only services used by people with learning disabilities, and the Department continues to monitor progress in implementing the guidance on learning disability services published by the previous Administration in 1992. In 1997, a national inspection of learning disability services in eight local authority areas found that significant progress had been made in developing more responsive services, such as an expanding range of accommodation, more diverse day services, employment schemes, respite care, domiciliary care services and specialist services for special groups, including those with additional disabilities.

However, the inspection also showed that, despite those significant improvements, services vary both between and within areas, and the range and quality of services currently provided for people with learning disabilities do not yet meet the needs and aspirations of users and carers. I am sure that the hon. Gentleman would agree with me that that is not acceptable. More work needs to be done if we are to provide better services in this important area.

We are taking wider initiatives, which, if I had time, I would go into in more detail. The main thrust of those initiatives, which we outlined in our White Paper "Modernising Social Services", is to raise the quality of services across the board for people with learning disabilities and for other users of social services. We want to ensure that those arrangements are properly enforced, which is why new regional care commissions will operate to national regulatory standards. I hope that that will make a significant contribution to raising the quality and consistency of services.

I hope that the hon. Gentleman welcomes the provisions in the Health Bill that will allow for closer working arrangements between the NHS and social care. Our proposals for pooled budgets, lead commissioning and integrated provision should make it easier for those two statutory authorities to work more closely together. That will be very important, and is of special relevance to services for people with learning disabilities. The provisions in the Health Bill will offer exciting new opportunities for service development.

I shall quickly deal with some of the learning disability initiatives that the Government currently have under way. One of our first steps has been to obtain a clearer picture of current services and of the progress made in implementing the guidance on learning disability services issued in 1992. Officials have studied the plans for the closure of the remaining old long-stay hospitals. To supplement the information obtained from the national inspection, we have undertaken a survey of 21 local authorities and their matching health authorities. The results, which will be published shortly, will provide much useful information to help both local and central decision making.

[Mr. Hutton]

We have also been working to improve health services for people with learning disabilities. Last year, we published "Signposts for Success", which is good practice guidance on meeting the health needs of people with learning disabilities. That was followed up by regional workshops, and this year we have published "Once a Day", a handbook for primary health care staff. Further work in this area is planned. We are also concerned to improve the skills and competencies of front-line NHS and social care staff.

The needs of users and carers are central to all our thinking. To help us, we have set up a user group for people with learning disabilities and a learning disability advisory group, whose members include users and relatives as well as representatives of the statutory and non-statutory sectors. The groups provide an important forum in which to discuss the many issues surrounding the development of services for people with learning disabilities.

It has not been possible in the time that I have had available to go into some of the subjects to the extent that I would have liked, but I am grateful to the hon. Member for Tunbridge Wells for raising this important subject and for the way in which he couched his remarks. The Government will continue to seek improvements in the quality and responsiveness of services for people with a learning disability. In doing so, we intend to work closely with all those who share our ambition to ensure better services for that vulnerable client group. I should be happy to make sure that the hon. Gentleman is kept fully abreast of any policy developments. We are committed to a first-class NHS and first-class social care for all the people of our country. People with learning disabilities will not be left out of the process.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes past Eleven o'clock.

House of Commons

Tuesday 15 June 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

London Underground

1. **Mr. Tom Brake** (Carshalton and Wallington): If he will assess the Chantrey Vellacott report into the financing costs of the public–private partnership for London Underground, a copy of which has been sent to him. [85779]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): We have assessed the note published by Chantrey Vellacott, but consider the analysis within it to be flawed.

Mr. Brake: I thank the Secretary of State for his response, even though, having given him advance notice of my question, I had hoped for a more considered reply. I repeat the question that I asked the Prime Minister at Prime Minister's Question Time: is the extra cost of the Government's public-private partnership proposals for London Underground going to be £8 billion—yes or no?

Mr. Prescott: The extra investment will be approximately £7 billion, but it will not be raised entirely through borrowing or through fares: so the analysis is flawed.

Mr. Llew Smith (Blaenau Gwent): Given the very high commitment of public funds to private finance initiative schemes, has my right hon. Friend considered the risk that, by appraising schemes using the Treasury's discount rate of 6 per cent., a spurious impression of value for money will be created?

Mr. Prescott: In all those projects, we are required to demonstrate value for money; the House of Commons Select Committees and the Public Accounts Committee have all made that absolutely clear. Our proposals, whether on Treasury assessment, bond financing or anything else, all have to be subject to that judgment. In my judgment, the proposals that we shall announce later will meet that requirement.

Mr. Richard Ottaway (Croydon, South): If the first mayor of London is elected on a pledge to reject the Secretary of State's public-private partnership, what happens?

Mr. Prescott: We have made it absolutely clear that we shall sign the deal. I am sure that the mayor of London wants a London Underground in which there is good investment, and our proposals will provide that. I cannot think of a Labour Member of Parliament who would not want a good underground system.

Railway Passengers

2. **Mr. Vernon Coaker** (Gedling): If he will make a statement on trends in the number of people using trains. [85780]

The Minister for Transport (Mrs. Helen Liddell): The Government welcome the marked upward trend in the number of people using trains.

Mr. Coaker: We all welcome the increase in the number of people using trains, but will my right hon. Friend do all she can to support the increased use of local trains? In particular, will she support the work of Nottinghamshire county council and Nottingham city council on the Greater Nottingham area rail development strategy, which is designed to get more local people to use local trains, rather than clogging up the city's roads as they go in and out of town?

Mrs. Liddell: My hon. Friend makes a good point, and I applaud him for raising the issue. In his area, the Robin Hood line has been greatly welcomed, but we must see that line as the beginning of the story, not the end. The use of local rail links fits in well with the Government's integrated transport strategy, so I commend the Greater Nottingham rail development strategy and look forward to its implementation.

Mr. Andrew Stunell (Hazel Grove): I draw the Minister's attention to the figures published today by the rail franchising director on the punctuality and reliability of services. It is one thing to have increasing numbers of passengers, but those figures show that reliability and punctuality are declining among many rail providers. Is that the future of public transport and of trains under the Labour Government?

Mrs. Liddell: The hon. Gentleman makes a point that was made by my right hon. Friend the Deputy Prime Minister during the rail summit: as the number of people travelling by train increases, it is important that overcrowding does not become a factor that inhibits the quality of service to passengers. When the rail franchising director considers the renegotiation of franchises that my right hon. Friend announced at the summit, such factors must be taken into account. Ultimately, it is the performance and efficiency of the rail network and the quality of the experience for passengers that are important and must be taken into account.

Mr. Geraint Davies (Croydon, Central): May I take this opportunity to welcome my right hon. Friend to her new position? I am sure that she will do extraordinarily well. Does she agree that the increases in train patronage, constraints on road building and the escalator in taxation of polluting fuels provide a virtuous environment for private sector investment in rail infrastructure, rolling stock and track? Will she use her position to put pressure

on the industry to put greater investment into capacity, so that people can make greater use of trains in an environmentally sustainable way?

Mrs. Liddell: Given such a gracious welcome to my position, it would be churlish of me not to agree with my hon. Friend. However, I do agree with him that it is important to improve the quality of the experience of those using public transport, so that public transport becomes a viable alternative that is both attractive and efficient. Road users and users of public transport want services to be improved, because if we ease congestion and improve public transport, everyone gains.

Mr. Bernard Jenkin (North Essex): I join in congratulating the right hon. Lady on her appointment—although some of her colleagues could be forgiven for thinking, "No Labour Transport Ministers for 18 years and then three come along at once."

May I admonish the right hon. Lady for having been a little coy about the dramatic 25 per cent. increase in the number of passengers using the railways since privatisation? After two years in power, and no new money, no decisions taken and no legislation, exactly what role have the Government played in that dramatic increase in the number of rail passengers? Is it not about time that the Government started taking decisions that will enable Railtrack to allocate £27 billion to investment and renewals, instead of carping against Railtrack and undermining its share price and its ability to invest?

Mrs. Liddell: May I also take this opportunity to welcome the hon. Gentleman to his new responsibilities at the Dispatch Box? It is interesting to note that the Leader of the Opposition has split the Department of the Environment, Transport and the Regions and that two shadow Secretaries of State are required to match up to my right hon. Friend. The hon. Gentleman talked about three Transport Ministers arriving at once. The Secretary of State for Scotland, my right hon. Friend the Member for Hamilton, North and Bellshill (Dr. Reid), and I attended the same school, so that is perhaps a measure of the effectiveness of our education.

Since this Government were elected, the focus on public transport has been second to none, particularly in relation to rail transport. The fragmented system that we inherited, including some quite bizarre contracts that were signed when the Conservative party was in government, has left us with the challenge of ensuring that our rail transport system is the best in the world within 10 years. At the end of the day, the passengers will decide whether to use the railways. As a new member of the Department, conscious of the achievements that have been made, I commend its work to the House.

Concessionary Travel

3. **Mr. Andrew Mackinlay** (Thurrock): When he expects to bring forward legislation on concessionary travel for the elderly and the retired. [85781]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Legislation to fulfil our commitment to minimum half-fare travel on buses for pensioners will be introduced as soon as parliamentary time permits. Individual local authorities are free to adopt the proposed minimum standard in advance of legislation.

Mr. Mackinlay: Does the Deputy Prime Minister appreciate that, while Back Benchers and our constituents understand that the Labour Government cannot achieve everything at once—it is a question of priorities and dealing with legislative bottlenecks—there is a growing impatience among some, particularly in the conurbations where boroughs such as mine interface with London boroughs, who believe that the measure should be implemented as quickly as possible? I urge my right hon. Friend to persuade business managers to provide early legislative time so that we may have the scheme up and running long before the next general election.

Mr. Prescott: I understand my hon. Friend's comments about the impatience in this area. We are committed to introducing the half-fare system for pensioners, which we think is right. However, there is nothing to stop any authority introducing that scheme now. I understand that the authority of Thurrock has introduced a half-rate scheme that it subjects to means testing. The difference with our scheme is that 17,000, rather than 7,000, pensioners in Thurrock would qualify for it. Some 3 million pensioners overall will benefit from the scheme.

Mr. John Bercow (Buckingham): Given that approximately half of local authorities are currently unable to provide the concessionary fare schemes of which the Government are in favour—partly because of the substantial costs that they would entail—can the right hon. Gentleman confirm that the statutory scheme that he proposes to introduce will involve no additional cost whatsoever for any local authority in this country and that, therefore, no local authority will be required to increase council tax to pay for the right hon. Gentleman's pledge?

Mr. Prescott: It is just not true to say that a substantial number of local authorities do not pay for some form of concessionary fares—in fact, only 10 do not and they are all Conservative or Independent councils. The total scheme will cost an extra £25 million nationally, which the Government are quite prepared to meet.

Ms Rosie Winterton (Doncaster, Central): I am sure that my right hon. Friend is aware that national concessionary travel is extremely good news for pensioners. Is there similar good news for those pensioners who are former employees of the National Bus Company and whose pension fund was raided by the previous Tory Government to the tune of millions of pounds?

Mr. Prescott: The House is well aware of the ability that my hon. Friend has demonstrated in pursuing the injustice that arose out of the privatisation of the National Bus Company, whereby many thousands of pensioners were denied hundreds of millions of pounds in pension rights. We have now concluded an agreement, and I can confirm that we have reached a settlement with the pension fund trustees which is worth £356 million to 50,000 pensioners, and the trustees will be recommending that offer to the court. That corrects an injustice that arose from the privatisation.

Regional Airports

4. **Mr. John M. Taylor** (Solihull): If he will make a statement on the future of regional airports. [85782]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): We shall encourage the growth of regional airports to maximise the contribution that they make to local and regional economies, always consistent with sustainable development principles.

Mr. Taylor: Would the Minister welcome and encourage the involvement of Birmingham airport, the National Exhibition Centre, Virgin and Railtrack in the development of an efficient transit system between the airport, the railway station and the exhibition centre, with the private sector in the lead? Will she pay a visit to Birmingham airport to find out what transport needs it has?

Ms Jackson: I should be delighted to make another visit to Birmingham. As the hon. Gentleman is aware, we strongly support the development of a public transport interchange, including a new people mover system. We have forwarded an application to the European Commission for trans-European network funding for phase 1 of the interchange scheme, and we expect to receive a reply in the next few months.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my hon. Friend hold urgent talks with the companies that are increasingly using the slots of south-east airports which enable the regional airports to use their services? They are losing their slots because they are being handed over to transatlantic flights. Will she look hard at what is happening to regional airports, because if they lose their access to the south-east, they will be badly damaged, and passengers will be very upset?

Ms Jackson: As I am sure my hon. Friend is aware, the Government have been concentrating on that issue for some considerable time. We have been at the forefront in urging the European Commission, when it eventually submits its proposals for slot allocation, to make its main consideration our arguments about protecting the regions.

Mr. Nicholas Winterton (Macclesfield): I hope that the Minister will not mind if I mention Manchester international airport, which is also a regional airport. Does she accept that it is essential not only to have integrated public transport to ensure that the second runway at Manchester is fully used—as I believe it will be—but that the road network feeding Manchester airport, particularly from the east, north-east and south-east, is completed if the area around the airport is not to be submerged under an unacceptable volume of commercial and domestic traffic?

Ms Jackson: I am of course delighted to highlight the success of Manchester airport, and I am sure that the hon. Gentleman will want to congratulate the Government on their policy for our regional airports. We have ensured the relaxation of borrowing limits for those airports that have demonstrated that they are eminently capable of balancing their books, and of course Manchester is one of those airports. We have consistently made it clear that surface access to all airports is central to their being able to operate within our requirements for sustainable development.

Shona McIsaac (Cleethorpes): It is nice to hear my hon. Friend's warm words about Manchester airport because it has just purchased an 82 per cent. share in Humberside airport. Will she congratulate Manchester airport, particularly on its announcement of a £6 million investment in Humberside? Also, will she guarantee that regional airports will have the necessary commercial freedom to develop their capacity?

Ms Jackson: I have already sent my congratulations to Manchester airport, and I am delighted to send them also to Humberside. I am sure that my hon. Friend shares my delight in the practical application of the Government's foresight in making possible a relaxation of borrowing controls for our airports. It is another indication of the Government's long-term aim of ensuring that regional airports work together in the interests not only of their own regions, but of the entire United Kingdom.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): What progress has been made in investigating whether a public service obligation can be imposed for the provision of regional air services, particularly those between London Heathrow and Inverness?

Ms Jackson: It is my understanding that there were fruitful discussions with representatives from Inverness. The hon. Gentleman raises an issue on which I have already touched—the importance that we attach to access from the regions to important airports in the south-east, which is why we have consistently argued to the Commission that when it eventually presents its revised proposals for slot allocation, regional factors should be at the forefront of its consideration.

Radioactive Waste Disposal

5. **Dr. Ian Gibson** (Norwich, North): What plans he has for research on the disposal of radioactive waste. [85783]

The Minister for the Environment (Mr. Michael Meacher): The Department's plans for environmental research are contained in the environmental protection group research newsletter 1999-2000, a copy of which is available in the Library. These include two projects specifically on the disposal of radioactive waste—an assessment of the long-term safety concerns that determine confidence in waste management options, and the continuation of the high-level waste and spent fuel disposal research strategy project.

Dr. Gibson: I thank my right hon. Friend for that answer. Does he agree with the recent national consensus conference on radioactive waste management that was held in London, which reached the conclusion that there should be no further development of the nuclear industry until we learn how to deal adequately with the waste problem?

Mr. Meacher: We certainly agree that the disposal of radioactive waste—an issue that has defeated previous Governments on a number of well-known occasions—is

a matter that needs to be resolved. For that reason, we will publish our response soon to the House of Lords Science and Technology Committee. We agree that there should be wide-ranging consultations before final conclusions are reached as to whether radioactive waste should be stored above ground or in deep underground repositories. Until that matter is resolved, there will continue to be serious problems for the industry.

Beacon Council Scheme

6. **Mr. Martin Salter** (Reading, West): If he will make a statement on progress in the implementation of the beacon council scheme. [85784]

The Minister for Local Government and Housing (Ms Hilary Armstrong): We invited councils to apply for beacon status with the publication last month of the beacon council scheme application brochure. The deadline for applications is 31 July, and we anticipate announcing the first beacon councils in November.

Mr. Salter: I thank my right hon. Friend for her reply. Is she aware of the enthusiasm of many forward-looking councils for the beacon council scheme?

Mr. Stephen Pound (Ealing, North): Not Reading!

Mr. Salter: Well done! Indeed, Reading council is applying for beacon council status in two service areas. Does my right hon. Friend the Minister agree that it is high time that forward-looking councils such as Reading, which are virtually Tory-free zones, had an opportunity to share their best practice with the rest of local government, and their electoral tactics with other parts of the Labour party?

Ms Armstrong: I am delighted to hear of the enthusiasm in Reading. In response to the consultation document, only two councils—Liberal Ribble Valley and Conservative Wandsworth—opposed the beacon council scheme. The remaining 144 respondents fully supported it. Today I am arranging for the full responses to be placed in the House of Commons Library.

Tory Wandsworth described the scheme as

"irrationally tied in to the Government's modernisation and Best Value initiatives".

By contrast, the Confederation of British Industry described it as

"a mechanism by which councils can improve the services they provide and learn new ideas on how to tackle problems their communities face."

We know that Conservatives are not interested in tackling problems in new and innovative ways, but I welcome any council that wants to do so. As my hon. Friend said, the scheme is primarily intended to spread good practice. I hope that all local councils will look at how they can learn from others and improve their service to their citizens.

Mr. Nick Hawkins (Surrey Heath): Does the Minister agree that, given Labour's appalling record in local government of waste, mismanagement, incompetence and downright corruption, the Government are in no position to lecture any local authority on standards of quality in local government? Does not she have to agree that the reason the electorate up and down the country so decisively rejected Labour in the local elections recently, as they did in the European elections this week, is absolutely clear? Labour is going down to rejection by the electorate at the next general election.

Ms Armstrong: I think that the hon. Gentleman has some way to go and a bit to learn yet. I see that he is up for sale; perhaps he can get a price that will mean that the Conservative party has a future. In the meantime, local government recognises its responsibility and, although the hon. Gentleman may not have noticed, Labour local government is considered by independent bodies such as the Audit Commission to be improving year on year. That is our target and that is what we will achieve. We will make sure that local councils are able to face the real challenges of the 21st century, and it is a pity that he is not with us on that.

Holyhead-Crewe-Euston Rail Route

7. **Mr. Barry Jones** (Alyn and Deeside): What discussions he has had on the prospects for the Holyhead-Crewe-Euston rail route; and if he will make a statement. [85785]

The Minister for Transport (Mrs. Helen Liddell): The Office of the Passenger Rail Franchising Director has had regular discussions about improving direct services on the Holyhead-Crewe-Euston route with Railtrack, Virgin West Coast, which is the current service provider, and First North Western, which has made a commitment to provide services from 2000 in addition to the services currently being provided by Virgin.

Mr. Jones: For a generation, that service has been substandard, and quite intolerably so. What new investment, rolling stock and timetables will there be, to the benefit of north Wales users who look to the service to help to attract new industry to the area? Today, my constituency celebrates an £800 million defence contract, which will bring new, high-quality work to the area, and my Raytheon aerospace workers are grateful, but does my right hon. Friend accept that we could attract many more such projects if we had a first-class rail service?

Mrs. Liddell: I congratulate my hon. Friend on his imminent elevation to the Privy Council, which is fair recognition of his service to the House and to his constituents. The point that he raised about the Holyhead to Euston route is valid. There has been fragmentation on the route over the past 18 years, but, because of the development of the west coast main line and the services that are to be provided by Virgin West Coast and the other developers, there will be through services which will benefit the economic development of the area.

My hon. Friend's point about the £800 million investment in his area is well taken because, as my colleagues in the Welsh Office have repeatedly said, transport infrastructure in and out of Wales and from north to south Wales is critical. I commend him for raising this matter.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Will the Minister redouble her efforts? I ask that because a group of Japanese potential investors who recently came to north

Wales by train arrived two hours late and decided, "That's enough; we are not going to invest in north Wales." Travelling on an early train from north Wales is like playing Russian roulette—the service is appalling.

Mrs. Liddell: The hon. Gentleman's point is valid. If we are to improve our economic performance, we must make sure that our transport infrastructure is second to none. The developments on the west coast main line and the spur developments coming off it are critical and, because of that, I have invited Railtrack and the Association of Train Operating Companies to see me in the next few weeks. I want to talk about issues such as that which he has raised; it is vital to all of us and to the economic performance of our country.

Regional Assemblies

8. **Mr. Jim Cousins** (Newcastle upon Tyne, Central): If it is the policy of the Government to plan for directly elected regional assemblies in England. [85786]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): We remain committed to directly elected regional government in England where there is demand for it. Meanwhile, the interests of all parts of the United Kingdom continue to be properly covered by the present organisation of the United Kingdom Government.

Mr. Cousins: Is it not plain that once the people of regions such as the north-east, Yorkshire, the north-west and the south-west see assemblies in Wales, Scotland and, in due course, London discussing their needs and budgets with central Government, the demand for directly elected assemblies in their own regions will be very strong? It is a time for leadership; there must be leadership, and the Government must indicate clearly what plans and what sort of timetable they are considering, so that we can ask our people to support the proposals in a referendum.

Mr. Caborn: I am sure that my hon. Friend knows the Government's position. We have set up regional development agencies, which are there to address the economic deficit that, unfortunately, exists in our English regions. We are now establishing regional chambers, which, in the main, will be in the public sector. The legislation governing regional development agencies will mean that they must cross-check with the regional chambers, and that proper consultation must take place.

We believe that we are managing the changes involved in devolution very effectively. I hope that the RDAs and the regional chambers will gain the confidence of people in the regions, and that when those people are given an opportunity to say whether they want further devolution, they will say that they do.

Mr. Peter Brooke (Cities of London and Westminster): How far has the Government's enthusiasm for regional assemblies been diluted by the disastrous turnout in the European elections?

Mr. Caborn: Not at all.

Mrs. Gillian Shephard (South-West Norfolk): Not only is this positively my last appearance, but it must be clear to the House that this afternoon I am on borrowed time.

I am glad to take the opportunity to wish the Minister for Transport well in her new post. I also thank the Secretary of State for his generous remarks to me during the last Environment questions, and for the impeccable way in which, throughout the past year, he has observed the parliamentary procedures and courtesies. I wish him interesting encounters with my successor, who will respond to today's statement on London Transport.

Do the Government intend a system of proportional representation to be used to elect regional assemblies? Given that, if a first-past-the-post system had been used in the recent European elections, the Labour party's performance would have been even more disastrous than it was, do not the Government face a dilemma? Would they not be better advised to abandon their ill-conceived notion of imposing on the electorate yet another reason for Labour voters not to turn out?

Mr. Caborn: We have no reason to go back on the decisions that were made, which the British electorate supported at the 1997 general election. We will come through. We are not a "here today, gone tomorrow" party, moving around the political spectrum as some Opposition Members do. We do not know what their policies are, because they alter them from day to day, let alone from week to week. We will manage the change—a change that we believe to be in the country's interests, because it addresses both the economic and the democratic deficits.

I wish the right hon. Member for South-West Norfolk (Mrs. Shephard) well. I think, however, that not a new face but a very old one will be taking over from her.

Genetic Modification

9. **Mr. Norman Baker** (Lewes): What steps he is taking to ensure environmental considerations identified by his Department are recognised within the ministerial group on bio-technology and genetic modification. [85787]

The Minister for the Environment (Mr. Michael Meacher): Environmental considerations are at the forefront of all our decisions on genetically modified organisms. They are fully taken into account by the ministerial group on biotechnology and genetic modification.

Mr. Baker: I hear what the Minister says, but is he aware of the fear that the new committee is being used not to strengthen the protection of the environment, but to shut down opposition from his Department in the face of the fanatically pro-GM lobby? Perhaps the isolation distance that has been eradicated has led to some cross-contamination from some of his rather less environmentally friendly colleagues.

If the Minister is serious about the issue, which I believe him to be, will he arrange for the publication in full of the minutes of the sinister biotechnology presentation group, along with its remit? Does he accept that, until that is done, the Government have no credibility in this regard?

Mr. Meacher: We have made it very clear that we wish to be wholly transparent in the manner in which we deal with the issue. We realise that public opinion is seriously concerned about it—very seriously concerned—

and, indeed, highly polarised. The Government are trying to advance the prospects of the technology, which is certainly important and has potential consumer benefits, in a manner that secures that any risk with regard to the human food chain or the environment is fully taken into account.

The biotechnology and genetic modification Cabinet sub-committee looks at all the evidence. We have openly published almost all the evidence that has been before us. We know that the only way to restore public confidence is by being completely open.

Joan Ruddock (Lewisham, Deptford): Further to that reply, my right hon. Friend will be aware of reports of the indirect effects of genetically modified crops on organisms such as lacewings and the larvae of monarch butterflies. Has the committee received, or will it receive, such reports? Have the Government commissioned their own laboratory research into such indirect effects?

Mr. Meacher: My Department's committee, the Advisory Committee on Releases to the Environment, certainly watches very carefully international research on the issue, particularly with regard to lacewings and the monarch butterfly. Recently, the chairman of ACRE made it clear that it is looking at the full implications, particularly for the latter. However, it was a laboratory study and we need to take account of UK environmental conditions. In addition, the BT—bacillus thuringiensis—maize, the plant concerned in the experiment, is not released in the UK either commercially or experimentally; but we are looking at what are serious scientific results which may have a major effect for the future.

Mrs. Caroline Spelman (Meriden): What measures has the Secretary of State taken to ensure that the resulting products of farm-scale trials of GM foods do not contaminate the environment?

Mr. Meacher: That is the purpose of the farm-scale evaluations. Over several years, there have been several hundred—I think 600 to 700—small trial plantings of GM crops in this country, but to examine the impact on the environment generally, it is necessary to advance those to farm scale. That is why, this year, we have seven to nine fields which will be planted with oilseed rape and maize and, next year, 20 to 25. We want to get a nationally representative sample, precisely so that we will be able to see the impact that GM crops, as compared with non-GM crops, have on the environment, on invertebrates, on field margins, on insects and on bird populations. Again, we will do that completely openly with independent research contractors and an independent scientific review committee. We will make clear the evidence wholly and transparently before we reach a conclusion.

10. **Mr. Alan W. Williams** (East Carmarthen and Dinefwr): How many representations he has received during the last 12 months *(a)* in favour of and *(b)* against the development of genetically modified crops. [85788]

The Minister for the Environment (Mr. Michael Meacher): During the past 12 months, about 4,000 letters have been received. Almost all expressed concerns on various aspects of genetically modified crops.

Mr. Williams: I congratulate my right hon. Friend on his sober and rational response to the article by Prince Charles on 2 June containing his 10 questions. Those are the very questions that the general public want answered. Why are GM foods necessary? In view of the enormous public concern and hostility to these technologies, do we really need GM foods?

Mr. Meacher: The honest answer is that we do not need GM foods, but the technology has some potential benefits. It enables products to have a longer shelf life and to be able to withstand saline or dry conditions in developing countries. There may well be additional benefits that are not yet known. However, we need to be extremely careful in developing the technology to ensure that there is no damage to the food chain or the environment. That is why I have made it clear that we will not allow commercial planting of GM crops until the Government have completed the farm-scale evaluations and have sufficient evidence to reach an authoritative judgment about the impact on the environment.

Mr. Laurence Robertson (Tewkesbury): Given the level of alarm that the Minister has expressed, given the fact that people are starving in the world not because of a shortage of food but because of distribution problems, and given the environmental risks that we must inevitably be taking, does the Minister agree that there is no rush to develop these foods?

Mr. Meacher: Indeed, I have made it clear that we will not be rushed into an early decision. I repeat that it would be wrong in my view and that of the Government to turn our back on this technology. It has mainly producer benefits at present but it could have some significant consumer benefits in the long run. However, we should not be stampeded by industrial or commercial interests to take a decision in favour of this technology until we know—and can produce the evidence for everyone to look at—that it is wholly safe.

Mr. Huw Edwards (Monmouth): My right hon. Friend will have received representations from Monmouthshire about applications to grow genetically modified crops in the area. One of the major concerns has been expressed by organic farmers. What assurance can the Minister give me that there will be no cross-contamination for organic producers?

Mr. Meacher: That is an important issue to which the Government are giving great attention. There have been discussions with organic farmer representatives at official level in my Department and in the Ministry of Agriculture, Fisheries and Food. They are, quite rightly, concerned that their organic products should not be cross-contaminated. The Government wish to protect their interests and to see an increase in organic products in this country because consumer demand is considerably in excess of domestic supply, with consequential balance of payments problems.

The issue is largely one of isolation distances, about which there has been considerable public controversy. Indeed, in regard to the Lushill farm, the Soil Association recently changed its view about the adequacy of isolation distances for oilseed rape, from 200 m to six miles. There needs to be a good deal of further discussion between representatives of GM crop growers and organic farmers in order to try to reach an acceptable accommodation that protects the interests of both.

Lead Shot

11. **Mr. Desmond Swayne** (New Forest, West): What representations he has received regarding his proposed regulations on the use of lead shot. [85789]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): As of 27 May 1999 my Department has received a total of approximately 400 representations on the proposed regulations on the use of lead shot. My officials are currently analysing the responses.

Mr. Swayne: The Minister will be aware of the diminution of liberty that has arisen over recent years as a consequence of the raft of officials who now have access to our homes. Will he play his part in turning that tide by amending the regulations so that they are enforceable only by properly authorised police officers? Will he also consider removing from the species list the common snipe and the golden plover, and consider whether there are sites of special scientific interest that are not entirely appropriate for the regulations and remove them from the sites list?

Mr. Meale: I thank the hon. Gentleman. I remind him that, for a long time, the Prime Minister has led a better regulation committee. I can confirm that it is the Government's intention that the main enforcing authority for such regulations would be the police. Along with the outcome of the consultations, all the hon. Gentleman's representations, which have been made not only today but previously in writing, will be considered in due course.

Mr. Tam Dalyell (Linlithgow): Has the Minister met the Royal Society for the Protection of Birds on the matter? If so, what was the outcome?

Mr. Meale: I am currently not at liberty to inform my hon. Friend of the outcome, but I give a commitment to reply to him in writing.

Vacant Dwellings

12. **Sir Michael Spicer** (West Worcestershire): If he will list the number of vacant dwellings in *(a)* the public and *(b)* the private sector. [85790]

The Minister for Local Government and Housing (Ms Hilary Armstrong): Latest estimates, at 1 April 1998, are that there were 100,700 vacant dwellings in the public sector, and 652,500 in the private sector.

Sir Michael Spicer: Why cannot more be done to use existing housing stock, rather than building excessively on green-field land?

Ms Armstrong: The hon. Gentleman has for some time sought to keep a close eye on the matter. As he will have heard, the majority of vacant properties are in the private sector. Most of those properties are vacant for only a short time, while people are seeking to move. However, we are very carefully examining the matter of void properties, as we realise that it is a problem.

In recent years, however, before the Government were elected, the absolute neglect of council housing was the real problem in public sector housing. The consequence of that neglect has, of course, been a decline in the standard of council housing. The English house condition survey, for the first time since it began, identified a decline in the condition of council housing—which was the result of no investment in, or repairs to, council housing. The Government are tackling that problem, and have provided almost £5 billion to do so. We are determined to get a decent home for everyone.

Mr. Peter L. Pike (Burnley): My right hon. Friend will know that Burnley has one the highest percentages of unoccupied private sector properties in the whole of England, and that that is one of the reasons why it has a residual debt problem in housing stock transfers. Is it not crucial that that problem be solved, so that a ballot can be held, and Burnley borough council will be able to tackle the private sector housing problem—which is largely the result of the previous Government's actions?

Ms Armstrong: My hon. Friend tells a story that the previous Administration always refused even to consider, just as they refused to admit the consequences of their actions. The Government are determined that, in every area, we shall be able to ensure a proper housing supply to meet local people's demands and needs. I reassure my hon. Friend that we are actively examining the problem of overhanging debt in transfers, and that we are determined to find a way forward. I only wish that that work could have started much earlier.

Mr. Nigel Waterson (Eastbourne): I thank the Minister for giving those figures, which she was woefully unable to give recently in Committee. Does she agree with the recent Shelter report, entitled "No excuse not to build", which says that there are very large regional imbalances in housing vacancy rates and concludes that

"current housing and planning policies are failing to provide sufficient good quality affordable homes to meet need"?

If she agrees with it, what will she do about it?

Ms Armstrong: The hon. Gentleman needs to consult the hon. Member for West Worcestershire (Sir M. Spicer), who was making a very different argument. There is—although it was never admitted before the general election—a highly variable pattern of housing across the United Kingdom. In several parts of the country, there was no attempt to increase economic activity; consequently, there were simply too many houses. The Government are taking action not only on increasing regional economic activity, but on examining the real problem of low housing demand in some parts of the country.

I only wish that that work had begun earlier. We are determined to ensure that houses are used effectively and efficiently, but we must also ensure that each region has the right accommodation to meet the needs of the people who live there so that everyone in the community has a secure, stable home.

New Deal (Communities)

13. **Mr. Jim Fitzpatrick** (Poplar and Canning Town): What progress has been made to date in the implementation of the new deal for communities. [85791]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): Our new deal for communities has given 17 pathfinder partnerships in some of our most deprived neighbourhoods the opportunity to tackle the deep-rooted problems of social exclusion that were left us by the previous Administration. We shall continue to support those community-based partnerships as they develop plans to deliver lasting and sustainable change.

Mr. Fitzpatrick: I thank my hon. Friend for that answer. I can confirm the good progress of the pathfinder scheme in the Woodlands estate in West Ham, having discussed the matter with constituents such as Liz Ayres. The London borough of Newham, which is a key partner, is very pleased with the initiative so far. When is the programme likely to be rolled out to other communities?

Mr. Caborn: Of the 17 partnerships, 10 went straight to the first phase of the new deal for communities. They are developing long-term strategies. The other seven were asked to go back and do further work. I hope that we shall be able to make some announcements early next week. From what I have seen, they are all making positive progress. We are considering rolling out a further programme, possibly later this year.

Mr. Ian Bruce (South Dorset): Has the Minister looked at councils such as Weymouth, which was Labour-controlled until the party lost control at the local elections? The Government have consistently denied funds to areas such as Weymouth, although we have social problems as well, whereas the inner cities get additional central Government funds even though they do not spend up to their standard spending assessment. Surely that is unfair and very stupid, particularly as Labour is losing seats in all the local councils in the south-west and would have lost every seat in the south-west if there had been a general election last Thursday.

Mr. Caborn: Unfortunately, the hon. Gentleman distracted attention from the main point of his question about Weymouth, to which he did not do justice. We are dealing with sustainable regeneration by looking at all the pots of money that are available, including the new deal for communities and the single regeneration budget, which was 20 per cent. top-sliced to ensure that it could be targeted on areas outside the inner cities such as the coalfield communities, rural communities and some coastal towns which are suffering genuine deprivation.

The previous Administration left that situation for us to tackle. We are tackling it systematically—*[Interruption.]* Would the hon. Gentleman like me to answer the question? Each region is introducing strategies to deal with regeneration sustainably.

Railway Station Parking

15. **Mr. David Lock** (Wyre Forest): If he will take steps to encourage the provision of free car parking at railway stations. [85793]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): Charges for car parking at railway stations are a matter for Railtrack and the train operating companies. However, we encourage Railtrack and the train operating companies to provide facilities at their stations to allow safe and easy access for all passengers.

Mr. Lock: I thank my hon. Friend for that answer. Does she agree that car parking charges imposed by train operating companies have an effect on the residents of adjoining streets? Those charges can generate considerable revenue, which the train operating companies should invest in facilities for travellers and those affected by their policies rather than simply treating travellers as a captive audience for generating money to go straight on to their bottom line.

Ms Jackson: Car parking standards and charges are not covered in current franchise agreements but we are clear that good interchange has a vital role to play in improving public transport. Our integrated transport White Paper made clear its importance for promoting integrated transport and minimising disruption and inconvenience to users. In preparing their transport plans, local authorities undertake an interchange audit to assess such facilities.

Road Noise

16. **Mr. Andrew Hunter** (Basingstoke): If he will make a statement on his policy for reducing noise from motorways and other trunk roads. [85794]

The Minister for Transport (Mrs. Helen Liddell): We have established a policy of using quieter surfaces where appropriate in resurfacing trunk roads. We have set up an annual budget of £5 million to deal with some of the most serious cases of noise from existing roads. Sift criteria to identify cases meriting further study were announced on 22 March.

Mr. Hunter: Will the Minister confirm that when the M3 in the vicinity of Basingstoke requires resurfacing the most effective noise-reducing surface will be used, and that that stretch of road also qualifies for spending under the Government's £5 million a year ring-fenced budget for noise reduction?

Mrs. Liddell: The hon. Gentleman has raised this issue on many occasions over a number of years, and I commend him for that. As he will know, a study is being undertaken into noise along the M3. I expect the results of that study probably before the end of July, which will allow me to make a decision on what further action may be necessary. The sift criteria have been eased so that it is more likely that more noise-limiting measures can be introduced, but it is really a matter for technical evaluation.

Mr. David Drew (Stroud): I congratulate my right hon. Friend on the interest that she has taken in this matter.

especially in relation to the area of Upton St. Leonards on the M5 in my constituency, where there is a particular problem. Will she consider publishing the sift analysis so that we know exactly what the problems are and can consider the pecking order in which they should be dealt with?

Mrs. Liddell: The announcement on Monday 22 March 1999 set out many of the criteria on noise levels immediately adjacent to the road. The 1998 level is an average 80 decibels. We need an idea of the scale of the problems throughout the country so that we can prioritise how to spend the ring-fenced money to ensure that people's lives are made easier by reducing the worst road noise and its effects on local communities.

Mr. Nick St. Aubyn (Guildford): Is the Minister aware that major road improvements lead to an increase in traffic which often spills over into other local roads? Last week I was at a well-attended meeting in the village of Compton in my constituency. People told me about the problems that had been caused by the vast increase in the volume of traffic resulting from the building of the connection with the M3 up the road. Is she aware that noise reduction measures in such villages can make a major improvement in people's lives? Given the extra £10 billion in taxation being extracted by the Government from the British motorist, cannot she increase the size of the fund for noise reduction measures?

Mrs. Liddell: Considering that the amount available for noise reduction measures is much more than was made available by the previous Government, and that the criteria have been changed to ensure that more roads are eligible for such assistance, that comment is rather rich coming from the hon. Gentleman. I do not underestimate the inconvenience caused by noise on roads. Local authority roads are not a matter for me directly, but the Government are aware of the difficulties that people can experience, and indeed of the measures that can be taken to mitigate noise. That is why we have ring-fenced the money and taken an especial interest in the matter.

National Land Use Database

17. **Mr. Harold Best** (Leeds, North-West): If he will report on progress on the creation of a national land use database, with particular reference to Yorkshire and Humberside. [85795]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): Provisional results from the first phase of the national land use database were published on 20 May. They show an estimated 33,000 hectares of previously developed vacant and derelict land in England in 1998, of which about 6,500 hectares was in Yorkshire and Humberside. More detailed results are available in a Government Statistical Service information bulletin, a copy of which has been placed in the Library. My Department will work with local authorities and others to develop a system to keep the information up to date and to expand the scope of the database to encompass all land uses.

Mr. Best: Does my right hon. Friend agree that local authorities should be advised about the need to ensure that the land bank is made available as rapidly as possible, rather than using green-field sites?

Mr. Caborn: That is a decision for the local authorities, although there is nothing constraining them. At least when this Government came to power we got the basic statistics right and found out how much brown-field land was available for building—that is what the database is all about. Unfortunately, it was a somewhat fatuous debate when the Conservatives were in power, because they did not have that basic information to hand for the local authorities.

London Underground

3.30 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): With permission, Madam Speaker, I wish to make a statement about London Underground.

London Underground is part of the lifeblood of London, and indeed the whole country, carrying 850 million passengers each year. For too many years, however, under different Governments and even under the Greater London council, investment in the underground has been inadequate to secure a modern, reliable underground system. As I explained to the House last year, we inherited an investment backlog of £1.2 billion. We intend to modernise the underground through a £7 billion public-private partnership which will bring long-term stability to the investment programme.

Train and station services will continue to be operated by a publicly owned, publicly accountable London Underground. However, in order to raise long-term finance, we will invite private companies to take responsibility for upgrading the infrastructure, including the track, tunnels, signals, escalators and trains. That would, however, be for a limited period only, after which the upgraded assets would return to the public sector.

That means that for the first time in living memory London Transport will know what it can spend on investment for years to come. Until now, London Transport investment plans have been approved in theory for a three-year period; in practice, they were chopped and changed every year, as in the savage cuts imposed on London Underground investment in the last year of the previous Administration. I cannot over-estimate to the House the value of being able to plan ahead in that way and to secure greater productivity in the use of capital. It will mean the travelling public—and London Underground employees—will get more reliable, better quality investment, delivered far more efficiently and cost-effectively.

Over the past year, London Transport has been laying the foundations for the public-private partnership. We have restructured the LT board, with Sir Malcolm Bates as chairman, Denis Tunnicliffe as the chief executive, and Derek Smith as the managing director of the underground. New board members with substantial financial and other experience will be announced shortly.

London Underground is creating within itself three infrastructure companies as well as the operating company which will remain in the public sector throughout, and will be made properly accountable to Londoners through their new elected assembly and mayor.

I am pleased to announce that London Transport is, today, inviting companies to pre-qualify as bidders to invest in the underground. Bidders will need to demonstrate the right mix of professional and project management skills and to harness the finance needed to take the tube into the 21st century.

Some concern has been expressed about the time needed to get to this point. I can assure the House that we do not intend to repeat the mistakes made by the previous Administration in planning the Jubilee line extension—now more than £1 billion over budget—the money wasted in British Rail privatisation, which amounted to billions of pounds, or the channel tunnel rail link deal, which we had to rescue from financial collapse. We decided to take the time to get it right and to protect the interests of the taxpayer.

In the autumn, selected bidders will be invited to submit tenders, based on a rigorous performance and payment system. For passengers, that will mean fewer delays, greater capacity and a higher quality of service. The Health and Safety Commission has been fully involved because safety is, of course, a top priority. We are aware of considerable interest in the market so we have good reason to expect keenly priced bids. However, as I have made clear before, we will not contemplate deals being done if they do not offer best value to the taxpayer.

For many years I have advocated linking the national railway with the underground to make it easier for the public to travel to, from, within and across London. I have therefore decided to allow London Transport to explore with Railtrack a way of linking the national rail network to the sub-surface lines in a public-private partnership under which Railtrack would undertake and finance the maintenance and upgrading of the sub-surface lines for London Underground, under contract to London Underground, and Railtrack would build links between the underground and the national rail lines.

This London link plan opens up exciting new possibilities for integration between surface and underground rail, providing fast new connections between all the major transport hubs, including London's five airports and the channel tunnel rail link terminals—a true example of a modern, integrated transport system. In particular, new services could run directly from Heathrow in the west into the City, connected to the channel tunnel link, and from Brighton via London Gatwick and east London to north London and beyond. Once these are in place, all five London airports—including Stansted, Luton and City airport—will have direct rail links into and through London, all connecting with the channel tunnel rail link. The plan will deliver a joined-up London—real integration for a world-class city.

There has been considerable speculation about a possible Railtrack takeover of the tube. That has never been part of our thinking. Unlike the Conservative party, we reject the approach based on selling off everything in sight quickly and then hoping for the best.

Railtrack has confirmed, and will announce, that it will not seek to pre-qualify for the two deep-tube public-private partnership competitions. Let me make it clear that throughout the negotiations we will impose rigorous conditions. Railtrack will have to improve on its previous record, especially on project management.

The vast majority of London Transport staff serve the public well, often suffering the same frustrations with an ageing infrastructure that passengers experience. I should like to place on record our appreciation for staff members' efforts, and to reassure them of two things. First, they will benefit more than most by having an upgraded system with a secure investment programme for years to come. Nothing could be worse for London Transport staff than to leave the underground to deteriorate further.

Secondly, I reiterate the assurances that I gave last year on employment rights, concessionary fares and pensions. People have welcomed the guarantees given to staff who transfer to a London Underground infrastructure company, but they ask what will happen to those who

transfer to a sub-contractor. I can confirm today that the concessionary travel and pension arrangements also apply to any current LU staff members who subsequently transfer to a sub-contractor, provided that they remain in tube work. We will take the necessary steps to ensure that.

London is withstanding severe competitive pressure. We are determined that it should remain the premier city in Europe as we enter the new millennium. Investing in a world-class transport system is a vital element of the plans. We are already expanding the public transport network. By the end of 1999, London will have four major additions to its transport network—a new riverbus service, the full Jubilee line extension, the Croydon tramlink and the docklands light railway extension. From next year, the mayor of London will be able to build a properly integrated transport strategy for London.

At the end of the previous century, the London underground was the world's first metropolitan railway. During this century, it expanded, enabling London to grow as a great capital city. Our aim, as we enter the 21st century, is to ensure that London remains a global city with a world-class transport system.

The public-private partnership will bring £7 billion to modernise the tube. It will get away from stop-go investment and improve the quality of service for passengers. By exploring the imaginative London-link plan of through-running surface railways and sub-surface tube lines, London can look forward to a genuinely joined-up transport system. That is no less than Londoners deserve.

Mr. John Redwood (Wokingham): I thank the Deputy Prime Minister for his statement. It was less joined up than muddled up, but welcome none the less, as it gives us a chance to ask some questions about the real issues facing London transport.

With your permission, Madam Speaker, I should like to pay tribute to my predecessor, my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), and her team, who fought valiantly against the follies of the Government's transport policy. I welcome my new team and congratulate my new shadow Cabinet colleague. We regard transport as sufficiently important to deserve full shadow Cabinet status within the framework of the Department of the Environment, Transport and the Regions.

I have some advice for the Deputy Prime Minister. The man people outside the House like to call "two Jags John" should try to keep both cars and the chauffeur. This statement means continuing delays and chaos on the underground. Once high-living Ministers discovered that there was no first-class accommodation on the tube, they put their policy on ice for a couple of years.

Mr. Tony McNulty (Harrow, East): When did the right hon. Gentleman last travel on the tube?

Mr. Redwood: I regularly travel on the tube, unlike the Deputy Prime Minister, who uses it only for photo opportunities and takes his Jaguar along to pick him up when the going gets sticky. He showed his lack of touch on the tube when he tried to push around a ticket machine. The statement shows that he is no more successful when he tries to push the whole railway system around.

Does the Deputy Prime Minister know that his two-year delay in designing a new policy for the underground has made matters a lot worse for all those who travel from High Barnet to Morden, from Ealing Broadway to Epping or to and from many other stops on the tube? Does he realise that since he took over from the Conservatives service quality has plummeted, cancellations and delays are the order of the day and investment has been savaged?

We all remember Labour's promises. Before May 1997 a tube train broke down once every 21 minutes. That was not nearly good enough, so we proposed privatisation and a big injection of new money. After two years of new Labour, a tube train breaks down once every 16 minutes, and the Government have cut the investment. They dared to tell Londoners that things could only get better. They have got a great deal worse.

Over the final 10 years of Conservative Government, we made steady investment in the tube system—*[Laugher.]* Labour Members should read the figures; the Labour Government are spending a quarter less than was being spent when they came to power, while they should have been spending more. The Government have cancelled privatisation, and there is a great hole in the accounts. No one knows where the extra money will come from or even whether the tube can keep going. I pay tribute to the staff who struggle to do well in extremely difficult circumstances without any clear policy or any decent investment. Far from giving managers certainty, the Government have left them in the dark.

The Secretary of State has pulled off an almost impossible treble. The unions are against him, the Treasury is against him and most of the potential bidders are also opposed to his scheme. Everyone has told him that franchises should be longer than 15 years, but he knows best. He will not achieve good value for money for the taxpayer. Does he realise that there is a huge gap between the expectations that Labour aroused before the election and the reality of public transport since then?

Mr. McNulty: Mind the gap.

Mr. Redwood: Labour Members understand that much, at least. The Secretary of State should mind the gap. He has certainly failed to mind the shop.

How many extra services will the Deputy Prime Minister pledge to introduce? How many new train sets will be available over the next two years? When will the rate of breakdowns return to the level that he inherited from the Conservatives? The rate is now much higher. What will be the extra burden on taxpayers as a result of his policy? What will happen if the new mayor disagrees with his plans?

When will the Railtrack heads of agreement become a binding contract? What guarantee will the Deputy Prime Minister secure regarding responsibility for safety? Does he regret saying that a fragmented railway would be a less safe railway, now that he has decided to fragment it himself? What is his new, and delayed, timetable for the proposals? Is there any hope of their introduction before the next general election, or will he go to the public having done nothing to improve the tube?

What can the Deputy Prime Minister say to reassure Londoners about future fare levels? How does he explain his change of heart about Railtrack? He used to condemn it, he threatened to re-nationalise it and now he wants to give it a bye into the next bidding round without any competition.

[Mr. Redwood]

The Deputy Prime Minister rants and raves about the private rail companies but he has no idea how to run a railway. Few people want to buy a second-hand railway from him. His transport policy is to clobber the motorist, bankrupt the haulier, invite in the foreign lorry, put a bus lane on the M4 so that traffic can tail back to the M25 and give us Hobson's choice on public transport. Today's statement is another milestone along the traffic jam that passes for Labour's transport policy. How will that policy work, and what can the Deputy Prime Minister do to make it better?

Mr. Prescott: I congratulate the right hon. Gentleman and welcome him to his new role as the shadow spokesman on the Environment, Transport and the Regions. I hope that he will eventually begin to learn the facts of his case—it is a little early for him to understand them now. I also hope that working with the environment will bring him more in touch with planet earth.

May I also express my appreciation for the kind remarks of the right hon. Member for South-West Norfolk (Mrs. Shephard). I will certainly miss her friendly face and, at times, her cutting tongue. She will be sadly missed from the Front Bench. She feared that she would be replaced by a face that was younger or fresher—I am not so sure that that has been achieved.

The right hon. Gentleman pointed out a catalogue of disasters on the underground. He is right. There are delays, considerable problems and breakdowns. However, 18 years of disinvestment in the underground to the extent of £1.2 billion would affect the quality of the service. If he is not sure about that £1.2 billion disinvestment in 18 years, I must point out that in the last year of the previous Administration £360 million was cut from investment in the underground. How the right hon. Gentleman has the cheek to come to the House and lecture us about the quality of a railway system in which the previous Government massively disinvested, and which had no future and no possibility of securing investment, I do not know.

In the two years that I have been in this job, I have reorganised the underground system. While I was doing so, I was also renegotiating the deal for the channel tunnel rail link, which had collapsed under the previous Administration. We were being asked for £1 billion more. I renegotiated and arranged new bond financing and it did not cost us a penny more. That is the difference in approach, in detail and in fact, of this Government, and we have produced a good system.

We are now embarked on the process that I described, which will keep the system publicly owned and publicly accountable because we do not believe in a privatised system. That is what we are doing in the three proposed contracts and our work with Railtrack. I well understand Railtrack's difficulties. It was not given any regulatory control and has been free to do whatever it likes—in the main, to make an awful lot of profit—because the previous Administration put no controls on it. Railtrack has made millions of pounds at the taxpayer's expense.

Mr. Bernard Jenkin (North Essex): What are you going to do?

Mr. Prescott: I am just about to tell the hon. Gentleman. He may have entered the shadow Cabinet, but he should not get too keen at this stage. He will find that I negotiated another deal for the channel tunnel rail link, which involved Railtrack, but I ensured that the controls and contracts were tight enough to ensure that we achieved 10 per cent. completion ahead of time and on budget. I wish that I could have done that with the Jubilee line, for which the previous Administration were responsible.

During the past two years I have had to deal with all those problems. I have come to the conclusion that this is the best way forward. It will bring about the investment that we are agreed needs to be put into the transport system. However, I have suggested much more. I have offered a vision of integration—the connection of transport systems—to make London a truly global city at the transport hub of Europe and the world. That is the vision that one needs for transport and that is what I am embarked on.

Frankly, many of the questions that the right hon. Member for Wokingham (Mr. Redwood) posed he almost answered himself. He is not in tune with the facts—although I will allow him a little more time to study them, as he has only just entered the job.

I shall give one quick example. The right hon. Gentleman should not rely on what he reads in the press for information; he should go and find out. He mentioned the M4 bus priority lane and all the talk of tailbacks. Last Friday, I did the journey myself to find out what was happening. I did the journey right through the so-called tailbacks—

Mr. Redwood: What time of day?

Mr. Prescott: At 8.00 am. I did 15 miles in 15 minutes. That does not sound like congestion to me. The buses were going faster and offering—[HON. MEMBERS: "In the wrong lane."] No, no. In exactly those lanes. As I understand it, the Highways Agency has also made it clear that the effect on motorists is neutral. I would say, "Find out for yourself instead of relying on the press and we will get a better-quality transport debate."

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My right hon. Friend will be aware that investment in London Underground is so disastrously overdue that what he has proposed will be regarded as an enormous step forward. The neglect of the previous Government was both criminal and shameful. My right hon. Friend's decisions on the staff will be warmly welcomed by those who believe that we cannot run a railway system without the men and women who are fundamental to its operation. They must have faith and certain assurances before they are able to fulfil their task to the best of their ability. However, he will be aware that Railtrack has an extremely poor record of fulfilling its investment obligations. There is no point trying to hide the fact that the company makes large sums of money, and does not carry out what it has promised. I warmly welcome the fact that my right hon. Friend is keeping the assets in state hands, but there will be reservations about Railtrack, and a demand for tight and constant monitoring. Will my right hon. Friend assure me that the project will not be left entirely to a management who are already beginning to whinge about

their share price, even though many of us believe that they are already making outrageous profits out of the taxpayer, with little to show in return?

Mr. Prescott: I thank my hon. Friend for her comments. She makes sound points about transport and about the workers in that industry—indeed I have constantly given those workers assurances about guaranteeing their pensions. I had to do so because, under many of the privatisations, people were robbed of their pensions. In respect of one privatisation by the previous Administration—that of the National Bus Company—I have already announced to the House that it has now cost the taxpayer about £360 million to compensate for the injustice that was perpetrated on those people. That is why I have had to spend so much time reassuring people about their employment rights.

My hon. Friend makes an important point about Railtrack. I agree that there has been more concern over share prices than over the level of investment in the industry. That point was made by the regulator appointed by the previous Administration. I now have a tougher regulator; furthermore, a different regulator will be appointed for the underground. We intend to have public accountability for public money; that is what we shall do in order to secure investment.

Mr. Tom Brake (Carshalton and Wallington): I listened to the Secretary of State's statement with interest, awaiting new information about the public-private partnership, but there was none. There was merely a restatement of past investment plans. I have several questions that I hope the right hon. Gentleman will be able to answer. If there is further delay to the PPP plans, what allowance has he made for the extra finance that will be required to ensure that maintenance and investment continue? At what point will he show that the public-private partnership is best value, and will he use the public sector comparator to do that? Are the Government holding discussions with other consortiums—which could, of course, include Railtrack—about the possible integration between the national rail network and the sub-surface lines to which he has referred? Will there be competition, or is only Railtrack in the running? What level of fines does he plan to impose on Railtrack, if it performs badly? Finally, is it with a sense of dread or of pride that he proposes to hand over part of London Underground to Railtrack?

Mr. Prescott: In relation to investment and any possible delays that may occur in the completion of the contracts, of course investment will be kept up. We showed that when we came into office by finding about £360 million to reverse the cuts that had been made. *[Interruption.]* That was during our first two years. We said, therefore, that, when the contracts were negotiated, we would consider meeting some of the investment from a public-private partnership. One of the purposes of my statement today was—as I said—to announce that I am embarking on inviting bids for those three PPPs, and that is what we are doing. Any resources needed to maintain the level of investment will therefore be met. That is our obligation.

In relation to the use of the public sector comparator, as a member of the Transport Sub-Committee, the hon. Gentleman is aware that that is our commitment; we have to show value for money and we shall use that practice. However, we cannot do that until we get the deal and we shall not get the deal for a little while—I suppose that is only logical. When we have completed the negotiations, we shall be forced to make the comparison—we have to do that. That is value for money, using the best-value principle to which the hon. Gentleman refers. We can reassure the Sub-Committee about that.

As for Railtrack and the investment deal, it is a unique deal between Railtrack and London Underground, both of which own the tracks that are involved. We have given them an opportunity to combine those tracks in a unique way.

We shall start the negotiations now, and we hope to achieve heads of agreement by autumn. Then, if the deal satisfies the tests that the hon. Gentleman wishes to apply, or we achieve what we consider to be value for money or our objectives of integration, we shall proceed. I assure the hon. Gentleman that we shall keep the House informed of progress.

Joan Ruddock (Lewisham, Deptford): As one who joined my right hon. Friend on the shadow transport team all of 10 years ago, I can testify to his long-term commitment to the London link line, as he described it today. Can he confirm, in the interests of my constituents and those of my hon. Friends representing south London, that when that vision is brought forth, there will be an extension of the East London line from New Cross Gate to Croydon?

Mr. Prescott: I recall the occasion on which my hon. Friend and I worked together on that team and mapped out the M25, then known as the orbital link, which required the building of a new section of the East London line. I am pleased to say that that is exactly what the proposals I have announced today will do and that the connection she suggests will be made. For the first time, we shall have an orbital link around London and a line that is as close to a cross-London link as we are likely to achieve in the immediate future.

Mr. Peter Brooke (Cities of London and Westminster): Given the Government's disarray on the subject of the underground during the Committee stage of the Greater London Authority Bill, may we take it from the right hon. Gentleman's statement that the Government's confidence in the outcome is now such that they will be prepared to subject themselves to the most vivid litmus test of all—a debate on the underground in Government time, rather than in Opposition time?

Mr. Prescott: From beside me comes the whisper, "Not yet." There are many competing claims on the time of the House, but I understand that there is to be an Adjournment debate tomorrow on the very subject of connecting London's surface and sub-surface lines. I believe that that debate is to be introduced by a Labour Member representing London.

Mr. Harry Cohen (Leyton and Wanstead): I warmly welcome the long overdue investment and the links between London's surface and underground lines, but can my right hon. Friend tell me where the public element of the public-private partnership is to come from? Will there be any public subsidy for the operations of London

[Mr. Harry Cohen]

Underground next year and beyond? If not, and if that money were to come from higher fares or congestion charging, which would restrict the freedom of action of the future London mayor, does my right hon. Friend recognise that that would be unsatisfactory? When will we hear further details of the public element of the PPP?

Mr. Prescott: My hon. Friend will be aware from his experience of the activities of the Greater London council that there have always been great restrictions on fares and investment policy; and that the GLC was unable to find the resources necessary for investment, even though fares continued to increase. We need to get the finances of the underground onto a proper footing. The system is publicly owned; we are mortgaging the assets and those assets will return to public ownership, so there is public accountability.

The judgment to be made is on the balance between the income derived from fares and investment. That will be the subject of negotiations on the PPPs and a matter for the mayor during the final stages of that process and when the system is in operation. I do not suppose for one moment that there will not be further demand for new underground investment—I am talking only about existing links. Judgments will have to be made about whether public money is to be used for investment or whether that money will have to come from fares. To be frank, I do not think that all the money can come from fares; there will have to be some public money involved in investment.

Mrs. Eleanor Laing (Epping Forest): My constituents will be disappointed that the right hon. Gentleman has made yet another statement on the future of the underground without announcing that there is to be full privatisation. This afternoon, he has said yet again that the Government do not believe in privatisation. Perhaps he does not realise that he is being rather—you might not allow me to use the word "hypocritical" Madam Speaker. I see that you will not, so I shall say instead that the right hon. Gentleman is being inconsistent when he says that he does not believe in privatisation. Does he not realise that Railtrack, on which the proposals he has announced this afternoon depend, would not even exist had it not been for the successful privatisation of British Rail carried out by the Conservative Government?

Mr. Prescott: Perhaps I could help the hon. Lady with her difficulty with descriptions. I understand that she was an adviser to the right hon. Member for South Norfolk (Mr. MacGregor) when he was the Secretary of State for Transport in the previous Parliament. [HON. MEMBERS: "Distinguished".] He may have been distinguished, but he did not have too many facts about rail privatisation. The stupid ideas then proposed cost the taxpayer millions of pounds, and I am having to deal with the problems that they caused.

It is a bit much for the hon. Lady—who entered Parliament at the last election—to tell us what should be done to improve rail transport. I do not know what she said during the election campaign, but everybody else thought that the privatised railway lacked investment and was failing, as was Railtrack. We are seeking to change that situation, and hon. Members will be able to measure our success by the next election.

Mr. John Cryer (Hornchurch): I welcome increased investment in the tube, which is badly needed. What kind of return on that investment does my right hon. Friend envisage the private sector will look for over 15 years?

Mr. Prescott: It will depend on the bids made by different companies. It is argued that, because of its circumstances, Railtrack can borrow much more cheaply than other companies. That is one difference between the different bids and it is one of the reasons why I am glad that Railtrack has agreed not to bid for the deep lines. If it had bid, there would have been a deficit of interest.

Mr. Jenkin: Who wants it?

Mr. Prescott: The signs are clear and stories in today's papers suggest that companies will be pleased to bid. However, I must wait and see. I have announced the pre-qualifying period and, as to the rates of return—which vary between companies—I will wait and see what terms I am offered. Competition will have an effect on those rates, and I will take that into account.

Mr. Edward Davey (Kingston and Surbiton): In his answer to the hon. Member for Leyton and Wanstead (Mr. Cohen), the right hon. Gentlemen said that he could guarantee investment in London Underground from April next year. Has he talked to the Chancellor of the Exchequer about that? If so, what sorts of sums will come from the public purse to ensure that that investment continues?

Mr. Prescott: The first sum from the public purse was the £360 million—

Mr. Davey: Answer the question.

Mr. Prescott: Yes, I am in touch with the Chancellor. We have already announced the investment over the three-year programme. It is true that a year with zero subsidy had been envisaged because we hoped that some of the contracts would be completed before the Greater London Authority is established. We are not prepared to step back and say that that will be a zero funding period, but I am negotiating on PPP contracts at present and we will look for investment. As with the channel tunnel rail link, we may be able to spread investment over time. That is a matter for negotiation, but the House may be assured that there will be investment during that period.

Mr. Clive Efford (Eltham): I welcome my right hon. Friend's statement and draw his attention to the fact that, beyond the Jubilee line extension and the docklands light railway, my constituents and those in surrounding areas do not have direct access to London Underground. They rely primarily on Network SouthEast to commute to and from central London. Further to the question raised by my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock), may I draw my right hon. Friend's attention to the potential that the East London line has to extend to North Kent lines rather than westward

to Croydon? That would provide a direct link to London Underground in central London for people in south-east London.

Mr. Prescott: I have often asked how we can make the existing infrastructure work more effectively. Sometimes it is a matter of filling in the gaps. There was mention of "mind the gap"; but "bridge the gap" is important for rail infrastructure. We are considering different ways of achieving that.

I have united the national railway and underground systems for the first time, which will create considerable potential. The bid that I have allowed and the agreement with Railtrack—if we can achieve it—will see the union of the national railway system and the underground system. We will want to explore other potentials, but—in view of the timetable—that is more likely to be a matter for the London authority and the London mayor rather than for me.

Mr. Nicholas Soames (Mid-Sussex): I use the underground twice a day, almost every working day of the week—like thousands of my constituents. Anything that can be done to improve the service on the tube is welcome. However, I think there is a danger of painting too black a picture of the tube, which, considering its limitations, provides a first-class service. Although it suffers terrible difficulties—including breakdowns and other problems—by and large, it is a very effective service, and I pay tribute to Sir Malcolm Bates and his staff. What provision will the right hon. Gentleman make to ensure that the feet of the contractors involved are held to the fire more effectively than occurred previously, when one of the greatest civil engineering companies in the world had to be brought in to finish the Jubilee line extension?

Mr. Prescott: I am grateful for the hon. Gentleman's comments about the running of the service. I have tended to react to the introductory comments of the right hon. Member for Wokingham (Mr. Redwood) about the quality and level of service. The staff do a very good job under difficult circumstances and they enable 840 million people to move around that system. That is one of the biggest contributions to the movement of people of any transport system. The hon. Gentleman is right to point out that we need to draw up tight contracts. I shall cite in evidence the contract that I negotiated on the channel tunnel rail link, which he should compare with the one that I inherited, and he will see the difference that I am trying to make to our transport systems.

Mr. Tam Dalyell (Linlithgow): May I contribute to the proceedings as someone who does not care to drive in London or to bring his car here? What is the state of the tunnels, and what advice has the Department been given? Is not it true that tunnels age, like the rest of us, and that the Victorian tunnels are ageing together? The idea that stone lasts for ever is simply not true. What advice has been given about the long-term problems of renovating, and in some cases, rebuilding tunnels that have lasted a century or a century and a half, but which, as I said, are all ageing together?

Mr. Prescott: My hon. Friend makes an important point. A number of years ago, I discussed with the chairman of the underground how one deals with investment on that scale. Much of the system, including many of the walls, bridges and tunnels, is 100 years old, and would cost billions of pounds to replace. Because of disinvestment in that infrastructure, the replacement costs would be as much as those for the sewerage system which was built 100 years ago.

One of the advantages of our proposals is that we can consider those assets, as companies need to do, and assess the risks. If public and private money is to be involved in the underground, a judgment must be made about risk. That risk is greatly influenced by the quality of investment and assets.

As anyone who is familiar with the London Underground system will know, there is a considerable amount of water in the system and pumps work all the time just to keep the water at the correct level. The age of the system is a problem, and I cannot kid myself that the proposals that I have announced today address all the fundamental problems of dealing with all the long-term deterioration of the underground's ageing assets.

Mr. John Bercow (Buckingham): Further to what the right hon. Gentleman said about the opportunities for improvement in the future as a result of the invitation to bidders, will he explain the precise difference between pre-qualification and qualification? Secondly, when did he last travel on the Northern line or the Circle line, both of which, I am sure he will agree, have been afflicted by serious problems? What scale and speed of improvement in their services does he anticipate?

Mr. Prescott: I often travel on the underground and have done so two or three times in the past week. I think everyone in the House has a great deal of experience of it. I was grateful for the comments of the hon. Member for Mid-Sussex (Mr. Soames) about the quality of the service despite the difficulties.

The difference between pre-qualifying and qualifying arises from the fact that it will be very expensive to bid for the deals, so we shall invite people to bid in the pre-qualifying stage, when they can say whether they are interested and what their plans are. If, by the autumn, they have done so—I believe that a number of them will—we will invite one or two to take the more significant step of making a serious bid. It is a very expensive proposition to make a bid under the proposals. The different stages are therefore intended to distinguish the serious contenders—some of whom, I have no doubt, will be consortiums—and we shall have to judge which of them we should invite to make a more permanent, serious bid.

Mr. Mike Gapes (Ilford, South): I welcome the statement, but I want to highlight the daily problems experienced by many hundreds of thousands of people who travel into central London from east London. Does my right hon. Friend agree that there is a problem of capacity on the Central line and that, despite his welcome announcement, there are difficulties that must be tackled so that capacity can be increased for travelling from east to west across London? Will he and his colleagues reconsider the possibilities of using crossrail or an alternative means to improve capacity for travelling across our city?

Mr. Prescott: I would not want to encourage my hon. Friend to think that we had in mind another £4 billion or

[Mr. Prescott]

£5 billion project for crossrail—certainly not during the next two years, when I would have responsibility for it. The proposals that I presented today allow for cross-London transport and will be welcomed. We are also looking at ways to increase the throughput of trains, which can be achieved by improvements to signalling and track to enable trains to go faster and to be better controlled. In that way, we will get more "flights", as they are called, along the routes, which will give us more capacity. Furthermore, the bids include the lengthening of some station platforms, so that we can put more coaches on trains. Even though there may still be the same length of track, we plan to work it much more effectively and efficiently than at present. That will be one of the benefits of the investment.

Mr. Geraint Davies (Croydon, Central): First, does my right hon. Friend agree that the £7 billion announced today represents much better value for money to the taxpayer than the privatisation of Railtrack, which was sold for £1.9 billion and is now valued at £8 billion? Secondly, does he agree that we all welcome the fact that the right hon. Member for Wokingham (Mr. Redwood) is going down the tube? Thirdly, does my right hon. Friend envisage the integration of the current tube network and the newly arriving tramlink in Croydon, which he was kind enough to mention in his proposals? The people of Croydon welcome the initiative and look forward to the integration of London transport, which includes the link-up of tramlink to the wider network.

Mr. Prescott: I certainly believe that the £7 billion is an investment in the future of London and will be welcomed by everyone. It is clearly needed, and we look forward to getting the agreements to achieve it. On the question whether the Croydon light railway system will be integrated, I have told my hon. Friend previously that various opportunities arise once one stops thinking of the underground, the national rail system and airports as separate, and begin to integrate them and find ways of making the system work more effectively. That is a practical example of how we can get value for money.

Dr. Howard Stoate (Dartford): May I tell my right hon. Friend how welcome his statement on joined-up transport for London will be to my constituents, many of whom are commuters? Can he reassure my constituents in Dartford that the channel tunnel rail link phase 2, including the Ebbsfleet station, is on target and will deliver the much-needed improved services for Britain and the whole of Europe?

Mr. Prescott: Yes.

Point of Order

4.12 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. According to the front page of the *Financial Times*—not exactly our most sensationalist newspaper—the people responsible for leading the Kosovo Liberation Army are somewhat truculent and have stated that they will not lay down their arms to NATO and that they regard themselves as the core of an army for an independent state of Kosovo. Indeed, the report goes further than that and suggests that they might be part of a force for a Greater Albania. That has urgent consequences. Have you had any request from the Ministry of Defence or the Foreign Office to make a statement on the matter before Thursday's debate?

Madam Speaker: I have not been informed by Ministers that they seek to make a statement on such matters. Of course, the hon. Gentleman is correct to say that we have a debate on the issue on Thursday. If he tries to catch my eye, I hope that I may be able to allow him to speak, and perhaps he will raise the issue at that time.

Safety At Sea

4.13 pm

Mr. Mike Hancock (Portsmouth, South): I beg to move,

That leave be given to bring in a Bill to require testing of the competency of users of pleasure and recreational craft; and to require the carrying of minimum safety equipment while at sea.

I am delighted to be given the opportunity of raising an issue that is important to many people and causes concern to hon. Members with maritime constituencies. There is an on-going problem in dealing with competency and safety factors relating to leisure craft.

If most Englishmen believe that every Englishman's home is his castle, every Briton believes that he is a born sailor and has gifts of navigation and knowledge of the sea, without ever attempting to gain such expertise. Because of that, every year—if not every day or month—people's lives are put at risk.

There are 3.5 million leisure craft in the United Kingdom and barely 35,000 of the people who use those craft have signed up for recognised competence courses. I accept of course that many more people have those skills, having gone through the recognised courses organised by the various sailing associations and the Royal National Lifeboat Institution, but a number of safety issues need to be addressed. My local newspaper, *The Portsmouth News*, has campaigned hard on this matter because weekly, and sometimes even daily, it records incidents in which people's lives were put at risk because they simply did not have the knowledge, or the equipment on their leisure craft, to get back to harbour safely or to summon help.

Reading those reports has sickened me, and only a few weeks ago three men in a boat—none of whom were swimmers and all of whom lacked any competence—were nearly run down by a supertanker out in deep water. A supertanker has great difficulty in navigating in coastal waters, let alone trying to avoid three people in a small craft which is out of control in front of it.

Once again, we, the community, are faced with picking up the bill for the enormous cost of trying to help people and get them out of danger. I believe that prevention is better than cure and would hope that the Government will seriously consider introducing legislation which is long overdue. At least one person on board a leisure craft should be competent, understand the rules of the sea, know the tides and the area in which the craft is operating and have the necessary navigational skills to take the craft in and out of harbour. More important, there should be safety equipment on board, such as life-jackets or flares to summon help. On some occasions, a simple mobile phone could be the difference between life and death in coastal waters. Mobile phones should be part of the equipment taken to sea.

I am led to believe that the average cost of boats at the marina close to where I live is between £25,000 and £30,000. People will invest that amount of money and spend thousands of pounds a year on mooring fees, but they will not spend tens of pounds to supply life-jackets or to buy a box of flares, which would give them at least a chance should they run into danger. I recognise that organisations such as the Royal Yachting Association, the RNLI and the Coastguard Agency are all working hard to increase awareness of safety at sea, but too many people totally ignore their advice.

Any one of us could buy a fast leisure craft, put it on a trailer and take it out to the sea, although we may be without much engineering skill apart from being able to get our cars started if they have a fault. We could invite two or three friends and their children along and take them out into deep waters—in the channel or anywhere around our shores—without at any stage having to prove whether the boat is seaworthy or whether we have the skills and the safety equipment necessary to ensure that they would at least have a chance if an incident occurred. We might also have no means of communicating with people on shore should we run into difficulty. That cannot go on, because too many lives are at risk.

According to recent Coastguard Agency figures there were 5,500 recorded maritime incidents in 1987. Some people might be critical and say that those figures embrace all sorts of incidents, which they do, and deal with commercial and ferry operators, but 251 people died in sea-related accidents in 1997. In 1998, there were 11,500 incidents and 249 people died. That is a horrendous waste of life. The Coastguard Agency says that, in the overwhelming majority of cases, many of those lives could have been saved if simple competence or life-saving equipment had been possessed. What a needless waste.

The cost to the agencies concerned is remarkable. Raising the coastguard helicopter for a search and rescue mission costs £4,000 an hour and a service helicopter costs £8,000 an hour. Launching a coastguard search and rescue squad costs £3,500 an hour and launching a lifeboat costs about £1,000. That is a horrendous cost for risking those people's lives just because the operators of such leisure craft have behaved stupidly and arrogantly in our waters.

We must give a lead, and act responsibly. Some have suggested the creation of a licence similar to those that people need in order to drive cars; others have proposed a tax to pay for the rescue services, an idea with which the Coastguard Agency has flirted. I do not want that. What I want is strong action, and for us no longer to allow incompetent people to take great risks, on their own behalf and on behalf of those whom they invite to accompany them—in many instances, young children, most of them without life-jackets, who could not swim in deep, rough water even if they wanted to.

Many hon. Members will have stood on a quay in a coastal resort and seen leisure craft leave the marinas and harbours. All of them look wonderful, but how many people on them are wearing safety harnesses? Professional sailors, and those who are keen on their sport—racing sailors, and the leisure yachting fraternity—take stringent safety measures. They are the ones who can stand up and be counted, but too many others cannot.

The stark difference is this. When a professionally organised regatta goes badly wrong in Weymouth bay and 55 people are in the water because of a sudden change in the weather, all of them have proper safety equipment, all are picked up, and the whole disaster—or possible disaster—is over in minutes. Let us compare that with what happened to three inexperienced sailors in the middle of the Solent when something went wrong. Such people risk their own lives, and the lives of others on ferries and other craft on the Solent. More important, they risk the lives of those who work on our behalf: the winchmen in the helicopter, or the lifeboat crew, who have to go out to save them.

[Mr. Mike Hancock]

A colleague of mine recounted a story about what happened after a firework display after the end of Cowes week last year. As his craft was returning across the Solent, a sudden fog descended. There were dozens of boats on the Solent, most of them with no navigational lights. Their only means of getting back to harbour safely was to follow the Isle of Wight ferry into port. Can hon. Members imagine the disaster that could have occurred if at that time of night a large tanker had left the Fawley terminal? What if a tanker weighing a quarter of a million tonnes, steaming down the Solent and heading into deep water, were confronted with that sort of nonsense in the middle of a fog? There is no excuse for it. We simply cannot allow such arrogance to continue.

I hope that the House welcomes the opportunity for the issue to be aired. An abundance of literature from all the agencies asks people to join the safety campaign and to take note, but that is not enough. Fewer than 1 per cent. of those currently using leisure craft around our coasts have signed up to such commitments. That should not be allowed to continue. I commend the Bill to the House, and hope that we shall now see some action from Government to bring about a substantial improvement in the position.

4.23 pm

Mr. Ian Bruce (South Dorset): I oppose the Bill, although I am glad that the hon. Member for Portsmouth, South (Mr. Hancock) has raised the issue, and agree wholeheartedly with what he has said about safety equipment and the importance of people knowing how they should operate on the sea.

This is, in a sense, a typically Liberal Democrat measure, in that we are not sure what would be in the Bill if it were printed; but the hon. Gentleman appears to be suggesting that everyone should be qualified to go out in a boat. I learned to sail when I was 12, and I suspect that the person who taught me was not qualified. For many years, I taught scouts to sail. I suspect that I, too, was not qualified when I started to do that, other than by experience. Indeed, the Scout Association decided that everyone supervising scouts should have RYA qualifications. We went to a lot of trouble in Yorkshire to acquire those qualifications. The centre there runs scout sailing and has fully qualified instructors under the RYA scheme, but it is one of the few places where people can learn to sail. People with the opportunity to sail a boat—for example, an experienced sailor—cannot simply say, "I am going to take a group of scouts out." That is the great problem.

We have to put the matter into context. I know that the hon. Member for Portsmouth, South asked for advice from the RYA about the size of the problem. Are we doing badly in the United Kingdom? I understand that he has been sent a copy of a table from Ocean Projects Ltd, which shows the United Kingdom, for once, at the bottom of a league table where it wants to be at the bottom: the UK has the fewest number of deaths per vessel in the whole world. That supports what we are saying.

The UK's system is working extremely well. Of course, we must ensure that people are constantly told of the dangers of going out to sea, but I am always wary of saying that a person is qualified because he did a course for a week and came out with a bit of paper at the end. The one thing people know who have been sailing as long as I have is how little we know and how difficult things can get if we suddenly find ourselves in a situation where the gear has broken, or whatever. On such occasions we have to use our long experience to deal with the problems.

I happen to have a British Canoe Union certificate because of my scouting involvement. I happen to have an RYA certificate, again because of my scouting involvement, but my experience based on years of sailing is much more important. That is a sensible arrangement.

I am wary of the situation where we should have licences for those on boats. In my garage, I have a canoe that has not been out for several years. I suspect that, if I had to have it licensed, or to have something of that nature, it would never get out because I would always think, "Is it going out this year?" I have a windsurfer. Unfortunately, I have been out with it only once this year, but, again, the opportunity to go out is important: People do have to operate simply. *[Interruption.]* For anyone who wants to talk about my majority of 77, it is now equivalent to a majority of 120 per cent. over both the major parties in my constituency, and two and a half times that over the Labour party candidate. I am grateful for the heckle, but I do not want to stray from the subject.

We must keep telling people about the safety problem, but the most significant point is that the RYA is wholly against what the hon. Member for Portsmouth, South is proposing, despite the fact that it would run the training courses and make all the money out of certificating people. It wants to encourage people to learn, but to keep the dead hand of regulation from leisure boating. We all have to work together. I welcome, as I say, what has been said because it highlights the fact that we need to be aware of the problem, but we should also congratulate ourselves on our safe record.

The previous Government and the present Government have all pressed for additional safety equipment, particularly in the professional area and for larger boats. All sorts of things are currently available to stop people getting into trouble. My neighbour has bought a boat. He has never been sailing or boating before, but, sensibly, he is working with people who know how to operate a boat. He will gain the necessary experience. I suspect that most of those people who will offer that sensible help and buy all the right equipment do not have a paper qualification that says that they are qualified to be on that particular vessel. It is important to bear that fact in mind.

I am grateful that the hon. Member for Portsmouth, South mentioned safety in Weymouth bay because it experienced the sort of incident that no one expected. Suddenly, from nowhere, a squall came up and waves appeared, the like of which we had never had in the bay before. As a result 70 vessels were left in the water—I believe that the hon. Gentleman said that 58 were in the water. I think that even more people were in the water. Many people had to rescue themselves. The rescue service was fantastic and the House should pay tribute to those involved. I notice the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Hampstead and Highgate (Ms Jackson) in her place. I hope that she will not mind me saying that one of the chief officers of the local authority telephoned me and asked me to make the point that if Weymouth were to lose its co-ordination centre, there would not be the effective co-ordination that we saw on that occasion.

I hope that the Minister will take that in the spirit in which it is meant and that we can look at what is going to happen.

We rely on our Coastguard Agency and all the helicopters and other services. The hon. Member for Portsmouth, South talked about the Englishman's home being his castle and so on, and leisure boating is one of our freedoms. If the Government want to do something, I suspect that one way to save lives would be to ban the use of airbeds on the sea. That is one of the most dangerous things that people can use. We should look at things such as that rather than trying to overregulate. Let us spend money telling people about the importance of having proper safety equipment on board and of experience, but we should not put a hurdle in the way of more people getting on to the water.

I am sure that the House will be happy to know that the House of Commons versus the House of Lords sailing race was held on the Thames this morning and was won by the House of Commons. We do not need to abolish the House of Lords to win such things. The House of Lords is ahead by six to five in the series and we should keep the House of Lords so that we can beat it fair and square rather than try to abolish it. I oppose the Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Mike Hancock, Mr. Brian Cotter, Dr. Rudi Vis, Mr. Paul Flynn, Mr. Bob Russell, Mr. Peter Viggers, Mr. Syd Rapson, Mr. Richard Allan and Mr. Nigel Jones.

Safety At Sea

Mr. Mike Hancock accordingly presented a Bill to require testing of the competency of users of pleasure and recreational craft; and to require the carrying of minimum safety equipment while at sea: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 119].

Health Bill *[Lords]* and Immigration and Asylum Bill (Allocation of Time)

4.32 pm

The Secretary of State for Health (Mr. Frank Dobson): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Health Bill *[Lords]* and the Immigration and Asylum Bill—

Timetable

1.—(1) Proceedings on Consideration and on Third Reading of the Health Bill *[Lords]* shall be completed at the sitting this day and shall be brought to a conclusion, if not previously concluded, five hours after the commencement of proceedings on this Motion.

(2) Proceedings on Consideration and on Third Reading of the Immigration and Asylum Bill shall be completed in two allotted days and, if not previously concluded, shall be brought to a conclusion at midnight on the second allotted day.

Questions to be put

2.—(1) For the purpose of bringing any proceedings on either of the Bills to a conclusion in accordance with paragraph 1 the Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(2) On a Motion made for a new Clause or a new Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(3) If two or more Questions would fall to be put under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply to proceedings—

(a) on the Health Bill [*Lords*];

(b) on the Immigration and Asylum Bill at the sitting this day until midnight;

(c) on the Immigration and Asylum Bill on the second allotted day;

and those proceedings shall not be interrupted under any Standing Order relating to sittings of the House.

4.—(1) If at the sitting this day—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) stands over to seven o'clock, and

(b) proceedings on this Motion have begun before that time,

the Motion for the Adjournment shall stand over until midnight.

(2) If on the second allotted day a Motion for the Adjournment of the House under Standing Order No. 24 stands over to seven o'clock or from an earlier day, the Motion shall stand over until the conclusion of any proceedings on the Immigration and Asylum Bill.

5. Standing Order No. 82 (Business Committee) shall not apply to proceedings on either of the Bills.

"6. No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on either of the Bills are taken or to recommit either of the Bills; and if a Minister makes any such Motion, the Question on the Motion shall be put forthwith.

7. No dilatory Motion shall be made in relation to either of the Bills except by a Minister of the Crown, and if a Minister makes any such Motion, the Question on the Motion shall be put forthwith.

8. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) shall apply to those proceedings.

9. If at the sitting this day the House is adjourned, or the sitting is suspended, before the conclusion of proceedings on this Motion or on either of the Bills, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Interpretation

10. In this Order 'allotted day' means this day and any other day on which the Immigration and Asylum Bill is put down on the main business as first Government Order of the Day."

At 10 o'clock last night, in light of the lamentable lack of progress on the Report stage of the Health Bill, my right hon. Friend the Leader of the House announced that we would introduce a timetable motion covering the remaining stages of the Health Bill and the Immigration and Asylum Bill.

In an effort to ensure that both those important Bills were satisfactorily debated, the Government had invited the Tory Opposition to proceed by way of an agreed programme motion, but they refused. On three occasions—20 May, 26 May and 10 June—my right hon. Friend the Leader of the House announced that it was intended that the remaining stages of the Health Bill would be dealt with in one day. Not a single Tory objected. None of them expressed the least reservation about dealing with that Bill in one day. Yesterday, on the day appointed for completion of the remaining stages, the Tories decided to spin out the debate. They spent more than three hours debating a Government new clause which the Deputy Speaker had described as being about

"technical arrangements on the border." [*Official Report*, 14 June 1999; Vol. 333, c. 59.]

and about which they had been forewarned in Committee in a letter from the Minister of State, Department of Health, my hon. Friend the Member for Southampton, Itchen (Mr. Denham). Their opposition to the new clause was so important to them that they did not even bother to vote against it, having debated it for three hours. So it went on. Tory Members had to be called to order no fewer than 21 times by the Deputy Speaker during the debate.

There can be no doubt that the Bill has been thoroughly debated. It had 42 hours of debate in the House of Lords and 77 hours in Committee. The Government have responded to the points raised in both Houses by accepting amendments or by introducing our own amendments.

As a result of that proper parliamentary scrutiny, the Bill is better now than when it started out, which is only right and proper. However, last night, improving the Health Bill was not what the Tories were about; to be fair, no one would expect that from the hon. Members for Buckingham (Mr. Bercow) and for Lichfield (Mr. Fabricant)—the Burke and Hare of the Tory Back Benches—or from the hon. Members for Altrincham and Sale, West (Mr. Brady), for Southend, West (Mr. Amess) and for New Forest, West (Mr. Swayne), who also adorned the debate.

The attitude of those Tory wreckers was made clear last night, when, simply to protract the proceedings—

Mr. Graham Brady (Altrincham and Sale, West) *rose*—

Mr. Michael Fabricant (Lichfield): On a point of order, Mr. Deputy Speaker. Would it have been in order if I were wrecking a debate? Surely that would have been out of order, and I would have been called to order by the occupant of the Chair. I should therefore like an apology from the Minister.

Mr. Deputy Speaker (Mr. Michael Lord): The Minister has said nothing out of order.

Mr. Dobson: Thank you, Mr. Deputy Speaker.

The attitude of those Tory wreckers was made crystal clear last night, when, simply to protract the proceedings, they voted against three orders agreed by the professions and the Privy Council—

Mr. Brady: Will the right hon. Gentleman give way?

Mr. Dobson: No.

The wreckers voted against three orders to improve the professional regulation of clinical scientists, speech and language therapists and paramedics. I am sure that the members of those professions who were involved, and their patients, will have noted the priorities of the extremists who are now running the Tory party.

The five hours that the motion will provide today for debate on the Health Bill, added to the five and a half hours taken up yesterday, mean that the Bill's remaining stages will occupy 10 and a half hours on the Floor of the House. That is longer, not shorter, than the one day's debate that was envisaged originally and to which the Tories never objected.

The timetable motion deals also with the Immigration and Asylum Bill—an important measure that has been the subject of 93 hours of scrutiny in a Special Standing Committee. That procedure is rarely used, and has never been used before for this type of Bill. The Committee took written and oral evidence from a wide range of organisations and individuals outside the House, whose evidence helped to identify the key issues to be raised when the Bill was considered clause by clause. That consideration itself was very detailed.

Once again, therefore, there is no question of curtailing the debate. The motion is necessary simply to ensure that the Immigration and Asylum Bill will be dealt with over the course of the two days earmarked for its remaining stages—which is what the Tories had asked for and which the Government have provided.

As the time taken debating the motion is eating into the time available to debate the Health Bill itself, I shall be brief and simply invite my right hon. and hon. Friends to support the motion.

4.38 pm

Miss Ann Widdecombe (Maidstone and The Weald): The contribution made by the Secretary of State for Health epitomises the profound arrogance characterising the Government's attitude towards legislation and proper parliamentary scrutiny. Indeed, he is the same Secretary of State who effectively abolished fundholding, and then came to the House for permission to do so one year later. That is entirely typical of the way in which the Government have approached their legislation.

Today, the Government come before the House not with what is called a guillotine, but with a double guillotine, in which a time limitation will be put not only on the Health Bill—which was being debated yesterday—but on the Immigration and Asylum Bill. I should like to know, when the Secretary of State for the Home Department replies to the debate, on how many previous occasions there have been double guillotines in the House.

One can, of course, understand the Government's embarrassment. On the Immigration and Asylum Bill, the Government are afraid of their own Back Benchers, and rightly so. When it comes to the Health Bill, the Government are simply afraid to debate their own failure. It is amazing impertinence to suggest a guillotine for a Bill for which the Government have contributed the majority of the business to be considered, thus squeezing out the limited, restrained and responsible input that there has been from the Opposition parties.

The Government have tabled six new clauses on the Immigration and Asylum Bill. Because those new clauses have priority, the guillotine will squeeze out debate on Opposition amendments and new clauses. The Government have tabled 82 amendments to the Health Bill. That is rather odd. The Bill started in the Lords, where it was subjected to considerable scrutiny and many of the issues on which the Government have now tabled amendments were raised, but they tabled no amendments then and did not respond. The issues were rehearsed again during the lengthy Committee debate, but the Government did not take that opportunity to table amendments. They then flooded the amendment paper on Report with what they coyly describe as tidying-up amendments and put a guillotine on discussion. That is a most unfortunate and decidedly anti-democratic way of proceeding.

I shall be taking an interest in the Immigration and Asylum Bill and I have been taking an interest in the Health Bill. I congratulate my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) on the distinguished way in which he has conducted business on the Immigration and Asylum Bill and other matters in his portfolio in the past two years. I also congratulate my hon. Friend the Member for Hertsmere (Mr. Clappison) on the detailed way in which he has tackled a complex Bill that refers to many other Acts and raises many highly important issues. He has done that with great distinction. I also congratulate my hon. Friend the Member for Woodspring (Dr. Fox) on succeeding in the task of destroying the Government's now floundering reputation on the health service. I further congratulate my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond), whose handling of the Committee stage of the Health Bill has rightly attracted praise from both sides of the House.

Regrettably, I cannot extend my congratulations to the Government.

Mr. Charles Wardle (Bexhill and Battle): While my right hon. Friend is on the subject of congratulations, will she join me in congratulating my right hon. Friend the Leader of the Opposition? Given the highly unusual nature of this hybrid timetable motion, which requires skill, as well as knowledge and experience of health and home affairs, was he not particularly wise in promoting her to the home affairs role today so that she could deal so effectively with both aspects of the motion?

Miss Widdecombe: My right hon. Friend the Leader of the Opposition has great foresight.

I understand the Government's embarrassment on the Immigration and Asylum Bill. When we introduced a Bill on the subject in 1996, the current Home Secretary and his team accused us of playing the race card, indulging in vulgar electioneering and trying to make race an issue. The measures that we introduced did not go anything like as far as the Government's measures. We are now faced with the forced dispersal of asylum seekers.

In opposition, Labour Members criticised—nay, voted against—our proposals to introduce a speedy return to safe third countries; but what do they do in government? They build on our measures by removing the right to judicial review for people being returned to

Mr. Deputy Speaker: Order. May I gently remind the right hon. Lady that we are discussing not the content of the Bill but the allocation of time?

Miss Widdecombe: Indeed, Mr. Deputy Speaker. It is important that those matters should be discussed in full, which is why we should not have time limitation. I was describing the Government's embarrassment, which is behind the guillotine motion. I will not stretch your patience by going any further into the details, other than to say that the Bill even includes fines for innocent, law-abiding lorry drivers who happen to find an illegal immigrant in the back of their lorry. If I go home and find a burglar and turn him over to the police, will I be fined? It is difficult to see how the analogy would not hold.

Mr. Ian Bruce (South Dorset): My right hon. Friend is putting the Opposition's case very strongly, but surely there is an even stronger case in the way in which Government Back Benchers are being gagged because of the Government's embarrassment over the fact that people in the Trappist tendency suddenly spoke. The Government have realised that they could lose more seats than they gained in the general election if Thursday's result were repeated in two years' time.

Mr. Dobson: The hon. Gentleman's majority is only 77.

Mr. Bruce: I am grateful to the Secretary of State for raising that matter. If Thursday's result were repeated, I would have two and a half times as many votes as the Labour candidate. That is why the Government are attacking their own Back Benchers.

Miss Widdecombe: There is no doubt that the Government are extremely frightened, and they have good

[Miss Widdecombe]

reason to be so after last Thursday, when it was clearly demonstrated that they cannot continue with the arrogance and dismissiveness of which the motion is an example. My hon. Friend is absolutely right: it is not only the Opposition who will be denied adequate time for debate. One can only conclude that to deny time to Government Back Benchers is the main motivation for adding the Immigration and Asylum Bill to a guillotine motion on the Health Bill.

After all, it was the Health Bill that yesterday failed to make progress, in the Government's terms, or was being democratically debated, in our terms. The Government are afraid of what will be said about the Immigration and Asylum Bill, and rightly so, because some of what is being proposed is reasonable, and we would support it in principle, but we remember what Labour Members said before the general election about what they wanted to do and the amount of sheer abuse that they heaped on us for measures, some of which were in the same direction but some of which were rather milder.

The Government have introduced a panic Bill on asylum, because they started off their term of office sending out a message that Britain was a soft touch for bogus asylum seekers. They panicked when they realised that more and more such people were coming in, and when the resultant Bill ran into trouble with their own Back Benchers they decided to curtail debate. That is hardly an impressive way of handling a highly important piece of legislation.

It is most unfortunate that because of the guillotine on the Health Bill, substantial matters—again, deeply embarrassing to the Government—will not be given adequate time for debate. For example, at a stage that we will probably not reach, because of this draconian motion, we have a proposal to replace the ludicrous and discredited emphasis on waiting lists with a far more responsible emphasis on waiting times. We believe that the Government are embarrassed by that. They do not want to stand up and justify their ludicrous preference for raw numbers on lists, which are only too easily manipulated. The Government might not want us to reach that point because they do not want to be obliged to discuss the fact that even under their ludicrous procedures for waiting lists and gross manipulation of them, the lists have still increased by 19,000.

It is only right that we should debate the superior merits of waiting times over lists. What bothers patients is not how many other people need the same operation but how long they will have to wait for their operation. It is right, furthermore, that we take into account not only the time that they have to wait after they have seen the consultant but the time that they have to wait from the point at which their GP refers them—

Mr. Deputy Speaker: Order. May I remind the right hon. Lady that she is straying on to issues that will probably be dealt with later on?

Miss Widdecombe: My point is that I fear that we will not be able to deal with such matters later on. It is because the Government do not wish to deal with those matters later on that they have tabled this allocation of time motion. The motivation behind the motion is to prevent discussion of the overwhelming arguments for substituting waiting times as the measurement of success of the NHS for the ludicrous waiting lists, and of the slavishness with which the Government compel clinical priorities to be distorted to deliver an ill-thought-out political pledge. I am sorry that we will not have time to discuss that important issue.

It is also important that we discuss the necessary and adequate regulation of the private sector, but that issue comes even further down the list than waiting lists. The Government's unwillingness to discuss that is evidenced by the fact that they slipped out a press release at 3 am. I do not know who was up slipping out press releases at 3 am, but it does not smack of a Government who want their press releases to be noticed.

Mr. Dobson: It was not me.

Miss Widdecombe: I believe the Secretary of State for Health, because he was not even present yesterday for the debate on the Health Bill. He absented himself and we were told why. The Minister of State said that the Secretary of State had better things to do. He had better things to do than to come to the House and to debate this important Bill.

Mr. Dobson: Quite right

Miss Widdecombe: That comment is wholly in tune with the Prime Minister's attitude to Parliament. He thinks that this House does not matter, that debate in this Chamber does not matter and that the exercise of this House's democratic function does not matter. That is now also the view of the Secretary of State for Health. It is a poor show.

It is important to allow enough time to discuss the regulation of the private sector. In another place, they added a new clause to the Bill to extend the functions of the Commission for Health Improvement to cover the private as well as the public sector. When the Government are using the private sector to deliver their waiting lists pledge and when NHS patients are sent by GPs to the private sector because the NHS cannot meet the demand, it is right that the private sector should be regulated as the public sector is. We should be able to discuss that, but we will not be able to do so because of the allocation of time motion.

When a Secretary of State resorts to pushing press releases out at 3 am, he really does not want to discuss the issues. Nor will we be able to discuss the abolition of fundholding, which comes even lower down the list. Of course, fundholding has already been abolished, but the Government are now seeking the consent of Parliament. They anticipated the consent of Parliament and went ahead, and that is another measure of their dismissive attitude to Parliament.

We also wanted to discuss, in new clause 25, a duty of partnership with the private sector. The Government believe that such a partnership is inimical to the interests of the NHS. It is not: it would enhance the NHS by increasing the total sums available for spending on health. We want to debate that important proposition, but cannot because the Secretary of State is afraid.

Sir Nicholas Lyell (North-East Bedfordshire): My right hon. Friend is making a powerful point in support of

centre-right policies and the constructive engagement between public and private sectors. Did not last week's elections reveal that the desire for such policies is shared by people across Europe?

Miss Widdecombe: My right hon. and learned Friend is right. Thursday's election results amounted to a massive endorsement of Conservative policies in this country, and the same was evident across Europe. Through the introduction of proportional representation, the Government were able to save themselves from the humiliation that they should have suffered. They would have won even fewer seats if the elections had been conducted according to the system that the Home Secretary prefers.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am very grateful to the right hon. Lady. I seem to be losing my memory a little, so will she tell the House whether she was a member of the previous Government, who brought in large numbers of guillotines on important legislation? Did she ever oppose that practice, or am I thinking of someone else?

Miss Widdecombe: As I said at the beginning of my remarks, the most extraordinary thing about the motion is that it is a double guillotine. It affects a Bill that the Government alleged was not making progress, and also a completely unrelated Bill. I do not think that the hon. Lady will find that that was common under the previous Government.

Mr. Ivan Lewis (Bury, South): If sufficient progress were made to permit a debate on the relationship between the private sector and the national health service, would the right hon. Lady articulate the view of the wing of the Conservative party that believes that the private sector should have an enhanced role, or that of the Leader of the Opposition, who considers that such an approach is inappropriate if his party is ever to get re-elected?

Miss Widdecombe: The hon. Gentleman's understanding of Conservative party policy on this matter is as poor as his understanding of new clause 25. I suggest that he examines our policy so that he can achieve a more informed view. If he continues to interrupt, we will be unable to discuss the extremely important issues involved.

I shall sum up what I have said. First, the double guillotine motion is unusual and has not been justified. Secondly, those who will suffer, apart from the Opposition, are those Labour Back Benchers who wish to speak on the Immigration and Asylum Bill.

Thirdly, the Government have flooded the amendment paper with many new clauses and amendments. They are curtailing debate even though those new clauses and amendments will take precedence over matters that they do not want to debate. When they were in opposition, the Government accused their Conservative predecessors of playing the race card, so I can understand their embarrassment at their own proposals on immigration and asylum. I can also understand their embarrassment at longer waiting lists, and why they do not want to debate the validity of their measurements and the Health Bill's impact on the medical profession.

Finally, the proposal reveals the Government's profound arrogance and contempt for the House. Democratic procedures are not well served when debate is curtailed because there is too much debating going on, nor when a completely unrelated debate is also curtailed because the Government see an opportunity to wriggle out of embarrassment.

I look forward to hearing the Home Secretary's reply, and to many more exchanges with him over the next couple of years.

4.59 pm

Sir Nicholas Lyell (North-East Bedfordshire): I am glad to be able to speak in this debate on the allocation of time. We must make it clear to the Government and the country how difficult it will be to discuss all the important matters before us in the time available. Perhaps the most serious crisis facing the national health service concerns junior doctors' hours. The Government seek to restrict the time that we can spend on that important matter.

The utterly excessive hours that junior doctors are expected to work without sleep or rest require immediate intervention by the Government. I do not say that the problem is a new one. It was already serious in 1991 when the previous Government introduced the new deal. However, 8,500 junior doctors continue to work, on call, for periods that, during the week, frequently begin at 9 am and continue until 5 pm the following day. At weekends, they work from 9 am on the Saturday through the night on Saturday and through day and night on Sunday before finishing at 5 am on Monday.

The only rest that doctors can take during that 54-hour period is approximately four or five hours of protected sleep won simply because of the courtesy that some doctors cover for others. Either on the Saturday night or on the Sunday, a doctor's colleagues cover for him so that he might hope to be in bed by 1.30 am and stay there until 7 am. Except for those four or five hours of sleep, there is absolutely no rest. Doctors go through that gruelling experience one weekend in every four, and during the following week, they must again spend a full night on duty, working from nine o'clock one morning right through the night until the following afternoon.

It is a scandal that the Government are not allowing us time to debate this matter and bring it to public attention. We need time to debate it because the position is not sufficiently understood, even within the medical profession, for which I have the highest regard. Long hours are required for training, but the situation today is more serious than it has been in the past.

Dr. Evan Harris (Oxford, West and Abingdon): I am interested by what the right hon. and learned Gentleman says. Does he realise that the Liberal Democrats have tabled a new clause on this matter and that we will reach it if he spends less time discussing the guillotine? It is among the early amendments to be discussed, and I shall be interested to see whether the right hon. and learned Gentleman stays to participate in that debate on a Liberal Democrat proposal for legislation on junior doctors' hours.

Sir Nicholas Lyell: I am glad to know that the Liberal Democrats are interested in this matter. New clause 13 will be taken along with new clause 28 and amendment No.180, and I have already written a speech that I hope to have an opportunity to deliver. In the guillotine debate,

[Sir Nicholas Lyell]

however. I must emphasise the need for time and the wrongness of reducing the amount of time available to discuss these issues.

The country should know, through debate in Parliament, the sheer intensity of the work done by the national health service today. Some hon. Members may have heard "Any Questions" the other day. Baroness Jay said that her husband, a distinguished consultant, had told her that he had had to go through all this and that long hours were necessary for training. I do not deny that long hours and rigorous discipline are necessary for training. However, with improved procedures, in-patients being treated in the national health service today are much iller than they were. Patients are discharged much quicker and those who are left in hospital are much iller.

Doctors in general surgery, general medicine or paediatrics—some of the major specialties—do not get to bed. Another story on which we dine out.

Mr. Fabricant: I am grateful to my right hon. and learned Friend for giving way before he dines out. Is he aware that a house officer at Addenbrooke's hospital gets only £4.02 in overtime compared with £6.24 for a cleaner? Is that not a slap in the face for workers in the health service from this so-called caring Government?

Sir Nicholas Lyell: My hon. Friend's argument emphasises how much this matter needs to be debated in detail. Part of the problem, which is admittedly inherited because this has been going on for some time, is that overtime rates—it is almost an insult to use that expression—for young doctors are not calculated as they would be in any other civilised job. Instead of being paid half as much again or twice as much, they are paid 50 or 70 per cent. of their normal rate.

Health service trusts are under great pressure in all sorts of ways and always have been, but they have been put under even greater pressure as a result of the Government's over-emphasis on waiting lists, as my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said. We must have time to get across the fact that NHS trusts are abusing that style of payment, as my hon. Friend the Member for Lichfield (Mr. Fabricant) highlighted. It is not right for them to get young doctors on the cheap, when those young people are staggering through the night, hardly able to cope.

I am not exaggerating, as right hon. and hon. Members on the Government Front Bench also know. We need time to develop ways to improve that position. In the time available for the debate, we should give credit where it is due. The Government have built on some of our new deal methods. NHS circular 1998/240 set out specific timetables, hours and amounts of rest for young doctors. That circular states that young doctors who are working overnight for 16 hours, from 5 pm to 9 am the following day, should get at least eight hours' rest, of which half should be continuous. We should have time to discuss that, but this debate does not allow us the time to get across to the House and the country the fact that those doctors do not get that rest. It just does not happen in the busy specialties, such as general medicine, paediatrics and general surgery. My goodness, the classic example is renal medicine—there are jokes about that, but they are in poor taste and I will not make them. Those doctors do not get time to sleep—they stagger on, grossly abused and overworked.

We need time to study in practice what can be done. Something can be done to assist if only we put our minds to it. I am grateful to see the Minister of State nodding. I am sure that he would like to crack that problem. In a funny way, he would probably be grateful if we could find the time to highlight the sheer seriousness of it, so that he could squeeze a little more money out of his right hon. Friend the Chancellor to help him crack it. There are sensible ways to overcome organisational problems, such as bleep systems with senior night nurses, which can relieve the pressure.

One of the difficulties caused by the pressure on waiting times and the extra people who are being put through the hospital system is the sheer amount of time that that takes on admission. We need time to explain that. When we have a chance to debate the matter, we shall find that it means that young doctors are spending their time up until 11 pm—or even later—simply admitting the patients who are coming into hospital to the beds that have become available during that day. We need to debate the sensible suggestions that have been made, such as the one that there should be dedicated admissions units, staffed by young doctors, or other doctors, so that there is rather less pressure on those who are dealing with patients who have already been admitted.

Where shall we find those extra doctors? We need time during the debate for an answer from the Minister as to whether they could not be found—as I have been told—overseas, in the European Union. I hope that that matter can be discussed during the allocated time. I understand that, at present, there is something of a glut—probably only a temporary one—of young medical practitioners in other EU countries. We should invite them over to this country and pay them to assist in tackling the problem.

We need to deal with some important matters. Our objection to these guillotine motions is not merely tactical, nor is it cynical; it is real. These are matters that it is vital for Parliament to discuss. Unless they come out into the open, the country will not be governed and legislation will not be scrutinised in a way that makes a reality of a democratic society.

Mr. Fabricant: Is my right hon. and learned Friend as puzzled as I am as to why the guillotine motion was required in the first place? Last night, everyone had accepted that we might sit through the night, and was prepared to do so, if necessary, in order to discuss those issues in detail. When was the House asked to rise? Was it at 1 o'clock, 2 o'clock or 3 o'clock in the morning? No, it was asked to rise at 10 o'clock at night. Does my right hon. and learned Friend have any idea of why that was?

Sir Nicholas Lyell: The Government should take heed of that point. There is something a little more civilised about the hours that the Government have tried to introduce for the business of the House. However, it is neither civilised nor democratic if that restricts debate on matters of vital importance in such a way that legislation is not properly scrutinised.

At present, the Government have an enormous majority. Why do they not operate shift systems, like those that they should be instituting in the NHS? In a

shift system, even if people were working long and hard, they would not be engaged in the idiotic business of working through for 32 hours on the trot during the week, with no rest, and for 54 hours on the trot at weekends, with only four or five hours of continuous rest throughout that period. That is a scandal and it has to be stopped. I am sure that the Government can look to the full assistance of the Opposition in encouraging the right measures to ensure that it is stopped. We know that such measures exist. We need time to debate the matter. This guillotine should not be imposed.

5.13 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I hope that the right hon. and learned Member for North East Bedfordshire (Sir N. Lyell) will forgive me if I do not follow him along the esoteric lines of his sudden involvement in the national health service. One thing that distinguishes Back-Bench Members from Front-Bench Members of the House is the enormous short-term memory loss that seems to be a condition of having been a member of any Government. Somehow, Members who have pushed through guillotine motions, during many hours and with great vigour, forget that fact instantly when they cross the Floor and find themselves on the Opposition Benches.

Sir Nicholas Lyell *rose*

Mrs. Dunwoody: If the right hon. and learned Gentleman wants me to go into the question of doctors' hours, I can keep going on that subject for the next four hours with no difficulty whatever. I too have a consultant in my family, who makes precisely the point that, unless people get some general training, they are not as useful as they used to be.

Mr. Fabricant: Will the hon. Lady give way?

Mrs. Dunwoody: I should be terribly thrilled to do so, but I think that I shall give way to the right hon. and learned Member for North-East Bedfordshire, if the hon. Member for Lichfield will forgive me.

Sir Nicholas Lyell: May I take it that the hon. Lady believes that the points I have made are fair ones, or is she telling the House that such intolerably long hours, not only on call but continuously working, are a sensible form of training? I cannot believe the latter, but perhaps she will clarify her view.

Mrs. Dunwoody: The right hon. and learned Gentleman might like to know that, in a long married life, most of it spent living in hospitals, I discovered that many doctors work extremely long hours and that some of them should not be allowed to work at all, which is an entirely different matter—but if he wants chapter and verse, I can supply them. As I said, I am delighted that he has suddenly discovered the problem of doctors' hours in the NHS, which has been known to some of us for the past 40 years.

If the House will forgive me, I should like to make a serious point. I have been a Member of Parliament long enough to know that all Governments, when faced with timetable problems, almost inevitably demand faster movement of their legislation—that it should pass through both Houses at the speed they desire, preferably with no examination by anybody. Most Governments are fairly evenhanded; it is not that they do not want their own Back Benchers to examine legislation; they do not want anyone at all to look at it. So it is not new to me to find my colleagues—albeit the two members of the Cabinet for whom I have greatest affection, if I can say that without entirely wrecking their parliamentary careers—demanding greater speed and, indeed, a double guillotine.

However, it would be wrong to allow the guillotine to be passed without saying that I do not think it a very good idea. There are those who believe that, if every single piece of legislation that passes through the House is programmed, it will always be possible to issue statements at a time when the press will use them, the House will respond in a manner that keeps my right hon. and hon. Friends in the Whips Office happy, and life will be a garden filled with the most beautiful flowers. That is not my experience. The House of Commons and the other place operate best when their Members have the opportunity to take pieces of legislation and talk about them in detail.

That is not to say that scrutiny is done with malice aforethought. There are those of us who want to argue about legislation because we think that it is sometimes badly framed and that, sometimes, even if it is well framed, the implications have not been fully thought out. All Members of Parliament ought to have the right to express an opinion. I was therefore saddened—I put it no higher than that—to see that the Immigration and Asylum Bill had been included in the guillotine.

The simple reason for that feeling is that there are aspects of that Bill that still give me pause, even though the Home Secretary has been sensible enough and gracious enough to speak in some detail to his parliamentary colleagues. He knows that our concerns are genuine and that we still retain some of them. He also knows me well enough to know that I shall express my view with some vigour, whether in public or in private—not that he has been noticeably put off by that.

When we consider a guillotine motion, it is important to ask whether it is justified and whether it will produce the desired result, which is good legislation—not necessarily hasty legislation, but good legislation. Will it result in our having to return to the measure at some point in the future and apologise for having got something wrong, not because we meant to get it wrong, but because we did not have time to consider it properly and the people who would have raised questions did not have the time or opportunity to talk to others?

The Secretary of State for Health and the Home Secretary can both say, with considerable justification, that both Bills have spent a long time passing through the House; people have had the opportunity to consult, and that stage should be long behind us. However, in reality, all Governments table new clauses and amendments. Even though the current Government are way behind the previous one, not yet having reached the point of tabling 400 amendments on Third Reading, there is always hope—it is sad to see this guillotine being moved at this stage in respect of these Bills.

I know why the guillotine has been moved and I understand all the pressures, but I am not persuaded that it is the right way to proceed. The policies with which the

[Mrs. Dunwoody]

Bills deal are tremendously and fundamentally important because they affect the lives of people when they are at their most damaged and at their most vulnerable. The decisions we take will have an enormous impact, way beyond the number of people whom we currently believe might be adversely affected.

I do not want to say more. I think the House of Commons should be reminded occasionally that, even when it appears to be doing its best and to be at its most disciplined and most organised, and even when it responds with alacrity to the wishes of the Whips Office and the desires of Front Benchers on both sides—neither side changes; they both play the same games, some well and some badly—it needs to be watched closely. I am sorry, but I do not think this is a good idea. I did not think the guillotine was a good idea when the previous Government used it and I do not think it is a good idea now. I am extremely sorry that it has been applied to this legislation.

5.20 pm

Mr. Paul Tyler (North Cornwall): I shall be brief, as I share the views eloquently expressed by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). We are talking about extremely important legislation, and I shall use only a small amount of time that would otherwise be devoted to debating these measures. I will certainly not waste time in the way Conservative spokespeople have done this afternoon.

This debate is about the orderly management of parliamentary business. I make no bones about it. I think the guillotine should always be used as an absolute last resort. Unfortunately, as the hon. Member for Crewe and Nantwich said—

Miss Widdecombe: On a point of order, Mr. Deputy Speaker. I think I heard the hon. Member for North Cornwall (Mr. Tyler) say that Conservative spokespeople—only one of us has spoken in the debate—had wasted time this afternoon. Presumably, you would not have allowed me to do that, Mr. Deputy Speaker. Do you believe that I wasted time this afternoon?

Mr. Deputy Speaker: If the right hon. Lady had been wasting time, I would certainly have called her to order.

Mr. Tyler: I am grateful to you, Mr. Deputy Speaker.

This debate is about the orderly management of our time. We must try to achieve the best scrutiny of the legislation that comes before the House. Anybody who attended, watched or listened to the debate last night would have been fully aware that it was not a good use of House of Commons time—it was not a careful assessment of the legislation before the House and it did not result in proper scrutiny.

Guillotine debates always have an element of play acting, and this afternoon is no exception. I know—as I am sure the House does—that Conservative Front Benchers were clearly manoeuvring last night in order to make a point. I do not blame the Opposition for that, but it should be obvious to all, inside and outside the House. The Conservatives sought to trigger precisely the sort of motion that is now before us so that they could say that the Government had cut short the debate. The Government stand accused of making no attempt to avert that motion. They could have done so, if they had wished, by offering a programme motion.

I serve on the Modernisation of the House of Commons Committee, and we have experimented successfully with agreed programme motions involving all parties. I would like to extend that process further by ensuring that Back Benchers have some input. *[Interruption.]* The hon. Member for Crewe and Nantwich would like to have some input, and I believe that would be extremely helpful. No one can pretend that what occurred last night amounted to orderly management of the business of the House.

The Government did not offer a programme motion on the Health Bill. I understand that to be the fact. I am involved in these discussions to some extent, and the Government made no offer to programme the timing of that legislation. What sort of programme motion could we have regarding the Immigration and Asylum Bill? We do not know whether there will be punctuation marks during the debate to enable the articulation of all views in the House—particularly those of Government Back Benchers. No offer has been made to us and I understand that no detailed offer was made to the Conservatives. The Government stand accused of provoking this situation in order to smother the views of any remaining Labour rebels.

Both sides of the House have been play acting. Indeed, is this not some sort of pantomime? We have had contributions from Baron Belly Laugh and the Dame this afternoon, and I gather that later we shall see Jack the Beanstalk himself. Sadly, the hon. Member for Bolsover (Mr. Skinner) is not in his usual place. He usually takes the part of the wolf in Red Riding Hood and at this stage he would normally snarl, bear his fangs and make the point that all Conservative Governments used the guillotine far more often than do the present Government.

It is ridiculous that we have reached this point. It is a reflection on the way in which the House is managed, and the fact that we cannot manage it better is a reflection on us all. I hope that we can now get on with the real debate.

5.25 pm

Sir Norman Fowler (Sutton Coldfield): We can take it that the hon. Member for North Cornwall (Mr. Tyler) is not a candidate for the Liberal Democrat leadership. [Hon. Members: "Shame."] Yes, it is a shame. The hon. Gentleman appears to come from the bureaucratic tendency in the Liberal Democrats. He says that this debate is about the orderly management of business or time but it is not; it is about parliamentary democracy, and the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) was entirely right about that.

I shall be brief, and I speak as perhaps the most recent arrival on the Back Benches. I want to protest at the use of the guillotine. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), who spoke from the Front Bench and whom I congratulate on her new position—she will be entirely excellent—pointed out that the guillotine deals with two Bills. I shall concentrate on the Immigration and Asylum Bill because I am most familiar with that.

Even if I accepted the Health Secretary's arguments, they have nothing to do with that Bill. By any standards, it is a most important Bill. It seeks to deal with questions relating to political asylum seekers, both genuine and bogus. Inevitably, the Bill is sensitive; it deals with issues of human rights and the rights of families and children. It arouses genuine and sincere differences of opinion.

That is not only my view, but that of the Home Secretary, because he made the Bill, exceptionally, subject to the Special Standing Committee procedure. I assume that his aim was to achieve the best possible legislation after detailed consideration. There is no point in having that system and using it unless that is the aim. Today, that policy is being reversed—that is the truth of what is being proposed. There is now no question of the Bill receiving the fullest examination. Its remaining stages were to be taken over two days, and they will now, at best, be taken in just over a day.

In that time, we shall be expected to consider amendments that deal with the treatment of over-stayers, the removal of asylum claimants, support for children and restrictions on employment. We shall be asked to deal with charges for passengers without proper documentation, bail hearings, victims of torture, detainees with children and a range of other matters, not to mention the Bill's Third Reading.

We shall be expected to deal, most crucially, with legions of new clauses and Government amendments. It is not Opposition Members but Home Office Ministers who have filled the Order Paper with amendments, and now they are guillotining the discussion of those amendments. That discussion is not the responsibility of the Opposition or of the Government's allies, the Liberal Democrats; it is absolutely the Government's responsibility.

In that time, we shall be expected to deal also with Opposition amendments. Even the Liberal Democrats have managed to muster the courage to table one or two amendments, and there are amendments in the name of Labour Back Benchers. As my right hon. Friend the Member for Maidstone and The Weald suggested, there is no doubt that one reason for the Government's concern is an amendment tabled by Government Back Benchers.

This is a disgraceful way to treat the House. Although the Health Secretary has now left the Chamber, I must say that his arrogant speech did nothing for the Government's case. It was a disgraceful speech that would not have persuaded anyone who listened to it, and he should be ashamed of it.

Mr. John Bercow (Buckingham): Many hon. Members will agree with the sentiments that my right hon. Friend has just expressed. Does he believe that we should be told by the Secretary of State whether he authorised the Leader of the House last night to describe the new clauses that had been tabled to the Health Bill as "minor and technical"? Given that they cover a wide variety of matters that are of the essence of public debate about our national health service, does my right hon. Friend, as a highly experienced parliamentarian, believe that what we witnessed from the Leader of the House last night was the clearest illustration of the Executive's arrogance and contempt for the House of Commons?

Sir Norman Fowler: I do. If my hon. Friend will forgive me, I shall not go back into the national health service. Having done the Health Secretary's job for an unprecedented six years, I shall not tiptoe back into that area for the time being. However, my hon. Friend's point is correct.

What the Government are doing is disgraceful also because it represents such a reversal of attitude on the part of Home Office Ministers. They started by saying that they wanted the closest examination of the Immigration and Asylum Bill. They were anxious to have our suggestions and proposals. Now, at the last stage, in they come with the proposal that discussion should be guillotined.

The guillotine of the Immigration and Asylum Bill has no justification. The Bill has been dealt with in an entirely sensible way, and the issues have been debated fully and sensibly. There is no question about that. On our side the Bill was handled outstandingly by my hon. Friend the Member for Hertsmere (Mr. Clappison). Any member of the Standing Committee would endorse that. I can say with certainty that in the two-day debate on the remaining stages of the Bill, the approach would have been exactly the same. We were not planning to filibuster it into the small hours of the morning. There was no question of our doing that.

There is absolutely no justification for the Government's guillotining the Immigration and Asylum Bill. Up to now, they have blamed the last Conservative Government for any faults in the political asylum and immigration system. Indeed, the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), who has come into the Chamber—I was going to put it more emotively—has no other speech. I have been listening to him, regrettably, for a year. He has no other form of words.

From now on, the defects in the Bill and in the system belong to the Government and to that set of Ministers. They have entire responsibility for the workings of the legislation, discussion of which they have wrongly curtailed.

Mr. Brady: I am grateful to my right hon. Friend, who has considerably greater experience in the House than I have. Can he recall any precedent for a Government pursuing a double guillotine policy—using one Bill as an excuse for curtailing discussion of another, as the Government are trying to do?

Sir Norman Fowler: I cannot, but that is not conclusive. Every Minister on the Front Bench has been looking over the procedures and the debates of the past 25 years to find such a precedent. Knowing the Government back up, I think that there may well be a precedent, although I have never come across one.

I have also never come across a Government who begin with the Special Standing Committee procedure and then decide, halfway through, to guillotine the Bill. Of that there is no question. I can think of no such precedent, but doubtless the ministerial advisers will scuttle off to find one for us.

The issues go beyond that. Over the past two years the Government have been talking about modernising Parliament, although I do not always agree with the ideas that they put forward for modernisation. They keep talking about their commitment to open government and how they want to achieve the maximum accountability of

[Sir Norman Fowler]

Parliament and Ministers to the public. They are entirely right to have those aspirations, because parliamentary democracy and political accountability are vital issues, in my view, none are more important.

I agree entirely with the hon. Member for Crewe and Nantwich and think that we would take the same stance on that issue, but there is no point in the Government using the language of parliamentary democracy and then behaving in this way, which is the opposite of parliamentary democracy. Week after week, they have made statements outside the House of Commons that should have been made inside it, and we all remember the statement on jury trials. They relegate Parliament by acting in such a way and, by tabling the guillotine motion, they have further devalued the parliamentary process. That is the essential charge against this bunch of Ministers and this Government.

There is no point in the Home Secretary coming to the House to talk about freedom of information only a few weeks after imposing an injunction on the whole of the British media. Equally, there is no point in the Government talking about modernising Parliament and increasing accountability when they have imposed a guillotine such as this. The guillotine is unjustified and an arrogant abuse of power, and such autocratic action will eventually destroy the Government's credibility.

5.37 pm

Mr. Malcolm Chisholm (Edinburgh, North and Leith): I shall be extremely brief because, unlike Conservative Members, I want to discuss health. The right hon. Member for Sutton Coldfield (Sir N. Fowler) gave the game away when he said that the Opposition had no intention of filibustering the Immigration and Asylum Bill into the early hours of the morning. The truth is that that was precisely their intention for the Health Bill.

Yesterday, I sat through three hours of discussion on the opening group of amendments and I can say that the Opposition gave a completely new meaning to making a mountain out of a molehill—and it was an uncontroversial molehill at that. We heard repetition, exaggeration and ridiculous comments from Opposition Members. I made a brief intervention and it was referred to time and again—and, indeed, misrepresented. It was absolutely clear what Conservative Members were doing.

Mr. Brady *rose*

Mr. Chisholm: I will not take interventions, because my speech will be very brief. I want to get on to the health debate.

I said yesterday—I was not making a general point about this Parliament in relation to the Scottish Parliament, although some people took it in that way—that we were witnessing self-indulgent time wasting. That was absolutely true. The Government's mantra is rights with responsibilities, and that is entirely wise. If we are protecting the rights of Back Benchers normally, I would agree with my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody)—we also have a responsibility to debate matters in a relevant and responsible way. That did not happen in the debate on the Health Bill yesterday.

5.39 pm

Mr. Charles Wardle (Bexhill and Battle): The hon. Member for Edinburgh, North and Leith (Mr. Chisholm) said that he would speak briefly, and he did, but he made it clear that his reaction to a difference of opinion in the House and to a desire to debate an issue is, unsurprisingly, a knee-jerk reaction. He wants debate closed down.

What a pleasure it is to be the speaker from the Conservative Benches who follows my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who is fresh from the Front Bench. I recall him expressing to me many years ago, when he was responsible for health matters, an ambition to involve himself in home affairs. He had been a home affairs correspondent of *The Times*, and he has had that opportunity. I am sure that the whole House wishes him and his family well now that they will be spending more time with each other.

I want to discuss the motion as it applies to the Immigration and Asylum Bill. I shall not comment on its application to the Health Bill, other than to say that the Secretary of State for Health seemed to depart from his normally cheerful demeanour, and to protest too much. Indeed, there was the merest hint of arrogance in what he had to say, which was disappointing.

Having heard your strictures, Mr. Deputy Speaker, I shall try to stick to the subject of the motion. As I was travelling with an all-party group on the day of the Second Reading of the Immigration and Asylum Bill, I shall resist the temptation to wade into other aspects of the Bill. Let me say, however, that this is a bad use of the guillotine, and that the Government have no serious justification for its introduction.

As both the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) and my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said earlier, all Governments use guillotines from time to time. The Leader of the House, fronting for the business managers, will say sagely that there is pressure on parliamentary time owing to the heavy legislative programme, but there is no reason for a House of Commons that does not discuss Government business on Fridays and takes two-week spring recesses, suddenly to say solemnly that there is no time for it to debate a subject as important as this, and that we must press on. That is a bit of a joke.

As far as I can see, having followed its progress one stage removed, there has been no time wasting on the Bill. As far as I know, no timetable motion was openly contemplated in the House last week. What happened yesterday resulted from the Government's pique about their disastrous showing in the European elections coupled, I dare say, with a bit of good-natured teasing from the Opposition, and the Government's undoubted petulance about the extended debate on a single amendment to the Health Bill. It had nothing whatever to do with the Immigration and Asylum Bill. It is necessary to look further, and my right hon. Friend the Member for Maidstone and The Weald did precisely that.

The Government were clearly sufficiently bothered by the very public setback that they had suffered from so many of their Back Benchers in regard to social security reforms that they did not want to allow time for another embarrassing ambush that could add to the concessions

already made by the Home Secretary. The timetable motion is really all about controlling the Government's own Back Benchers.

Mr. Brady: My hon. Friend referred to the Government's poor showing in the European elections. Does he agree that, once again, the Government are missing the point that the electorate tried to convey to them? I am talking not about just European policy, but about the Government's arrogance and contempt for parliamentary debate. It is partly because our population is so sick of a Government who will not listen and will not debate that they had that poor showing.

Mr. Wardle: I entirely agree, although I think that I would soon be in trouble with you, Mr. Deputy Speaker, if I expanded on my hon. Friend's second point.

Bearing in mind what my hon. Friend said about the recent European elections, I feel that the constraint on debating time is ill judged. There is widespread public concern about the way in which immigration and asylum are spiralling out of control. The queues are becoming longer, and there are more illegal immigrants. Ordinary, fair minded British people who are proud of the welcome that they extend to foreigners—people of all political persuasions—are understandably bothered by the drain on benefits, school places, health facilities and housing.

Many of those people—this is why the debate should be allowed an adequate airing on the floor of the House—consider the root cause of the difficulties to be the Government's willingness to bend our immigration rules and modify our immigration controls at the behest of the European Union. A number of the illegal immigrants who have come here recently have come from eastern Europe, but a great many—wherever they have come from originally—have travelled through the European Union. That public concern was part of the reason for the voting pattern throughout the country in Labour's strongholds, as well as in Conservative strongholds, last Thursday, so it is unfair and unwise of the Government to curb debate on the Bill when it is on the floor of the House.

I do not dispute that the Bill was closely examined in Committee. I am sure that it was right of the Home Secretary to press for a Special Standing Committee and to take expert advice, but the Secretary of State for Health was wrong to say, "Therefore, there is no need for the debate to continue on the floor of the House." There were a limited number of right hon. and hon. Members on that Committee. Many others of us have something to say. There is not a person here who does not know that, apart from those experts, experienced witnesses and a few specialist reporters, the Committee stage hardly touched public awareness. That is all the more reason to have adequate time on Report.

Three particular aspects of the Bill will suffer from the lack of sufficient time on Report and Third Reading. First, the Bill needs to be challenged further because it is long on theory and short on practical detail. I know that that came out in Committee, but the Bill leaves much to be done by delegated legislation, subject to negative resolution. Those things should be challenged openly on the floor of the House, where they can be heard.

My second concern was voiced by the Immigration Service Union, which said that the Bill opened the gate to softer, European-style controls. I give two examples. One is that leave to enter with a visa will not be challengeable by an immigration officer. Not so many years ago, I saw countless immigration cases. There were often instances of the immigration officer looking at a perfectly valid visa and, after a few questions, discovering that circumstances had changed, or, indeed, that the visa had passed to someone else.

The Secretary of State for the Home Department (Mr. Jack Straw): May I reassure the hon. Gentleman that the point that he is making is not correct?

Mr. Wardle: I am grateful for that intervention, but I am sure that the Home Secretary, who has been positively delphic on that point, will agree that, over the years, there have been many cases of immigration officers discovering that there were reasons why someone should not, after all, be given leave to enter, even if he had a visa and prior entry clearance. If the Home Secretary is saying that, at the Committee stage, the ISU has been heeded and the matter has been taken on board, that is all well and good—it is all the more reason why it should be debated on the floor of the House.

Similarly, if we should reach the stage—I am certainly not going to accuse the Home Secretary of wishing to get there himself in the immediate future—that was presaged by article 100c of the Maastricht treaty, which was before his time, when a standard visa format throughout the European Union was proposed whereby the suggestion could be made and adopted in the European Union that those European visas would be sufficient to ensure leave to enter this country, our immigration controls would be blown to pieces.

The third and final reason why time is needed for the debate is to focus still further, as the Committee has, on asylum problems, particularly concentrating on the twin pillars of the Geneva convention—the well-founded fear of persecution and the fact that a person can seek asylum only in the first safe country he reaches. That should be debated here, along with the fact of the queue, which, the Home Secretary must allow, has not gone away.

For all those reasons, it is iniquitous that a timetable motion has been slapped on the Bill and that there will not now be adequate time for a full and reasoned debate on the floor of the House.

5.50 pm

Mr. Graham Brady (Altrincham and Sale, West): I am pleased to follow my hon. Friend the Member for Bexhill and Battle (Mr. Wardle). He was a little hard on the hon. Member for Edinburgh, North and Leith (Mr. Chisholm) who, even though he made only a short contribution to the debate yesterday, was the only Labour Back Bencher to make any contribution. Also, given that the first group of amendments was germane to the Scottish borders, it is worth pointing out that he was the only Scottish Member who bothered to make a contribution. At least he deserves some credit for having turned up.

I find it offensive and wrong for the Government to suggest that our proper debate of the Health Bill yesterday was, in any way, time wasting. If Labour Members, who have a responsibility to represent the interests of their constituents, particularly those north of the border, could not be bothered to turn up to register their concerns and

[Mr. Graham Brady]

the views and interests of their constituents, there was all the more reason for Conservative Members to ensure that the new clauses, which had only just appeared, should be scrutinised and debated.

I no longer see the Minister of State in his place—he was here earlier. During his introductory remarks on new clause 18, his subsequent interventions and his reply to the debate he was unable to give the vital detail on which the Chamber should arrive at a judgment about the new clause. It was clear that it had been thought up late in the process and that little consideration had been given to it. It was tabled with minimal notice to hon. Members and, even the Minister did not realise its full implications.

In those circumstances, it is utterly astonishing that, after just a few short hours of debate yesterday, the Leader of the House should suggest that a vital piece of legislation, dealing with the national health service, could not be debated in proper detail because, apparently, a short debate had taken place on one or two new clauses which had only just been made available to hon. Members to express a view.

Mr. Fabricant: Was not it ironic that new clause 18, on which we spent a long time, was a Government new clause, tabled at the very last moment? If the Government were so concerned about saving time, why did they not table the new clause in Committee?

Mr. Brady: I could not agree more. My hon. Friend, who spoke yesterday and did his duty as a Member of the House to try to scrutinise a piece of ill-considered legislation, is right to point out that it was a Government new clause. It was introduced late in the day and took up time which would otherwise have been available to debate other elements of the Bill. It is utterly outrageous. *[Interruption.]* I will give way to the hon. Member for Slough (Fiona Mactaggart) in a moment.

Fiona Mactaggart (Slough) *indicated dissent.*

Mr. Brady: I thought that the hon. Lady wanted to intervene. No doubt she would have been in trouble with her Whips Office had she done so. *[Interruption.]* I am sure, Mr. Deputy Speaker, that you did not hear as well as I did what was uttered as the hon. Lady left the Chamber.

It is unacceptable for right hon. and hon. Members on the Government Front Bench to suggest that it was wrong for Conservative Members who did not have the privilege of serving on the Standing Committee to devote their time and resources to scrutinising the legislation. It is doubly disappointing that those of us who were not on the Committee and who, quite properly, participated on Report—as hon. Members are entitled and have a responsibility to do—should be criticised for such participation.

Mr. Bercow: My hon. Friend recalls accurately the proceedings of yesterday evening. Does he recall that, during consideration of new clause 18, the Minister of State gave no impression that he had even seen or studied the new clause let alone digested its contents before coming to the Chamber? Does my hon. Friend accept that, as a naturally charitable individual, as he and I pressed the Minister to explain the rationale for and content of the new clause, the analogy of cruelty to dumb animals sprung to mind?

Mr. Brady: I shall not be drawn by my hon. Friend.

Had the Secretary of State taken the trouble to attend the Chamber yesterday and witnessed the performance of the Minister of State who, as my hon. Friend rightly points out, did not appear to be acquainted with the new clause and still less with its implications or detail, he might have taken a different view from the rather facile opinions he so arrogantly expressed earlier. Had the Leader of the House been present to see that those on the Government Front Bench advanced no meaningful argument and that Government Back Benchers, in their typical fashion, said virtually nothing, the Government might not persist in the ludicrous assertion of time wasting. Some hon. Members take seriously their responsibility to scrutinise and debate legislation.

Mr. Fabricant: Is my hon. Friend interested to know that during the entire course of the Committee stage only one Government Back Bencher made a speech—and then only briefly? Not one of the other Government Back Benchers made a contribution.

Mr. Colin Pickthall (West Lancashire): The hon. Gentleman said that a moment ago.

Mr. Fabricant: No. I said nothing about the Committee stage. The hon. Gentleman was not listening.

Mr. Brady: That is an important point. My experience of Standing Committees is almost invariably the same. There is no real effort made by Labour Members to scrutinise legislation introduced by their Government so it comes as no great surprise to find that they should make similarly little effort to do the job for which they were sent here by their constituents during proceedings on the Health Bill.

It is bad enough to find that there was little scrutiny by Labour Members in Committee, that new clauses are being introduced by the Government and that there is no effort by Labour Members to scrutinise them on Report, but it is utterly unacceptable for Labour Members, particularly the Secretary of State for Health, who should know better, to criticise Opposition Members for doing what we have been sent here to do. We are exercising our right to scrutinise ill-judged legislation that has been introduced without thought.

I was delighted to see my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) demonstrating how seriously he takes his responsibilities so soon after joining us on the Back Benches. Far from seeing it as an opportunity to put his feet up, he was immediately bringing the benefit of his experience and beliefs to the Chamber. It is a bit rich for the Secretary of State for Health to laugh at the record of my right hon. Friend given that he did not even bother to turn up for the scrutiny of his own Bill. Much as he may chunter from a sedentary position, he has done himself no credit by his performance yesterday in claiming that there were more important things for him to do—he has not enlightened us as to what they may have been—or in his brief contribution today when all he could do was attack hon. Members who do

their duty. He did not list the constituencies of Labour Members who did not bother to represent their constituents in the Scottish border area. Those constituents may have had some concerns about the implications of new clause 18 for expenditure on health services for Scottish taxpayers.

Although those Labour Members were not here for last night's debate, the Secretary of State thinks that it is shameful that Opposition Members should be trying to do their job. He does not think that it is shameful that some of the silent bodies sitting behind him have failed to examine the detail of the Health Bill.

Mr. Dobson: Why did the Opposition not divide on new clause 18?

Mr. Brady: The Secretary of State seems to think that he has hit on a clever point — perhaps for the first time — in suggesting that, if the Opposition do not press an amendment to a Division, it should not be debated. He clearly fails to understand that Governments can benefit from proper scrutiny of their own amendments, even if there is not a Division on those amendments. He fails to understand that point because he does not understand the purpose of Parliament and of parliamentary debate.

Mr. Philip Hammond (Runnymede and Weybridge): My hon. Friend is exactly right. Has he noted that some of the Government amendments on today's selection list were tabled as a consequence of debate and discussion in Committee?

Mr. Brady: I am grateful to my hon. Friend for pointing that out. It is a relief to know that the Secretary of State is prepared, occasionally, to listen to good sense. He has not often been willing to do that, and he is certainly not prepared to do so today. The crux of the matter is that he is not prepared to give the House time properly to scrutinise new legislation and Government new clauses, which have not been thought through by Health Ministers and have not yet been properly scrutinised by the House.

Mr. Fabricant: Does my hon. Friend realise that there is an irony in the situation? If we had pressed new clause 18 to a Division, the Secretary of State would have accused the Opposition of wasting time. He would have said, "We had such a large parliamentary majority that we were bound to win; therefore, for 20 minutes, we wasted time on a Division." He cannot have it both ways.

Mr. Brady: My hon. Friend is almost certainly right. The Government's belief that the parliamentary process is an inconvenience for the nation, rather than an asset, is another illustration of their arrogance.

As I said in last night's debate—I now echo the comments of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), for whom I have the greatest respect—if Ministers had understood that they could gain from proper scrutiny in the House, they would not have even contemplated proposing this type of guillotine. Ministers are refusing to listen to debate, to the views of Opposition Members, or—perhaps just as bad—to the views of Labour Members.

Ms Diane Abbott (Hackney, North and Stoke Newington): Will the hon. Gentleman give way?

Mr. Brady: The hon. Lady is an honourable exception, and I shall give way to her.

Ms Abbott: I am grateful to the hon. Gentleman. He is new to the House. If he were not new, and had been in the House during the 18 years of Tory Government, he would not be so quick to hurl accusations of Government arrogance or about the failure of Government Back Benchers to subject legislation to proper scrutiny. Although I cannot speak for my colleagues, or about other Bills, in Committee, I subjected the Immigration and Asylum Bill to the most energetic scrutiny. I am now anxious to get on and to debate the two Bills, and regret that Opposition Members are wasting time on debating the guillotine.

Mr. Brady: I am grateful to the hon. Lady for her intervention. I trust that, as she wants to have proper time to debate the Immigration and Asylum Bill, she will vote against the guillotine. In the same way as the hon. Member for North Cornwall (Mr. Tyler) suggested that it was wrong to oppose the guillotine motion, as he wanted to have time to debate the Bill's substantive matter, the hon. Lady is making an illogical assertion. If she wants proper time to debate the Immigration and Asylum Bill — just as I should like proper time to debate the Health Bill—she should oppose the guillotine.

Although my right hon. Friend the Member for Sutton Coldfield was cautious in replying to my intervention on the point, he said that, in his experience, it is unprecedented to attempt to guillotine debate on a Bill by using an excuse that is entirely unconnected with that legislation. The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) should oppose the guillotine particularly for that reason. Attempting to impose such a guillotine is a serious travesty of the House's rules of procedure, and is an attempt to undermine proper debate in the House and our ability to scrutinise legislation. The Government's attempt is utterly transparent, and they should be ashamed of themselves for even contemplating trying to stifle debate on the Immigration and Asylum Bill by using such a device, which is utterly wrong.

Last night, if Ministers had said that they wished to timetable debate on the Health Bill, we might have been able to debate the matter. They could have said, "We have reasons for imposing a guillotine", and we could have said, "No, you're wrong to propose imposing one." The Opposition might have been able to object to timetabling the Health Bill by saying that we needed more time to debate the more than 20 groups of amendments that have not been debated. If Ministers had done so, it would have become apparent to everyone that the Government were trying to stifle debate on the Health Bill.

The Government have, however, gone one step beyond that, by saying that yesterday's imagined slow progress in debating Government amendments to the Health Bill — which were tabled with very little notice—justifies stifling debate on the Immigration and Asylum Bill, which is a Home Office matter. Such an assertion is staggering.

[Mr. Brady]

The Government's attempt to use a double guillotine has nothing at all to do with the Health Bill. Ministers are simply trying to limit the inconvenience and embarrassment that they would suffer if some of their own Back Benchers—the hon. Member for Hackney, North and Stoke Newington may be among them—were able to express their convictions about Government legislation to which they objected. All Governments should occasionally face embarrassment. That is why the United Kingdom has an open democratic process which enables the House to debate such matters. It is also why Government Back Benchers are able to express their views, if they have the courage to do so. The Government's attempt to stop that process is not only an abuse of parliamentary debate and of the House's rights and responsibilities, but utterly transparent.

It is staggering that the Government should seek to curtail debate in such a manner. It simply demonstrates the Government's massive abdication of responsibility. Ministers should welcome proper scrutiny and debate of the matters dealt with in the Bills. However, perhaps even more worrying than the Government's abdication of their own responsibility is their failure to allow the Opposition to do what the Opposition should do: ensure that the groups of amendments to the Health Bill—which take up almost two pages in the provisional selection of amendments—are properly debated.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) mentioned the significant matter of doctors' hours. However, the Secretary of State suggested that it was not possible to find time to debate that important subject in the House. The subject is not only important to doctors—who are being forced to work unreasonably long hours—but is a matter of the gravest concern to the entire population of the United Kingdom. On admission to hospital, members of the public may discover that they are being treated by a doctor who, although he or she may have the highest professional standards, has been awake for countless hours, staggering—as my right hon. and learned Friend said—through the night.

The rich irony, which will not be lost on the medical profession or on members of the public who observe our debates, is that the plight of doctors—who might be expected to work not only until 10 o'clock at night or midnight, but throughout the night and the next day—could not be properly aired in debate on the Bill's relevant clauses because Labour Members were not prepared to provide time to debate those clauses or to work beyond 10 o'clock.

It is deeply disturbing that the Secretary of State for Health and other Labour Members—who, when in opposition, always sought to take enormous party political advantage from the national health service—are now manifestly failing in their stewardship and management of the health service. In the past, Labour Members sought to gain party advantage by making huge play of issues such as junior doctors' hours, yet they now want longer working hours to be permitted in Europe. It is pathetic that the Government do not have the courage to allow a proper debate on that and I have nothing but contempt for their approach.

Mr. Fabricant: Is my hon. Friend as interested as I am in noticing that, while all the Conservative members of the Committee are present, not one Labour member of the Committee, apart from the Front Benchers, has bothered to turn up? [HON. MEMBERS: "There's one."] I see that the hon. Member for Crawley (Laura Moffatt) has now appeared. Well done to her. Let her name go down in the record. I presume that they chose to serve on the Committee to scrutinise the Bill. Why have they not chosen to scrutinise the guillotine motion or the two pages of amendments that are before us on Report?

Mr. Brady: My hon. Friend makes an important point. I am pleased that the hon. Member for Crawley (Laura Moffatt) made herself known so that she at least could gain credit.

Mr. Paul Truswell (Pudsey): May I also correct the observations of the hon. Member for Lichfield (Mr. Fabricant)? I, too, was a member of the Standing Committee. Would the hon. Member for Altrincham and Sale, West (Mr. Brady) like to comment on the accuracy of his hon. Friend's observations? I hope that such accuracy does not characterise the rest of his contributions to the debate.

Mr. Brady: If Labour Members failed to make any impression in Committee, I can hardly blame my hon. Friend for not having noticed whether they were there, or indeed whether they are here this evening. At least two Labour members of the Committee have brought themselves to the Chamber this evening. I see that the hon. Member for Wythenshawe and Sale, East (Mr. Goggins) is also claiming credit for being present, but he is a Parliamentary Private Secretary and has doubtless been asked to sit there for particular reasons.

It is important that Labour Members take their responsibilities as Members of Parliament seriously. If only two of the 14 or 15 Labour Back Benchers who were members of the Committee are able to bring themselves to the Chamber this evening—they were not here yesterday evening for the substantive debate on the Bill—that is a poor performance.

I had hoped to be able to speak yesterday evening on the amendments dealing with rationing of health care, particularly because several constituents have raised concerns with me on that. Yesterday alone I had three letters expressing concerns that I had hoped to have time to raise during consideration in the Chamber. One was about the proposed closure of two of the three wards at Altrincham general hospital and another was from someone who had voted Labour all his life but wrote to say how much he regretted his decision because he felt so profoundly let down by the performance of the Secretary of State for Health.

If the Government persist in denying debate, closing their ears to what is going on around them and ignoring the real concerns of Members of Parliament—concerns that are reflected in the country, which is losing all faith in the ability of Labour Ministers to manage the national health service—they will pay the price. Only if they are prepared to listen to the concerns that my constituents wanted me to raise in the debate will the Government avoid making foolish mistakes and letting down their constituents and mine while they have the stewardship of the country.

The hon. Member for Hackney, North and Stoke Newington said that I was a relatively new Member of Parliament. That is true and I do not for a moment deny

that when my party was in government it sought to guillotine business on many occasions. Some of my hon. Friends, such as my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), have distinguished records of opposing such motions regardless of who was seeking to manage the time of the House inappropriately. Labour Members may wish to give some consideration to my observation that one reason why the public became rather sick of the Conservative Government towards the end of our 18 years was a perception that we were arrogant and not prepared to listen. There was a feeling that we would push policies through regardless of concerns. Staggeringly, in just two years the Labour Government have scaled giddy heights of arrogance and contempt for the public and Parliament that I do not believe that the Conservative Government ever reached. If the Government do not understand what they are doing and do not pay heed to my warning, they will pay the price.

6.15 pm

Mr. Richard Shepherd (Aldridge-Brownhills): The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has given us the most eloquent expression of what we understand by representative democracy and a parliamentary system. Ours is a system of debate. Governments put propositions to the House, seeking legislative rights. We test those propositions. That backwards and forwards process has been at the heart of our democratic system for more than 100 years.

I well remember the rage and anger of Labour Members when they were in opposition as it became clear to them that the guillotine had become a central feature of the Executive's control of the House. I do not mean to be dismissive of the hon. Member for Slough (Fiona Mactaggart), but she has been muttering and angrily expressing derision at the fact that we have been debating the guillotine motion for an hour and three quarters. The debate is scheduled to go on for three hours.

Fiona Mactaggart: My anger is not about the fact that we are debating the motion, but about the quality of the debate and the way in which some hon. Members have chosen to contribute, which has, in most cases, been highly hypocritical. I exempt the hon. Gentleman from that criticism.

Mr. Shepherd: The hon. Lady is very gracious. In the years that I have been here I have learned that it is not appropriate for me to judge the quality of another's speech. Some of us are more inarticulate than others. It is the genuineness that rings through—[*Interruption.*] hon. Members say that affects and informs our judgments. I would be hesitant to question the quality of another's speech.

The indignation of the then Labour Opposition against the device of the guillotine seemed true and palpable. We know that the hon. Member for Crewe and Nantwich spoke with a true voice, because she has repeated from the Government Benches what she said in opposition. All the raging in past Parliaments of those who now adorn the Government Front Bench, arguing and fighting against the imposition of a guillotine, which is the curtailment of freedom of speech and of the representative right to express a view, comes to nought in the end. That is the cynicism of our parliamentary processes.

The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) flitted in for two minutes to tell us that the debate was a waste of her opportunity to debate the substantive issues in the Bills. Everyone knows that the Opposition are not imposing a guillotine, but the hon. Lady will vote for the imposition of a restriction on the opportunity to speak.

That is the cynicism that informs this debate. The Home Secretary and the Secretary of State for Health know in their hearts the futility of their position, given that they presented themselves to the electorate as new Labour with new politics and said that the old ways would not prevail: they would be part of the regeneration of British politics and British parliamentary democracy. We now know that to be a foo-fa; it is nonsense. This is now a repetitive process.

There is no question but that the motion is odious. The Secretary of State tried to argue for a guillotine on the Health Bill but the Government have tried to take away time from a proper guillotine consideration by including another Bill. If we address the two guillotine motions equally, instead of the traditional entitlement of the House, as set out in Standing Orders, to discuss a guillotine motion for three hours, we effectively have only an hour and a half for each.

These are the new developments of procedure. The Government are not entirely responsible for twin measures on a guillotine motion, but they are responsible for a total curtailment of debate, so that the five hours on the Health Bill are really only two hours. The Labour party seems quite happy with that. The implications reverberate slowly, trickling through to a wider public who see the sheer cynicism of a Government who profoundly believe that a soundbite is of itself legislation, which it is not.

Every hon. Member who has been here for more than one Parliament knows that the grind of parliamentary business is an attempt to examine some—we do not go through everything line by line or word by word—of the principles that are expressed, for good government, by all Governments through their legislative programmes.

The motion says:

"Proceedings on Consideration and on Third Reading of the Health Bill *[Lords]* shall be completed at the sitting this day and shall be brought to a conclusion, if not previously concluded, five hours after the commencement of proceedings on this Motion."

That is not a happy thought—two hours are what the Government think sufficient to dispose of this business.

I find that incredible, as Madam Speaker has made a provisional selection of 22 groups of amendments even before we get to Third Reading; but let us do away with Third Reading. Why not? After all, the Government have expressed their view on the matter and there are now enough unrepresentative Labour representatives to close their ears and eyes and support this proceeding. They may genuinely believe in all the details of the legislation, but they support the proceeding that prevents the Opposition—any Opposition—from discussing the matter.

Without a Third Reading, we would have an average of five and a half minutes on each group of amendments. Madam Speaker took the trouble to give subject titles to the groups. The first is

"Clinical freedom and restrictions on prescribing".

[Mr. Shepherd]

which is the resumed debate on new clauses 4, 14, 16 and 17. The issues are great and weighty.

The next group is entitled:

"Discrimination in the NHS on grounds of disability, race, sex etc."

That is important to many hon. Members and to many of our constituents and workers in the NHS. New clause 7 and amendments Nos. 78, 83, 80, 172, 81, 79 and 82 are all to be disposed of—if we average the time available—in five and a half minutes.

Mr. Chisholm: If the Opposition think the amendments so important, why did they sabotage debate on them yesterday, and why are they sabotaging debate on them today?

Mr. Shepherd: I will continue, if I may.

The second group is set aside in that short time. Were he to take the debate himself, the Secretary of State would barely have time to enunciate the new clause and the amendments and the Opposition would barely have time to respond to his enunciation. The hon. Member for North Cornwall (Mr. Tyler), who made a remarkable speech, would not even get a look-in, because the two Front Benchers, excluding every other hon. Member, would have disposed of the matter in five and a half minutes.

Dr. Harris: The hon. Gentleman is wrong, because the new clauses about which he feels so strongly were tabled by the Liberal Democrats, so we would have had the opportunity to speak, in the very short time that he and his colleagues left us for debate, and he will have done himself out of that opportunity by speaking at such length against the guillotine.

Mr. Shepherd: I am not doing anyone out of any time in speaking to the motion. I am not the originator of this ferocious guillotine. I rather suspect that the hon. Gentleman, who is a very new Member, will vote for the motion.

The hon. Member for North Cornwall said that he would like a timetable. I have reflected on timetables for a long time. Where was the balance of the argument in the poll tax legislation? As the Bill developed, we began to see how unworkable it was. It started by asking why a dustman should pay less than a duke but eventually transferred its principle to asking why everyone should not pay something. How, in embarking on a large Bill, can one know where the weight of the argument will develop?

Dr. Howard Stoate (Dartford): The hon. Gentleman seems to be under the impression that the motion has to be debated for three hours, but does he not understand that the sooner we finish with the motion, the longer we will have available, within the five hours, to debate the substantive amendments on the Health Bill, which I agree entirely are extremely important to the House?

Mr. Shepherd: I am not responsible for the guillotine motion. The question is better directed to the Secretary of State for Health, the Home Secretary and the Leader of the House; they tabled the motion. I look forward to the hon. Gentleman voting against the motion, which of course he will not do.

The third title is

"Health care and energy efficiency schemes".

It concerns new clause 8, which is a Government new clause. We have five and a half minutes on that.

Mr. Dobson: It is a Liberal Democrat new clause.

Mr. Shepherd: If the Secretary of State can explain the distinction to the wider world, we will be grateful.

The next group is entitled,

"Manpower planning in the NHS and protection of professional qualifications".

That is clearly too trivial a matter to detain the House on Report. The group consists of new clauses 9 and 19 and amendments Nos. 1 and 129.

Then we move on to the group of amendments on the

"right to second opinion on diagnosis or treatment".

It contains new clauses 11 and 12. That is what the Government wish to condense into 60 minutes, twice over. The next group is entitled:

"Health and safety of NHS doctors (maximum hours of work, etc.)".

It contains new clauses 13 and 28, plus amendment No. 180. It will be dispensed with in five and a half minutes, if the Government have their way.

The next group is entitled:

"Duty of confidentiality (patients under 18)".

It contains new clause 20. No constituent who has come to my surgery to express concern on either side of the argument has been able to condense the most minimal approach to that question into five and a half minutes. Indeed, it has often taken more than an hour.

The next group deals with "Waiting times". My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) mentioned that issue, as did the hon. Member for Crewe and Nantwich. It is crucial and important to the well-being of what for many of us is perhaps the most important expression of the state in the social circumstances of our life. It too will get five and a half minutes.

The next group is entitled:

"Regulation of independent hospitals"

and it contains new clause 22 and amendment No. 114. It will get only five and a half minutes. The following group is entitled:

"Abolition of fund-holding and power to withdraw from Primary Care Trusts".

It contains new clause 23 and amendments Nos. 107, 108, 143 and 144. It will be dealt with in only five and a half minutes.

The next group is entitled:

"Duty to promote partnership with private sector".

That is something on which the Government are keen. Many of us share the Government's objectives and others are cautious about them, but the subject will get only an average time of five and half minutes.

The next group is entitled:

"Establishment of Primary Care Trusts (consultation etc.)".

It would almost take me five and a half minutes just to read out the amendments in the group, but they will have to be disposed of in that time. The group contains amendments Nos. 109, 111, 112, 181, 110 and 113, and Government amendments Nos. 53 and 54. Not content with the savage truncation of the debate of a free and representative Parliament, the Government believe that the next group of amendments, entitled

"Primary Care Trusts (provision of services)",

can be dispatched in five and a half minutes.

Then we come to the group entitled "Drafting and miscellaneous". We know that our liberties are often in the detail and the devil is certainly in the detail. The Government will argue that the amendments in this group are technical, but each one will require clarification. The group contains Government amendments Nos. 12, 17, 18, 19, 20, 21, 22, 32, 37, 39, 105, 44, 45, 48, 52, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 70, 72, 73 and 74.

Mr. Fabricant: Is my hon. Friend aware that if my calculations are correct, that would allow just under 7 seconds to debate each amendment?

Mr. Shepherd: I am bemused that my hon. Friend has taken the trouble to notice the nonsense that the Government have placed on the Order Paper, no doubt to the satisfaction of the hon. Member for Slough.

Next we would come to the group entitled

"Remuneration for Part II services".

It contains Government amendments Nos. 13 and 14, amendment No. 128, and Government amendments Nos. 15, 16, 40, 41, 42, 43, 56, 67, 69, 71, 75 and 76. Will we have adequate time? The Government have still more business to discharge through our process in this forum. The group entitled "Local Representative Committees" contains amendment No. 115, Government amendments Nos. 94, 95, 96, amendments Nos. 116 and 117, Government amendments Nos. 97, 98, 99, amendment No. 118, Government amendments Nos. 100 and 101, amendment No. 119, Government amendment No. 102, amendment No. 120, and Government amendments Nos. 103 and 104. None of this will be treated seriously by a wider public if all that business is thrown through in 120 minutes, excluding a debate on Third Reading.

We have not yet finished. The next group is entitled:

"Health Improvement Plans for London".

The Secretary of State for Health is an elected representative for a London constituency. The group contains amendments Nos. 4 and 3, but perhaps they do not merit discussion. The next group is entitled "Joint Consultative Committees" and it contains amendments Nos. 138 and 142. The next group is called "Pharmaceutical Price Controls". Some of these are big issues, as the House knows. The amendments are not frivolous: they are important. However, the Government feel that Government amendments Nos. 23 and 24, amendments Nos. 93, 178 and 92, Government amendments Nos. 25, 26, 27, 28, 29, 30 and 31, amendment No. 179 and Government amendments Nos. 33, 34, 35, 36 and 38 can be disposed of in minutes.

Mrs. Dunwoody: Is not the hon. Gentleman illustrating a serious point that is not related to the guillotine? It is the practice that has grown up under both Governments—I have been in the Chair and watched hundreds of Government amendments being moved by Ministers in the previous Government—of producing legislation that has to be updated by the Government. Is not that a sign that our parliamentary draftsmen have some homework to do before we can desist?

Mr. Shepherd: The hon. Lady is right and her experience as a Chairman on the Speaker's Panel, and her long years of service in the House, underline the great urgency with which legislative ideas are often thrown together and presented to the House, giving rise to the need for subsequent amendment to make them workable or even slightly comprehensible to the lay reader. The legislation is no longer meant for the lay reader and it is beyond the reach of ordinary citizens to understand what the Government intend.

The next group of amendments is entitled:

"Regulation of ancillary health professions".

It contains amendments Nos. 145, 167, 77, 169, 6, 162, 163, 164, 91 and 165. The next group is called "Devolution issues (Scotland)". We are fortunate in having the hon. Member for Edinburgh, North and Leith (Mr. Chisholm) present. No doubt he would wish to contribute vigorously to the debate on amendments Nos. 183, 184 and 168, Government amendment No. 49 and amendment No. 185, because they touch on Scotland.

Mr. Fabricant: Does my hon. Friend realise that if the hon. Member for Edinburgh, North and Leith wished to contribute to the debate on that group of amendments, he would have only 63 seconds per amendment?

Mr. Shepherd: I am grateful to my hon. Friend. We would come next to the group entitled "Devolution issues (Wales)". I have cast my eye round the Chamber and I cannot see a Welsh Member, except for a Whip.

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The Under-Secretary of State for Wales, my hon. Friend the Member for Cardiff, Central (Mr. Jones), is here.

Mr. Shepherd: My apologies. No doubt the Under-Secretary would move Government amendments Nos. 50 and 51.

So much for the Speaker's selection of amendments that the motion would require us to dispose of in two hours. A debate on Third Reading is also required, of course.

Mr. Tyler: I have sympathy with what the hon. Gentleman has said, and with the comments of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). However, given that calculations are being made, will he say how many amendments we could have discussed in the 25 minutes during which he has addressed the House?

Mr. Shepherd: I had always thought that Cornishmen were canny and could understand the thrust of an argument. The hon. Gentleman knows that I am not responsible for the guillotine motion but that I am endeavouring to criticise it. I do not know how I can put

[Mr. Shepherd]

it more plainly, so that the hon. Gentleman can understand that we are in this dire position because the Government wish to truncate debate to two hours.

The hon. Member for North Cornwall knows that Standing Orders set out the regime for guillotines, and they allocate three hours for debate on such motions. However, the Government want to blackmail—if I may use such unparliamentary language—the House into shutting up and forgetting its responsibilities as a representative institution. That is not acceptable to some of us. I know how easily a great majority can change Standing Orders, but until that happens we will remain unable to debate a guillotine motion for longer.

Mr. Douglas Hogg (Sleaford and North Hykeham): My hon. Friend mentioned the Speaker's selection, with which members of the public may not be familiar. Will he confirm that the amendments included in that selection are deemed to be relevant and important, either because they have not been debated in Committee or because they are new?

Mr. Shepherd: I am grateful to my right hon. and learned Friend: that is indeed the rationale behind the selection.

So far, we have debated only the first part of the guillotine motion. The second part states:

"Proceedings on Consideration and on Third Reading of the Immigration and Asylum Bill shall be completed in two allotted days and, if not previously concluded, shall be brought to a conclusion at midnight on the second allotted day."

That is less grand that it sounds: two full parliamentary days seems a long time, but they begin immediately after the conclusion of this debate.

I was generous in calculating that an average of five and a half minutes would be available for debate on each group of amendments. Hon. Members are entitled to express dissent if they so judge, so each of the 82 amendments and new clauses, not all of which are technical, could be voted on. That would be a grim prospect, as it would take up all the time available for debate on the Immigration and Asylum Bill.

There is also a Speaker's selection of amendments and new clauses for the Immigration and Asylum Bill, a measure that is very sensitive for many hon. Members, as it deals with the treatment of human beings in distress. I know that Labour Members are exercised about that. Their party's historical role has been to represent the fears of the oppressed and to understand the needs of people in the most dire of circumstances. It has done that more sensitively than any other party.

Conservative Members are not naive and know that many of the proposals in the Bill test the patience and sympathy of a wide section of the British public. I would not want to have to judge between asylum applications that are genuine and those that are fabricated. The Labour party's heritage is its history as a guardian of safety for the waves of people who came to this country to escape, for example, the pogroms in eastern Europe and Russia at the turn of the century. The Labour party has welcomed them: to its shame, the Conservative party has been less sensitive to people's circumstances and less aware of what they could contribute here. Many immigrants have become an essential ingredient in this country's greatness. We have been the beneficiaries of immigration.

The Government have pulled out some bottom-drawer proposals first put forward by a previous Government. However, I respect the need of many Labour Members and those of my colleagues who are fair minded and who want to examine some of the contentions on which the Bill is based. If the responses on Report were not satisfactory, those hon. Members would want to say, on Third Reading, why they consider that the Bill did not deserve to be "read the Third time". The essence of parliamentary democracy is that hon. Members should be able to reject proposals if they judge that necessary.

How have the Government addressed that tradition? The Speaker's selection groups amendments and new clauses according to their effect on the Bill. Those groups concern the treatment of certain over-stayers, the removal of asylum claimants, facilitation of entry, European Economic Area nationals, and support for children—which all hon. Members know is a sensitive matter. The selection also covers restrictions on employment, general support arrangements for asylum seekers and miscellaneous and consequential amendments.

This latter category includes Government amendments Nos. 32, 33 to 38, 47 to 49, 74, 77 to 80, 83 to 89, 94, 119 to 123, 125 to 133, 135 to 138, and 140 to 142.

Mr. Hogg: My hon. Friend has referred to the importance of Third Reading. Does he agree that a timetable motion that precludes discussion or description of any amendment or new clause prevents hon. Members on either side from determining whether or not to support a Bill, because the information simply is not available to them?

Mr. Shepherd: That is the infamy of guillotine motions. My right hon. and learned Friend's intervention makes me nervous. If I were to repeat in their entirety all the amendments on which we might vote, I might deprive the House and the nation of the opportunity to hear my right hon. and learned Friend speak.

Mr. Jim Dowd (Lord Commissioner to the Treasury): Every cloud—

Mr. Shepherd:—has a silver lining. A better silver lining would result if the Government reflected on the monstrosity of their guillotine motion.

There are amendments relating to codes of practice and procedures for preventing the carriage of clandestine entrants—Government amendment No. 39, amendment No. 9, Government amendments Nos. 40 and 41, amendment No. 11, and Government amendments Nos. 42 and 45. Codes of practice are of considerable importance, so those amendments deserve proper attention.

Further amendments have been selected on charges for passengers without proper documentation—amendments Nos. 145, 146, 147, 148, Government amendments Nos. 43, 44 and 46, and amendment No. 149. My right hon. Friend the Member for Maidstone and The Weald alluded to the penalties that might arise from that part of the Bill. There are amendments on bail hearings, a subject in which I am particularly interested. Amendments

Nos. 13 and 14 relate to victims of torture and detainees with children. On appeals, adjudicators and the immigration appeal tribunal, we have Government amendments Nos. 50, 51, 52, 53, 54, 55, 57, 61, 62, 63, 64, 65, 66, 67, 97 to 116—I shall not list all of those individually—and 124 and 134.

I have tried to follow the Government's logic in hooking a second guillotine motion to the first. I cannot find the thread in the Speaker's selection that might have led the Government to believe that their soundbites should be reduced to such contempt for the representative and democratic process. On support arrangements for asylum seekers and accommodation, Madam Speaker has selected amendments Nos. 18, 17, 20, 21 and 22. On support arrangements for asylum seekers and interim provisions, she has selected Government amendments Nos. 69 and 95 and Government new schedule 1. On support arrangements for asylum seekers and essential living needs, she has selected amendment No. 143.

Finally, there are amendments on powers of search, arrest, and finger-printing. I know that there is a great distaste for civil liberties these days, and the drum beat is always to give the authorities the right to do things that we traditionally looked at askance. The Home Secretary puffs out his cheeks at that, and I know how irritating all this must be when one is Secretary of State of a great Department that deals with many matters. However, the powers of search, arrest and finger-printing are covered by Government amendments Nos. 75, 76, 81, 82, 90, 117 and 118. After all these amendments, Third Reading would follow. This process cannot be said to be reasonable.

By listing the amendments to be considered by the House, I have tried to set out how absurd it is that any Government of any party should treat the House with the contempt implicit in the Government's derisory dismissal of these great issues. The hon. Member for Crewe and Nantwich correctly said that the business managers want to get through more business and have many important things to do. However, in recalling my 20 years in the House I can think of few pieces of legislation that were crucial to the well-being of the nation. There were few that shaped the decades ahead of them. Most that did were concentrated in the highly contentious and difficult early years of Lady Thatcher's Governments. Gosh, they were bitterly opposed. Guillotines were imposed, and Members on the current Government Front Bench vigorously opposed them with all the fervour with which they now take me aback by promoting them.

Life is like that. Perhaps in the detail of Bills and the actions implicit in the actions proposed by Government we can find the truth. I hope that the Government will realise a truth today. No matter what the outcome of the guillotine motion, I hope that they will not produce such a lamentable motion again. I urge anyone with any spirit to go through the Lobby against the motion, or at least to abstain.

6.57 pm

Mr. Michael Fabricant (Lichfield): Last night at 10 pm, the Leader of the House told us that a guillotine would be applied. We were debating new clause 4 on clinical freedom and restrictions of prescribing. We were trying to make the Secretary of State admit that there is rationing in the health service, in the hope that the Government would do something to alleviate it. If the Leader of the House had not come here last night, I would have read a letter from a constituent of mine that goes to the heart of our debate. Our debate about time means that I cannot debate the real issue fully. As we are not debating the Health Bill, but a guillotine motion instead, I shall read only a little of the letter, but it is highly relevant.

My constituent wrote:

"I am an ovarian cancer patient. I have been treated at Stoke Hospital but unfortunately after trying two types of chemotherapy my oncologist could not offer me any more treatment even though I feel 100 per cent. better than I did six months ago. Because I am only forty one and have a young family I asked for Taxol"

a drug known to many hon. Members—

"which has very good results only to be told Staffs don't fund Taxol and if they did I wouldn't get it when there are so many people waiting for hip operations. As a result of this I decided to go for a 2nd opinion and am now seeing an oncologist".

My constituent believes that she will have to pay for Taxol.

Many of my hon. Friends have received similar letters. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) has received hundreds of letters like that, and they demonstrate that rationing exists. However, all that the Secretary of State can do today—he did not bother to turn up at any sitting of the Standing Committee—is talk to his Front-Bench colleagues. He is not listening to what any of us are saying. Finally, he had to be overruled by the High Court, which said that his imposition of rationing—he does not use that word—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman is discussing the subject matter of the Bill, rather than the timetable. He must speak to the motion.

Mr. Fabricant: Thank you for your guidance, Mr. Deputy Speaker. My point is simply that so many issues that were discussed in the Health Bill Standing Committee need to be discussed again on Report and at Third Reading.

My hon. Friend and near neighbour the Member for Aldridge-Brownhills (Mr. Shepherd) listed the groups of amendments selected by Madam Speaker. He calculated that the timetable would allow five and a half minutes to discuss each group. As he said, it is not his opinion or even merely our opinion that the clauses are worth discussing; it is Madam Speaker's opinion. Many more clauses and amendments were tabled and published by the House authorities. Those selected were merely a few that Madam Speaker chose. She felt, on behalf of the House, that they ought to be debated this day for the sake of parliamentary democracy, which means for the sake of those people who elect us to this place.

We all realised that we might well have to debate into the early hours of the morning. I think that all of us were girding our loins. Ladies in the Tea Room asked me whether they would get much overtime and if the debate would go until 4 am or 5 am. While one can argue, as I might, that 4 am is not the best time to debate such issues because of human circadian rhythm—

Miss Widdecombe: It is better than not debating them at all.

Mr. Fabricant: Exactly, but that seems to be a common theme under this Government.

[Mr. Fabricant]

Government new clause 18 was the first issue that we debated last night—a tidying-up clause. Perhaps it was minor and technical, which is how the Secretary of State described all the clauses chosen for debate today. New clause 18 was important and it had to be discussed. If the issue was so minor and technical, as the Secretary of State claims, why did he not produce the new clause in Committee? It is not fair to blame the parliamentary draftsmen; it is passing the buck. We have worked with them and in particular the lady who wrote the explanatory notes and who did so much good and sterling work in the past few weeks in Committee. It is not the parliamentary draftsman but the Government who are at fault.

The very wording of new clause 18 is typical. The first line states:

"Her Majesty may by Order in Council provide"—

Mr. Deputy Speaker: Order. We agreed new clause 18. I was in the Chair last night. It is away—gone and lost for ever. The hon. Gentleman must stick to the timetable motion.

Mr. Fabricant: You know that it is not gone and lost for ever, Mr. Deputy Speaker, as it has been added to the Bill and will be discussed on Third Reading, with which this motion is concerned. Therefore, I think that it is relevant, but I will not try your patience. I simply point out that the new clause and other amendments in this and other Bills presented by the Government constantly provide for secondary legislation upstairs in the form of statutory instruments.

In the past, what was contained in a Government Bill was clear. It contained the information that people needed to know, such as how it would operate. Now we find not Henry VIII clauses but what I would call blank-cheque clauses. Those state that the issues will not be discussed on the Floor of the House and passed on Third Reading, but will be discussed in a brief one and a half hour debate in Committee.

Time is pressing. We are to have two hours to debate Third Reading and all the clauses that my hon. Friend the Member for Aldridge-Brownhills enunciated at length—it was right that he did so. This is not parliamentary democracy and it is not why I came to the House in 1992. It is not the reason why one single Member of Parliament in this House was elected. If hon. Members vote for this guillotine motion, it will not only be a betrayal of the electors who elected them but of their own principles that brought them here.

7.6 pm

Mr. Philip Hammond (Runnymede and Weybridge): What we are talking about and what has been exercising my right hon. and hon. Friends is an institutionalised stifling of debate. We are considering two important Bills. They are very different, but they both contain important issues, which still need to be debated by the whole House. They have one theme in common—the extensive use of delegated legislation and the reservation of powers to Ministers. I will speak first on the Health Bill, about which I inevitably know a little more.

The Secretary of State told us in his opening remarks that the Health Bill had been thoroughly debated in Committee. How does he know? He was not there. He did not attend the Standing Committee once, not even for a courtesy visit.

Health was the Government's keynote policy. It was one of the issues that they used to persuade the electorate at the last general election. Many hon. Members on both sides of the House were expecting the Bill to be a major part of the Government's programme. However, as we have seen, the Government are afraid to debate their failures. If anyone doubts that health is one of their failures, they need only to have seen the graphics displayed on BBC television on Sunday night during the election programmes, which showed how the Government's ratings with the general public have fallen further and faster on health than on any other matter.

The Government are good at publishing glossy White Papers and consultation documents and they are good at issuing press releases—

Mr. Deputy Speaker: Order. I remind the hon. Gentleman that we are talking not about the issues but the timetable.

Mr. Hammond: Indeed, Mr. Deputy Speaker. I shall attempt to show that vital issues remain to be discussed, despite the debate in the House of Lords and in Committee, which must be debated on the Floor of the House.

The Government have delayed all along. They delayed between issuing the White Paper in December 1997 and publishing the Bill for initial consideration by hon. Members at the beginning of this year. They maximised the gap before the reality bit—the period of time when the airy language of the White Paper could be circulated and before it was shot down by the harsh reality of what is in the Bill. During that period, it is fair to say that many people in the professions connected with medicine supported what the Government were doing and liked what they saw in the White Paper. However, that changed rapidly and dramatically when they read the detail of the Bill. As the Bill progressed through the House, those professionals came to us because they relied on us, during Report and at Third Reading, to raise the concerns that still exist after the Bill's extensive consideration. The Government could not get the Bill right, even though it had a year in gestation. The Bill deals with realities, not merely the aspirations expressed in the White Paper.

When the Bill was introduced in the House of Lords, it had 54 clauses and 66 pages. The Bill before us this evening contains 68 clauses and 106 pages. The Government made it up as they went along. They are still making it up now; even during the past few days, they have tabled new clauses and substantive amendments. We must have the opportunity to scrutinise those provisions in detail.

Last night, the Leader of the House said, with a flourish, that the Government had given advance notice of their intention to table a clause containing the provisions in new clause 18. She implied that, in some way, that made it less necessary for us to consider and debate that matter. She referred to a letter from the Minister of State about tabling that new clause, but that letter indicated the Minister's intention to table the clause

in Committee. The first that we saw of the new clause was when it was introduced last week; none of us had a formal opportunity to scrutinise it until yesterday.

The right hon. Lady also said that the 82 Government amendments were largely technical. I appreciate that she is not able to follow every Bill in detail as it progresses through the House, but she was not correct in saying that.

The Government amendments tabled to address local representative committees are far from technical; they amount to a reversal of the position that the Government took up in Committee on a new clause that was—incidentally—tabled extremely late and was unable to be debated adequately in Committee. In relation to pharmaceutical pricing, the Government have taken on board at least some of the points made by the Opposition in Committee. However, we certainly needed the opportunity to explore those points further.

Several vital issues were included in the Bill as a result of cross-party initiatives in the House of Lords, such as the regulation of private health care, on which the Secretary of State slipped out a press release at 3 o'clock this morning—no doubt thinking that we would be debating the subject at that time; and the transition from primary care groups to primary care trusts. In Committee, the Government used their majority to delete those provisions, so we will now have to send the Bill back to the House of Lords with their lordships' carefully considered and well-argued provisions deleted, without our having had the opportunity to debate on the Floor of this House the reasons for the Government's action.

There is an arrogance about what the Government did yesterday and today. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said that Governments always try to avoid scrutiny. I am sure that she is right. However, in this case, the effort to avoid scrutiny is dangerously misplaced; it is clear from the evidence of the passage of the Health Bill through the House so far that it benefited greatly from the scrutiny that it received. The Government fear proper consideration of the issues because that exposes the gap between their rhetoric and the reality that drives their actions tonight.

It is apparent that the Government regard the beauty sleep of Ministers as more important than debate on hospital waiting lists, in which my right hon. and hon. Friends would have been able to probe the alternative solution of considering hospital waiting times. Ministers' sleep is more important than establishing proper relationships between the NHS and the private sector, so that both can benefit. It is more important than the scandal of junior doctors' working hours, which my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) touched on during his speech. It is more important than allaying the widespread fears and anxieties of GPs as to the transition mechanisms for primary care trusts.

We have been unfortunate in that the Health Bill and the Immigration and Asylum Bill were side by side in this week's business. There was no need at all for the Government to stop the business at 10 o'clock last night. They could have allowed the debate on the Health Bill to run on through the night without risking, in any way, the progress of the Immigration and Asylum Bill today. However, their business managers seized the opportunity to use that excuse to curtail debate on the Immigration and Asylum Bill. There was no excuse whatever for dragging that Bill into what was, in essence, a health dispute. Those Labour Members who were likely to prove awkward in respect of the Immigration and Asylum Bill had already been sent off on their gardening leave for the appropriate days. No member of the Government wanted to risk any slippage in the timetable.

I am conscious of the fact that I need to leave enough time for the Home Secretary to respond to the debate, but this has been a very shabby episode indeed. My hon. Friend the Member for Bexhill and Battle (Mr. Wardle) used the word "pique", which I had already written down in my notes. The whole matter smacks of pique. The Government are acting like a school bully who was given a thumping on Sunday evening and came into the Chamber on Monday determined to throw his weight around, in a desperate effort to reassert himself—or perhaps I should say "herself". However, in that process, the Government have proclaimed their contempt for Parliament; they have reasserted their determination to undermine and marginalise this House. I urge my hon. Friends to vote against the timetable motion.

7.16 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I begin on what is, I hope, a harmonious note in what has otherwise been a rather discordant debate. It is rare to see a Member on either Front Bench making a seamless transition from one portfolio to another in the course of a single debate. However, that is the honour that has befallen the right hon. Member for Maidstone and The Weald (Miss Widdecombe). I congratulate her on her appointment as shadow Home Secretary. She brings to that position a comprehensive—indeed, daunting—knowledge of many aspects of the work of the Home Office. I wish her well and look forward to many constructive engagements.

I also offer my good wishes to the right hon. Member for Sutton Coldfield (Sir N. Fowler), who has just retired as shadow Home Secretary. Although we have held many arguments across the Floor of the House, I thank him for the way in which he has conducted those arguments, and for the many private conversations that we have held—as is inevitable and necessary with the work of the Home Office. I also send him my good wishes.

My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) made some important points about guillotine motions with which I agree. I accept her point that debate in the House is at its best when it is allowed to flow freely, where there is give and take, and where there is a real dialectical process—I do not use the phrase in a mocking sense—in which propositions are put forward and countered, and progress is made in the thinking of hon. Members on both sides of the House. For that reason, I say—I hope that these remarks will not be taken down, although I accept that they will be—that I have had some reservations about the limit on speeches that has been instituted. The best part of a debate is when one is challenged—either by one's own side or by opponents. That is what makes debate in the House so different from debate almost anywhere else.

[Mr. Jack Straw]

That said, my hon. Friend the Member for Crewe and Nantwich is right in another respect: on occasion, all Governments have to resort to guillotine motions. The Labour Government are no exception to that rule—any more than the previous Conservative Government were.

Mr. Fabricant: Will the right hon. Gentleman give way?

Mr. Straw: I shall do so in a second.

Governments resort to guillotine motions when it is not possible to reach agreement through the usual channels on the broad timetable for debates.

I give way to the hon. Member for Lichfield, but I ask him to be brief because time is limited.

Mr. Fabricant: Why did the Government have to up stumps so early last night; and, if that had to be done, why did it have to be done at 10 o'clock? Why not midnight, 1 o'clock or 2 o'clock, which would have allowed us to debate more amendments?

Mr. Straw: I shall come to that point, but let me first finish my more general point.

All Governments have to resort to guillotines when it is not possible to reach a sensible agreement with the Opposition. In the early stages of a 17-year period on the Opposition Front Bench, I, like my colleagues, thought that it would impress the electorate if we filibustered debates. We used the same and well-tried technique as the Opposition used last night, in which colleagues support each other—it is actually quite entertaining and we impress each other, if no one else. I was a party to the use of those techniques and, for quite some time, thought that it would convince our constituents that we were doing the business for them. We used to use similarly high-flown phrases about the end of parliamentary democracy as we knew it and words like "arrogance" when the Government tried to stop us. However, after a while, I discovered that the good people of Blackburn were not terribly impressed.

Miss Widdecombe: The right hon. Gentleman speaks of the failure to reach a sensible agreement, but any failure in respect of any Bill was confined to the Health Bill. Why has he imposed a guillotine on the Immigration and Asylum Bill, which had not been tested in debate on the Floor of the House?

Mr. Straw: Let me come to that point later, along with the point raised by the hon. Member for Lichfield (Mr. Fabricant).

As I was saying, I remember the Duke of York activities and our discovery that they were less impressive than we had thought. Towards the end of my sojourn on the Opposition Front Bench, I strove hard and usually successfully, even on very contentious Bills, to reach agreement with people renowned outside the House and even among their own junior Ministers—I should point out that I did not share the view—for not being entirely reasonable. I endeavoured to reach agreement on the conduct of debates, and the debates were the better for that and far more impressive than the Opposition running debates through the night.

That brings me to the question of why both Bills have been included in one guillotine motion. Anyone who was in the House last night, as I was, listening to and observing the debate, and anyone who missed that great delight and has had to read the *Official Report*, will have noted that there was a most serious filibuster. There is no dispute about that—

Mr. David Amess (Southend, West): There was not.

Mr. Straw: The hon. Gentleman, whom I greatly admire and who is also an Essex man, protests too much—of course there was a filibuster going on and there is no point in getting into a terrible lather about it.

The Opposition had been told on three occasions, without protesting once, that there would be one day for Report and Third Reading of the Health Bill, yet the whole of yesterday was used up debating only a tiny part of that Bill, with no prospect of agreement with the usual channels on the remainder of the Bill. Despite continuing discussions, no undertakings had been forthcoming, and it was becoming palpably clear that, even if we had gone through the night, which would not have impressed anyone, there was no prospect of finishing the Health Bill before the end of the week—still less commencing and finishing proceedings on the Immigration and Asylum Bill. That is why we regretfully had to adopt the procedure of guillotining two Bills in one motion.

The right hon. Members for Maidstone and The Weald and for Sutton Coldfield are not suffering from total amnesia: they have some vague recollection of the period before 1 May 1997, when they were members of a Government. They have had to admit that, every so often and always with regret, the previous Government introduced guillotine motions, and that, because they were adornments on the Treasury Bench for much of that time, they had to vote for them.

The right hon. Member for Sutton Coldfield said that the Conservatives did not guillotine the sort of Bills that we are guillotining. He said—I paraphrase, but not completely—that they guillotined only really nasty Bills that everyone opposed, and that they did not guillotine soft and cuddly Bills—like the Immigration and Asylum Bill, I suppose. I am sorry to have to disabuse the right hon. Gentleman, but one of the Bills that was guillotined by his Government was one for which there was serious all-party support and which has, on the whole, stood the test of time: on 26 November 1989, the Children Bill was guillotined. There have been few less controversial Bills than that, but it was guillotined.

That brings us to the central charge levelled by the right hon. Member for Maidstone and The Weald. As a supporter of and then a member of the Conservative Government, she has form and previous convictions for having, time and again, traipsed through the Lobby to vote for a guillotine motion. To try to distinguish her previous convictions from the form that the Labour Government are clocking up, she says that there is a difference between a guillotine motion that guillotines only one Bill and one that guillotines two. She asked, not once, not twice, but three times: when did the previous Government go for a double guillotine? Well, I can tell her when they did that.

To spare the right hon. Lady's blushes, I have not gone back over the full 18 years of Conservative rule; I have taken my evidence only from the middle of 1987,

when she became a Member of Parliament. On 11 November 1988, the School Boards (Scotland) Bill and the Housing Bill were guillotined in a double motion. On 26 November 1989, the Children Bill was guillotined with the Companies Bill. I should point out to the hon. Member for Aldridge–Brownhills (Mr. Shepherd) that, at 167 clauses, there were more clauses in the Companies Bill, which was a single part of that double bill, than are contained in the Health Bill and the Immigration and Asylum Bill combined.

Barely was the ink dry on the double guillotine motion of 26 November 1989 than, two weeks later, November, the Local Government and Housing Bill and the Employment Bill were guillotined together. Finally, to confirm that double guillotines were a serious habit of the Conservative Government, on 13 March 1992, the Finance Bill and the Further and Higher Education (Scotland) Bill were guillotined together.

I have checked the record, in recognition of the possibility that on each of those occasions—November 1988, October 1989, November 1989 and March 1992—the right hon. Member for Maidstone and The Weald might have been absent from the House. After all, she might have been sent on a trip by her right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the then Home Secretary. However, I have to inform her that she is plainly suffering from the most profound amnesia, for on every single occasion that the House was invited by the Conservative Government of which she was a member to vote for a double guillotine, she went into the Lobby to do so. She did not miss a single occasion, so strong was her support for the concept of the double guillotine. *[Interruption.]* One of my colleagues suggests that the right hon. Lady is a recidivist.

As a Home Office Minister, the right hon. Lady introduced courses in Her Majesty's establishments to address offending behaviour. Before one can address such behaviour, one must admit one's guilt. If people are in denial so complete that they have no knowledge of committing an offence, they cannot go on courses to address their offending behaviour. In her ministerial capacity, the right hon. Lady stressed that, if prisoners did not participate in courses to address their offending behaviour, they could not earn parole and early release. I regret that the right hon. Lady and her right hon. and hon. Friends will have a slow release from the labours of Opposition if they continue in this way.

I agree with my hon. Friend the Member for Crewe and Nantwich that 18 years of opposition was a hard school. There are two ways to oppose the Government. The first is to run at the wall. We tried that method for quite a long time—for too long—and wondered why we had a sore head and why no one was terribly impressed. The second is to debate matters properly, agreeing sensible timetable motions with the Government of the day. That is what we decided to do and, as a result, the then Government achieved its business program and the conduct of parliamentary business improved.

Both of the Bills before us have been the subject of thorough discussion, and the Immigration and Asylum Bill has been considered in a Special Standing Committee. I believe that this motion is entirely justified.

Question put:—

The House divided: Ayes 325, Noes 145.

Division No. 205] **[7.32 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy

Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dan *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and Jane Kennedy.

NOES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baker, Norman
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chidgey, David
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Greve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Moore, Michael
Morgan, Alasdair *(Galloway)*
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Opik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'bry)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*

Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. Tim Collins.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Health Bill *[Lords]* and the Immigration and Asylum Bill—

Timetable

1.—(1) Proceedings on Consideration and on Third Reading of the Health Bill *[Lords]* shall be completed at the sitting this day and shall be brought to a conclusion, if not previously concluded, five hours after the commencement of proceedings on this Motion.

(2) Proceedings on Consideration and on Third Reading of the Immigration and Asylum Bill shall be completed in two allotted days and, if not previously concluded, shall be brought to a conclusion at midnight on the second allotted day.

Questions to be put

2.—(1) For the purpose of bringing any proceedings on either of the Bills to a conclusion in accordance with paragraph 1 the Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(2) On a Motion made for a new Clause or a new Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(3) If two or more Questions would fall to be put under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply to proceedings—

(a) on the Health Bill *[Lords]*;

(b) on the Immigration and Asylum Bill at the sitting this day until midnight;

(c) on the Immigration and Asylum Bill on the second allotted day;

and those proceedings shall not be interrupted under any Standing Order relating to sittings of the House.

4.—(1) If at the sitting this day—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) stands over to seven o'clock, and

(b) proceedings on this Motion have begun before that time,

the Motion for the Adjournment shall stand over until midnight.

(2) If on the second allotted day a Motion for the Adjournment of the House under Standing Order No. 24 stands over to seven o'clock or from an earlier day, the Motion shall stand over until the conclusion of any proceedings on the Immigration and Asylum Bill.

5. Standing Order No. 82 (Business Committee) shall not apply to proceedings on either of the Bills.

6. No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on either of the Bills are taken or to recommit either of the Bills; and if a Minister makes any such Motion, the Question on the Motion shall be put forthwith.

7. No dilatory Motion shall be made in relation to either of the Bills except by a Minister of the Crown; and if a Minister makes any such Motion, the Question on the Motion shall be put forthwith.

8. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) shall apply to those proceedings.

9. If at the sitting this day the House is adjourned, or the sitting is suspended, before the conclusion of proceedings on this Motion or on either of the Bills, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Interpretation

10. In this Order 'allotted day' means this day and any other day on which the Immigration and Asylum Bill is put down on the main business as first Government Order of the Day.

Dr. Evan Harris (Oxford, West and Abingdon): On a point of order, Mr. Deputy Speaker. I assume that the Government intend, later in the debate, to introduce the issue of their consultation paper on the regulation of the private health care system, which was promised before further progress was made on the Bill. I was concerned that the document was not available to me in the Vote Office, although it has been published, and it has not been sent to Front-Bench spokespersons. I know that it is available only because copies that were sent to a Labour Back Bencher who chairs the Select Committee on Health arrived in my office by mistake. I should be grateful for your guidance as to whether it is appropriate and in order for the Government to refer to a document that has been published but which Opposition Front-Bench Members have not had a chance to read.

Mr. Deputy Speaker: Order. That is not a matter for the Chair, but I hope that Ministers will look into it.

Orders of the Day

Health Bill *[Lords]*

As amended in the Standing Committee, further considered.

New Clause 4

CRITERIA FOR APPRAISALS BY THE NATIONAL INSTITUTE FOR CLINICAL EXCELLENCE

"The Special Health Authority known as the National Institute for Clinical Excellence shall make its appraisals of different treatments and clinical interventions on the basis of clinical efficacy or relative cost-effectiveness compared with alternative treatments or clinical interventions for the same symptoms, but not on the basis of their affordability in relation to the funds available to the National Health Service."—*[Dr. Harris.]*

Brought up, and read the First time.

Question proposed, [14 June], That the clause be read a Second time.

7.46 pm

Question again proposed.

Mr. Deputy Speaker (Mr. Michael J. Martin): I remind the House that with this we are discussing new clause 14—*National Institute for Clinical Excellence (duties and consultation with public)*—

'.—(1) The Special Health Authority known as the National Institute for Clinical Excellence (the "Authority") shall meet in public.

(2) The Authority shall publish annually a report on its activities during the preceding calendar year which the Secretary of State shall lay before Parliament.

(3) The Secretary of State shall establish a public consultative committee in relation to the Authority, which shall have the duty of advising the Authority on the public's view on the priority to be accorded to different treatments and clinical interventions within the NHS.

(4) The constitution and membership of the committee mentioned in subsection (3) shall be such as the Secretary of State may determine in Regulations.'

New clause 16—*Protection of doctors' clinical freedom to prescribe appropriate drugs*—

'.—The Secretary of State shall not exercise his powers to include a drug in schedule 11 to the National Health Service (General Medical Services) Regulations 1992 (as subsequently amended) in such a way as to restrict the circumstances in which the drug may be prescribed by reference to the different underlying causes of the symptoms for whose treatment it is clinically effective.'.

New clause 17—*Cost or affordability not to be criteria for restricting prescribing of drugs*—

'.—In issuing guidance on prescribing, or in exercising his powers to include a drug in schedule 10 (drugs and other substances not to be prescribed for supply under pharmaceutical services) or schedule 11 (drugs to be prescribed under pharmaceutical services only in certain circumstances) to the National Health Service (General Medical Services) Regulations 1992 (as subsequently amended), the Secretary of State shall not base his decision on the criterion of either the cost or the affordability of the drug in question.'.

Mr. John Bercow (Buckingham): The House will be delighted to learn that last night I was bringing my remarks, which had necessarily to be brief, to a conclusion when an untimely interruption to our business took place. I am happy to round up my remarks now.

We are concerned about the National Institute for Clinical Excellence and the new clauses relating thereto. I have made the point before, and I underline it now, that there is interest in, but considerable concern about, the future direction of the national institute. It is for the Minister of State to assuage our concerns.

Will NICE be genuinely independent, given the framework agreement—to use the Minister's term—within which it will have to operate? Will it be possible for the national institute, when it is up and running, to exercise its own judgment without interference, public or private, from Health Ministers or Department officials acting on their behalf?

Will the Minister assure us that the national institute's assessments of treatments for conditions will take into account not only clinical cost-effectiveness but other costs that should properly form part of the equation? Will it be able to consider, make a judgment on, and draw up recommendations based on the social costs of opting for, or of failing to provide, one treatment or another? Those are crucial judgments at the heart of the new clauses.

Yesterday evening, in the absence of any significant contribution to the debate from Labour Members, it was left to Conservative Members to represent their constituents' interests and to scrutinise the Executive. We had a little assistance from Liberal Democrat Members, and it would be churlish to deny that. The Minister of State had a relatively easy time as he listened to us. This evening, we need to hear from him. What are his answers to our questions? What form will the body take? Can he produce the evidence? Is he capable of assuaging the legitimate concerns of the official Opposition, of the Liberal Democrats, and much more important, of millions of people throughout the country who are waiting to find out what sort of creature NICE is? We have made our case, and await a response.

The Minister of State, Department of Health (Mr. John Denham): We had a lengthy debate on the new clauses last night and important issues have been raised, although some of those were fully explored in Committee. I shall try to deal with some of the issues that were raised in last night's debate.

The casual observer of the debate might think that the Bill is about the establishment of the National Institute for Clinical Excellence, which has been established in the proper way as a special health authority. Given the way in which the Bill intermeshes with other reforms that the Government are carrying through, it is understandable that hon. Members have sought to debate NICE and its relationship to other health reforms.

As we have made clear on numerous occasions, NICE will play a key role in modernising the NHS and driving up standards within it. The intention is that the national institute will issue authoritative guidance to health professionals, and help to ensure the faster and more uniform uptake of clinically effective and cost-effective treatments. New clause 14 tabled by the Liberal Democrats deals with a number of separate issues. Subsection (1) would require NICE to hold its meetings in public. It is entirely right that there should be openness and transparency in the workings of NICE. During the debate on the establishment of NICE we made a commitment to extend the Public Bodies (Access to Meetings) Act 1960 to incorporate the National Institute

for Clinical Excellence. We are doing that. We are currently preparing a statutory instrument to ensure that NICE will be subject to the 1960 Act. In practice, that means that meetings will generally be open to the public, but allows them to be excluded where publicity would be prejudicial to the public interest by reason of the confidential nature of the business or for other special reason.

Mr. Simon Hughes (Southwark, North and Bermondsey): I am grateful to the Minister for his helpful remarks. On the qualification point, which I understand, can he give us an assurance that if there are to be times when NICE will meet in secret for the reasons that he has given, a record of the meeting and its conclusions will be available to the public at a later stage? I understand that occasionally a meeting may need to be held in secret.

Mr. Denham: I am sure that normal procedures with regard to publication of records of meetings of public bodies would apply. I imagine—the matter is probably worthy of further examination—that if the information would be of great commercial importance to the companies whose products were being appraised, great care should be taken by me this evening not to give the impression that the position of those companies would be lightly undermined. I am sure that normal procedures for public bodies would otherwise apply.

Subsection (2) of new clause 14 would require NICE to publish an annual report, and would require the Secretary of State to lay the report before Parliament. It has also long been the Government's intention that NICE should publish an annual report, and that, as is common practice, the report should be made available to Parliament.We do not need primary legislation to do that. It will be achieved through directions issued by the Secretary of State.

The national institute is a special health authority established in secondary legislation under the National Health Service Act 1977 and, accordingly, directions are the appropriate way forward. Subsections (3) and (4) confuse the role of NICE and the guidance that it will issue with the way in which priorities are set in the NHS. That goes to the heart of part of the debate last night.

By developing a consistent body of guidance on the clinical effectiveness and cost-effectiveness of different treatments and procedures, NICE will play an important role in tackling unjustified variations in access to treatment and it will provide valuable information on which clinicians, the Government and others in the NHS will make their decisions. NICE will, we believe, help to ensure that the most clinically effective and cost-effective treatments are widely available, without the delays that have accompanied the introduction of effective treatments in the past. However, we do not intend that NICE should become a substitute for the decisions that clinicians and others must take. That was the point raised by the hon. Member for Buckingham (Mr. Bercow).

Ministers are accountable for setting overall priorities for the NHS and, on occasion, for setting specific priorities—for example, the priority that we attach to the coronary heart disease national service framework. We have also given a particular priority to smoking cessation. Ministers are and must remain accountable for those decisions. On the example of smoking, as we discussed in Committee, there is a substantial body of work on the clinical and cost-effectiveness of smoking cessation. As it happens, that guidance predates NICE, but is the sort of guidance that might be issued by NICE in the future. I believe that it is right that we should establish NICE to make such information available. I also believe that it is right that in such a case it is the Government who set the priorities.

However, not all such decisions are taken by Government. Clinicians must also take important decisions about the treatments that are best for their patients and, in so doing, they want information about clinical and cost-effectiveness. NICE will provide that information, but NICE has no power to determine what decision is taken in each individual case. If a drug or treatment were ruled out on the NHS, that could be done only by the Government, and therefore by Ministers, as is the case at present.

The Liberal Democrats seem to want to transfer both the general responsibility of Government and the specific individual decisions of clinicians to NICE. That is what I understand to be the role of the patients forum that the Liberal Democrats want to establish. That is not the role that we intend NICE to play. I do not believe that it is the role NICE should play, whether it is advised by a committee of patients or not.

Of course, patients and their representatives have an important role in shaping the way in which NICE approaches its task. That is reflected in the way that patients are represented on the partners council. Through the council patients will help to ensure that the guidance that NICE issues is as good as it can be, and that NICE produces its guidance in a form that all groups can best understand. We want the information to be accessible to patients as well as to clinicians, and they will help to ensure that the voice of patients and other important stakeholders will be heard at the heart of the national institute.

Mr. Bercow: The hon. Gentleman said a moment ago that only the Government would be in a position—ultimately, I presume he means—to rule out the provision of treatments. Assuming that in some circumstances the national institute might judge that a particular treatment was not cost-effective and should not therefore be provided, is the hon. Gentleman referring to a situation in which NICE has one view and the Government have another? If so, is NICE obliged to accept some form of collective responsibility, or is it entitled to make it clear that although it defers to the Government, it disagrees with the Government's decision?

Mr. Denham: The point that I was making is straightforward. Perhaps I can best deal with it by turning to new clause 4, which covers it. As I said in Committee, NICE will operate within a framework agreement set by the Secretary of State.

We are committed to ensuring that that framework, and any other guidance from the Secretary of State, is open and transparent. It will be clear where the Government have given guidance, if they did so. We made it clear in the appraisal document, "Faster Access to Modern Treatment", that there may be circumstances in which NICE concludes that a particular procedure should not generally be available on the NHS, because of its lack of clinical or cost-effectiveness or because alternative procedures are simply and clearly more effective.

[Mr. Denham]

We would expect health authorities, primary care groups and primary care trusts, NHS trusts and clinicians to take full account of such guidance, but it is important to make it clear that NICE will have no power to reach and impose a decision on what is or is not available. If, having read NICE guidance, Ministers concluded that it should be enforced by regulation, it must remain the responsibility of Ministers to take such a decision and be accountable for it.

Mr. Philip Hammond (Runnymede and Weybridge): The Minister has several times used the phrase "cost-effectiveness". Can he elaborate on what he means by that? When he asks NICE to consider various treatments for the same symptom or disorder, it is clear how he will measure the cost-effectiveness, but how will he measure the cost-effectiveness of a treatment for cancer against the cost-effectiveness of a hip replacement?

8 pm

Mr. Denham: The point is that it will be for NICE to make the judgments and to explain how it has reached the judgments that it will provide on particular treatments or interventions. If it compares different approaches to treating a particular condition, it must also explain how it has assessed those approaches, one against the other, and reached its conclusions. That is the role that we will look to the national institute to play in making the appraisals that we have asked it to make. Professor Michael Rawlins, the widely respected chairman of the national institute, will play a role in developing the methodologies that will enable that to be done effectively, which is one reason why we want substantial expertise to be available to the national institute.

Mr. Bercow: That was a nice try, but I am afraid that it will not suffice. The Minister has provided an excellent answer to a question that I did not ask, but, unfortunately, he has not provided an answer to the question I asked. If he does not mind, I will choose the questions and I should be very grateful if he would provide the answers. The situation to which I am referring is one in which NICE concludes that it believes that a treatment should be provided, but the Government decide otherwise. If the Government insist on getting their own way, will NICE be at liberty publicly to declare its disagreement with the Government's decision? That is my question.

Mr. Denham: It is absolutely our intention that the appraisals carried out by NICE will be public appraisals. If the national institute produces an appraisal suggesting that a particular drug should be used in particular circumstances and the Government of the day decide that that drug should not be used, that decision will be there for people to see. They will be able to compare the published appraisal of the national institute with the decision taken by Ministers. I hope that I can make some progress, because some other important issues were raised. I turn to new clauses 16 and 17.

Dr. Evan Harris (Oxford, West and Abingdon): I thank the Minister for giving way and, to save time on my reply, may I press him on the nub of new clause 4? I should like to hear from him the following words: NICE will not be asked to take into account overall cost or affordability in its calculations and appraisals and will stick strictly—as the hon. Gentleman has already said, although he has not yet limited it to this—to clinical effectiveness and relative cost-effectiveness.

Mr. Denham: I risk repeating what I said several times over in Committee. Some months ago, we published a document on the appraisal techniques to be used by the national institute. We received a wide range of responses, some of which said that NICE must take into account almost every penny of NHS resources and apply a particular procedure to that. Others took the position that NICE should take no account even of cost-effectiveness, let alone wider NHS resources. I said in Committee that we were considering the responses to the consultation and we will decide in due course what factors we will ask NICE to take into account. I have made an important promise this evening, and have repeated what I said in Committee. The key point is that the framework that we establish for NICE and any guidance that is issued to it will be open and transparent. I am repeating a commitment made in Committee.

Mr. Hammond *rose—*

Mr. Denham: I am somewhat in the hands of the hon. Gentleman, but I had assumed that the House would want to discuss more than one issue this evening. I shall give way to him once more and then perhaps I can make progress.

Mr. Hammond: I thank the Minister for giving way. Will he acknowledge that the question that he has ducked is extremely important? We cannot consider how NICE will operate in practice until we know the answer to it. If NICE will simply consider on a comparative basis the cost of providing a given outcome in a given situation, that will be beneficial—no one would disagree with that—but if it is to be asked to look at different outcomes to different situations and weigh them against each other, that will clearly be a rationing mechanism, which is what Conservative Members have suspected all along. We must know the answer.

Mr. Denham: The hon. Gentleman persists in missing the fundamental point, which is that NICE will provide the guidance sought by clinicians and others in the health service about how they take decisions. They will wish to know, and they will know, on what basis the national institute has reached those decisions and they will be able to take that into account in responding to the guidance. I shall move on—

Mr. Simon Hughes: Will the Minister give way on that point?

Mr. Denham: No, I will resist the hon. Gentleman. The hon. Member for Oxford, West and Abingdon (Dr. Harris) spoke for over an hour last night. *[Interruption.]* I may have been present for part of that discussion, and I think that it would be fairer to respond to the points that the hon. Member for Oxford, West and Abingdon has already made and with which I have not yet had a chance to deal.

I turn to new clauses 16 and 17, which would restrict the Secretary of State's freedom to take decisions about which medicines should be prescribable by general practitioners under the NHS. The Liberal Democrats are in a somewhat confusing situation: they are seeking to establish a patients forum to determine what drugs should be available on the NHS and, at the same time, they are tabling new clauses which would remove from any Government the ability to take decisions about which medicines should be prescribable.

Schedule 11 to the National Health Service (General Medical Services) Regulations 1992 lists drugs that can be prescribed under the NHS only in certain circumstances. For example, clobazam can be prescribed only for the treatment of epilepsy, not as a sedative or tranquilliser, but there are good reasons for that. Clobazam offers clinical benefit in treating epilepsy, yet it is a far more expensive sedative or tranquilliser than similar drugs which have the same properties. At current prices, a packet of 30 clobazam tablets costs about £10, but a similar-sized packet of diazepam costs no more than a few pence. It would be ridiculous, I suggest, to countenance the use of clobazam as a sedative when other equally effective treatments are available much more cheaply. The new clause would make it impossible for a Government to continue to use that provision.

That schedule, subject to parliamentary acceptance of the necessary regulations, will be used to restrict the prescribing of treatments for impotence from 1 July. In this instance, it is proposed that treatment will be available to categories of men with specified underlying organic causes of impotence.

New clause 17 strikes at the heart of the Government's ability to influence or control the costs of prescribing and would constrain even the Secretary of State's ability to issue guidance. He could not say to doctors, for example, "Think about the cost of this medicine when you are considering prescribing it." He could not even point out that an equally effective medicine was available at lower cost. That would be plainly absurd. It would also constrain his ability to make regulations that would either prevent GPs from prescribing things on the NHS or restrict the circumstances in which they should do so. New clause 17 would undermine the purposes of schedules 10 and 11 to the GMS regulations. The majority of the products in those schedules appear as a result of advice from two committees: the Advisory Committee on NHS Drugs and the Advisory Committee on Borderline Substances.

I hope that I have covered the core issues if not the detailed issues that have been raised. We were invited yesterday to agree that the NHS rations; I do not agree with that. We were also invited to agree that rationing is defined as sharing out in fixed quantities; that is precisely what the NHS does not do. We do not each have a fixed quantity of NHS resources. What we use and what we gain from the NHS varies according to our own life histories and ill-health. That is precisely the reason why we reject language that is used only by those who seek to undermine the NHS and put a private health service in its place.

Dr. Harris: I am afraid that that reply varied from disappointing to very disappointing. The Minister is usually correct in his facts, but during a debate, mainly on Liberal Democrat new clauses and amendments, lasting nearly six hours, I spoke for 45 minutes and took eight interventions—a greater number than he was able to take in his reply. I regret that he would not take the intervention of my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes), our Front-Bench spokesman, which he has been good enough to do in the past.

On new clause 4, it is clear that the Government are hiding their answer behind a consultation process. I believe that primary legislation—this may be our only opportunity to discuss this issue on that basis during the current Parliament—should take precedence over consultation. It will not do for the Government to try to hide their position behind a consultation process in which, according to the Minister himself—I think that he understood this point—there would be extremes of view. People, certainly including clinicians and patients' organisations, are desperate to know whether the Government are minded to allow guidance to come from a professional body on the basis of affordability or of overall costs. As the Government have not allowed us a separate debate, this is our best opportunity to find that out.

The Government say that it is for them to regulate on the basis of guidance from the institute—guidance which will bind neither them nor individual clinicians. We fear, however, that this Government or other Governments may say, "We must look at the guidance from the professionals. We would be foolish to ignore it." We are keen to ensure that a professional body—or, at least, a body that is informed by experts and by professional advice—is not forced by the Government to consider matters that should be solely the Government's remit, and that the Government are not allowed to hide behind such arrangements.

Mr. Simon Hughes: About a year ago, when the Government asked the health service pay review bodies what they wanted to do, the Government set a precedent by telling the pay review bodies that they must take account of cost before recommending the level of salaries. That is a bad precedent, but it look as if the Government will go down the same road in relation to advice on rationing.

Dr. Harris: My hon. Friend is absolutely right. Because the Government will not rule out that option, professionals and friends of the health service must look at the Government's form—and, as far as the NHS is concerned, the Government have previously sought to run away from their responsibilities for the fact that the service is desperately short of funds.

The Minister refused to answer another question, which was asked badly by the hon. Member for Buckingham (Mr. Bercow) but which I shall put in a different way. If the National Institute for Clinical Excellence has to look at just the effectiveness and cost-effectiveness of drugs and treatments, will it be able to criticise Government policy—such as the Government's obsession with waiting lists—on the ground that it is an ineffective and non-cost-effective use of resources? I shall be interested to see whether the Minister can tell us now that the institute will be free to criticise Government policy and priorities. His decision to remain seated suggests that the institute will not be free to do that, which is a great pity. New clause 14 sought to bring the institute into the public domain. We are pleased with the Minister's

[Dr. Harris]

response to subsection (1), but both the Government and the Conservative Opposition failed to understand that subsection (3) was intended to ensure that the patient's voice was heard in decisions about which treatments the institute would consider, rather than in decisions about whether the Government should engage in rationing. It is unfortunate that neither party decided to consider that. I am also concerned about the Government's response to new clause 16.

Mr. Hammond: Will the hon. Gentleman give way?

Dr. Harris: No. I want to finish my speech, and the hon. Gentleman has had plenty of time in which to speak.

Effectively, the Government are saying that new clause 16 would stop them from restricting the use of drugs as treatment for certain conditions when other treatment would be equally effective, both clinically and in terms of cost. Perhaps the new clause should have been drafted in those precise terms, but I am sure that the Government would have rejected it in any event. In the Minister's example, it was clear that the decision to restrict use of an anti-epileptic drug was based on its effectiveness, and relative cost-effectiveness, in certain conditions, rather than being based—as with the restrictions on the use of Viagra—on the original cause of the condition. That is highly discriminatory. In a similar manner, the Government wriggled out of the implications of new clause 17 by claiming that cost was the same as cost-effectiveness. Of course it is right for the Minister to be able to offer guidance on the use of a drug on the basis of cost-effectiveness, but the new clause refers to cost and affordability, so the Minister's answer does not wash. On the basis of all that, we shall press the motion to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 34, Noes 322.

Division No. 206] **[8.15 pm**

AYES

Allan, Richard
Beith, Rt Hon A J
Brake, Tom
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Forsythe, Clifford
Foster, Don *(Bath)*
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
Livsey, Richard
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Moore, Michael
Morgan, Alasdair *(Galloway)*
Öpik, Lembit
Rendel, David
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Smyth, Rev Martin *(Belfast S)*
Stunell, Andrew
Tonge, Dr Jenny
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Mr. Mark Oaten and
Sir Robert Smith.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*

Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Graham Allen.

Question accordingly negatived.

New Clause 7

INDEPENDENT REVIEW OF THE INCIDENCE OF DISCRIMINATION WITHIN THE NHS

'.—(1) The Secretary of State shall appoint an independent review to assess the extent of, and make recommendations to end, discrimination by the NHS on the grounds of age, disability, race, sex and sexual orientation in its capacity as—

(a) an employer, and;

(b) a provider of health services.

(2) In subsection (1) "independent" means having a majority of members not employed by the NHS or under the control of the Secretary of State.'.—*[Mr. Simon Hughes.]*

Brought up, and read the First time.

Mr. Simon Hughes: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 78, in clause 2, page 2, line 20, at end insert—

'(1A) Appropriate arrangements shall be made with a view to securing that a Primary Care Trust's functions are exercised with due regard to the principle that there should be no discrimination on the basis of age, race, sex and sexual orientation, except where clinically justifiable.'.

No. 83, in clause 18, page 23, line 23, at end insert

'with due regard to the principle that there should be no discrimination on the basis of age, race, sex and sexual orientation, except where clinically justified.'.

No. 80, in page 23, line 23, at end insert—

'(1A) The reference in subsection (1) to monitoring includes the monitoring by ethnic origin of individuals receiving health care.'.

No. 172, in clause 20, page 24, line 6, at end insert—

'(c) the function of assessing equality of access to treatment within the NHS of persons of different race, gender and age, of reporting on any such inequalities which it considers inappropriate and of making recommendations for their elimination.'.

No. 81, in page 24, line 18, at end insert—

'(1A) Appropriate arrangements shall be made with a view to securing that the functions of the Commission for Health Improvement are exercised with due regard to the principle that there should be equal opportunity for all people.'.

No. 79, in schedule 1, page 78, line 22, after 'effectiveness', insert 'and equal opportunities'.

No. 82, in schedule 2, page 84, line 5, after 'year', insert

', and such a report shall include an assessment of performance in relation to equality of opportunity'.

Mr. Hughes: Just so you, Mr. Deputy Speaker, and colleagues know, our plan is that, because we are now subject to the guillotine, we have literally just over an

[Mr. Hughes]

hour, and there are 22 groups of amendments that we would have liked to have got through. The first seven are led by new clauses that have been tabled by my hon. Friends and me. We hope to take a few minutes at most on any of the amendments, allowing time for a ministerial reply and for participation by our Conservative colleagues. We will divide on the important ones if ministerial replies are not adequate.

The issue is to do with discrimination in the health service. The straightforward proposition in new clause 7 is that there should be a review to examine and to make recommendations about ending such discrimination. All sorts of discrimination exist. Age discrimination is a recurrent issue and, until recently, people have been turned down for treatment because of their old age. My hon. Friend the Member for Twickenham (Dr. Cable) has persistently raised that issue in the House. Disability, race, sex and sexual orientation discrimination impact in two respects—on treatment and on staffing.

We have health inequality in Britain. It is often the people at the lowest end of the income scale—the poorest people in our society—who include those from minority ethnic communities, who do not receive as good health treatment as others. In relation to staff, persistent problems relate to the fact that some people—again, often from minority communities—find they do not get the same opportunities for promotion or for advancement in the health service as others.

At the top end of the staffing complement, the problem of discrimination relates to consultants. There is plenty of evidence to suggest that people who are black or Asian—often it is black people—have difficulty in getting senior posts. At the bottom end, that discrimination affects other posts.

The new clause and amendments simply follow up the debate in the Lords, which was led by my noble Friend Lord Clement-Jones, and the debate in the Standing Committee in the House, which was led by my hon. Friends. On both occasions the Government supported the principle behind our argument, but said, "Hang on. We need to look into things." We have tried to be constructive in response to that because we accept that there may be a need for information. The new clause simply says that if the Government are not willing to include a non-discrimination clause, they should at least set up an independent review. We need that because it is not provided in current NHS legislation or legislation dating back to the 1940s. There is regular Government resistance to placing non-discrimination provisions in legislation. It happened on the Greater London Authority Bill and it has happened again now.

The insertion of our new clause would bite on clause 2, which is about discrimination in primary care trusts. We believe that the primary care trusts now being set up should exercise their function with an explicit duty of non-discrimination. They will be a formal part of the health service and that duty should be written into their constitution. Amendment No. 79 to schedule 1 would have the primary care trusts report on their non-discrimination policy. Amendment No. 80 to clause 18 would provide a duty on the health service to monitor quality by ethnic origin. It is important to ensure that all ethnic groups receive equally good health care.

Amendment No. 83, also to clause 18, seeks to ensure non-discrimination in the exercise of the duty of quality. Amendments Nos. 81 and 82 relate to the Commission for Health Improvement—CHIMP—which is a body being set up by the Government and which we welcome in general terms. A mechanism for health improvement should function according to the principle of non-discrimination and there should be a report back on that.

8.30 pm

It is an issue of concern to the Commission for Racial Equality and bodies such as Age Concern. We hope that the Government will see our new clause 7 as a compromise. It says that we should have an independent review so that we can all have the facts and that it should be conducted in the context of the Bill. If the Government are not willing to do that and leave us with the promise of some inquiry at some time, with no certain date to report back and no absolute commitment in the Bill, we shall seek to press new clause 7 to a Division.

Mr. Hammond: The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has referred to problems of discrimination in the national health service in terms of employment and treatment. I intend to address the issue of discrimination in treatment because I believe that there is adequate legislation in place and adequate institutions in this country to deal with discrimination in employment. That does not mean that I am complacent about the effectiveness of those institutions in relation to the national health service, but my hon. Friends and I do not feel that the issue is necessarily appropriate for primary legislation. The Minister has an arsenal of weaponry at his disposal and the Secretary of State has already made it clear that he considers this to be an important issue and we support him in that.

As I understand its wording, new clause 7 offers a one-off approach to discrimination. It requires an independent review and a single report of its recommendations. It is a rather indiscriminate approach to the problem of discrimination. Unlike amendments Nos. 78 and 83, also tabled by the Liberal Democrats, there is no concept in new clause 7 of distinguishing between discrimination which is clinically justified and pejorative discrimination which is not and cannot be justified.

The Conservative party's approach to the problem of discrimination in treatment is enshrined in amendment No. 178. Rather than tabling a new clause, for tactical reasons we have sought to address the problem by amending the Bill. That seems a better way of dealing with an issue if it is possible to do so. Our amendment would make it one of the functions of CHIMP to assess equality of access. It would place a duty on it to make recommendations. That would be a permanent duty—a continuing process. Amendment No. 172 clearly acknowledges the distinction between appropriate and inappropriate discrimination.

Equality of access to treatment, at least in theory, is or was—until the Secretary of State's recent decision on Viagra—one of the fundamental principles of our national health service. I said last night in the debate that I believe strongly that the Government have crossed the Rubicon with the proposed rationing arrangements—or limitation on availability, as the Minister would prefer to call it—for Viagra.

As the hon. Member for Southwark, North and Bermondsey said, the issue was debated in another place, and Baroness Hayman said that she would give further consideration to the amendments tabled in the other place. She also said that the Government would investigate the best way of taking "the points forward". Although I accept that the Government may determine that the best way of taking those points forward is not in primary legislation, as far as I am aware we have not yet heard anything from them about the outcome of their deliberations after that commitment was made by Baroness Hayman. Perhaps the Minister will tell us the current state of the Government's thinking on the matter.

It seems to us that discrimination in itself presents a problem for the Government, because of the inevitable link to the problem of rationing—the taboo word. Clearly, there should be no discrimination on the grounds of a patient's race, for example, when there is no clinically justifiable reason for such discrimination. It is equally obvious that there will be occasions when it would be absurd not to discriminate on grounds of gender or race in seeking to design appropriate screening programmes, for example, in which one should consider groups at risk and, inevitably, exercise some form of discrimination. We must be careful, therefore, not to fall into the trap of thinking of discrimination only in its pejorative sense.

In considering the problem, and in the context of the overall limits on resources available for health care delivery, I wonder what it means to say, "There should be no discrimination on the grounds of sex unless it is clinically justifiable." The point is directly connected to the question that I asked the Minister in the previous debate on the cost-effectiveness of treatments for a single condition, the cost-effectiveness of treatments for different conditions, and on a comparison of the two. What would a direction against discrimination on grounds of sex tell us, for example, about the allocation of resources to the diagnosis of breast cancer or of prostate cancer?

Within an overall resource constraint, enhancing a service provided to one person inevitably will involve curtailing a service provided to another. We seek, and have always sought, to ensure that that should be done by a rational process, eliminating discrimination in its pejorative sense—as irrational and unjustified discrimination—and ensuring that there is transparency in prioritisation and resource allocation.

If the Government were to admit both the existence of and continuing need for rationing in the national health service—so that we could have a mature debate about the criteria by which resources should be allocated, and the proper discrimination that should be introduced, when appropriate, in allocating health care resources—we should be able to evaluate objectively the competing claims of different treatments and of people with different conditions for limited health care resources. We might then have a clinically credible system for prioritising access to health care.

I tell the hon. Member for Southwark, North and Bermondsey and some other Liberal Democrats Members—such as the hon. Member for Twickenham (Dr. Cable), who has been very concerned about the issue of age discrimination—that I believe that it is perfectly possible that a clinically credible system for prioritising access to health care would prioritise treatment for an otherwise healthy 30-year-old above the same treatment for an 80-year-old who was in generally poor health. In other words, I suspect that any clinically credible system would, or might, include an element of discrimination on age grounds. However, such discrimination would have to be clinically justified and justifiable, and I should like it to be done transparently and openly.

Sir Robert Smith (West Aberdeenshire and Kincardine): I caution the hon. Gentleman against being trapped into stereotypes. Research has shown that those beyond a certain age have a statistically greater ability to survive some treatments than younger people, who have yet to be hit by a range of illnesses. People who do not survive those illnesses will not reach an older age. It is important that there is no prejudice in that clinical judgment.

Mr. Hammond: I accept the hon. Gentleman's words of caution. The issue is not just the ability to survive a treatment. When considering the allocation of health care resources to different priorities, Ministers, the National Institute for Clinical Excellence or whoever is responsible will want to consider what benefit the patient will accrue from the treatment as well as the cost. Such a consideration may introduce legitimate and clinically justifiable discrimination on the grounds of age in certain circumstances. I raise that issue to distinguish between discrimination in the pejorative, everyday sense and discrimination that is backed by clinically justifiable reasoning.

If the Government overcame their taboo on talking about rationing we could address the issues. We would find that part of the debate about discrimination, particularly age discrimination, merged into the debate on rationing. We would then be able to identify the discrimination in the system—I accept that there is some unjustifiable discrimination—and focus on tackling it. We could do that within the health service structure that the Minister and his colleagues have put in place by imposing a further permanent duty on CHIMP, as proposed in amendment No. 172. I acknowledge that new clause 7 is well meaning, but amendment No. 172 would be a better way to address the problem if primary legislation was considered necessary.

Mr. Denham: Equal opportunities for those who work in the NHS and for those who need its services has been an important and recurring theme in our debates on the Bill in Committee and in another place.

The new clause and amendments pursue that theme in the context of some of the new developments in the Bill: primary care trusts in amendments Nos. 78 and 79; the duty of quality in amendments Nos. 83 and 80; and CHIMP in the other amendments. I have explained why that piecemeal approach to legislation, bolting specific provisions about aspects of equal opportunities on to some parts of the NHS framework, is not the best way forward.

If we are to legislate, we should address the NHS in the round. However, such an approach requires careful consideration and would need to look beyond the NHS, taking account of developments across Government and the importance of a consistent approach across the range of public services. For example, we are working closely with the Home Office on planning the way forward on race equality in the light of the recommendations of the

[Mr. Denham]

Macpherson report on the Stephen Lawrence inquiry. On that front, the Race Relations Act 1976 would provide the route for legislative change. Such issues must be taken seriously.

I am happy to reaffirm our commitment that there must be no place in the NHS for discrimination on grounds of age, gender, race, religion, sexual orientation, or disability. That is more than just a statement. We shall continue to scrutinise the NHS's performance against that commitment as an employer and in the service that it offers to patients. I shall set out in a moment the areas in which there has been activity. Looking back over the debates in another place and especially in Committee, it seems that there has been a tendency for the suggestion that we are doing nothing to go unchallenged—that would be my fault—whereas that is clearly not the case.

8.45 pm

The new clause proposes an independent review to consider these issues. I am not sure that such a review is the right next step; indeed, there is a real risk of putting practical action on hold while efforts are diverted to support what would inevitably be a massive and all-embracing review. Equal opportunities and work against discrimination must be embedded in our total way of working, rather than being treated as a separate and one-off activity. What matters is that our total programme for the national health service should reflect the drive to eliminate discrimination and promote equal opportunities that has been the theme of this short debate.

Let me outline some of the steps that we are taking. On employment, our human resources framework for the national health service, known as "Working Together", sets action on equality in the workplace as a priority. By April 2000, all local employers will need to have policies and procedures in place to tackle harassment by staff and service users and they must also make progress on family-friendly policies.

We are carefully considering our whole approach to equality following the Macpherson report. We are working with the Home Office and other Departments to ensure a systematic response across Government. Last year we commissioned and published a survey of all national health service trusts in England to examine progress in equal opportunities so that we could establish a base-line against which to measure progress and set targets to raise standards.

Since coming to power, we have launched an NHS-wide development programme, known as "Positively Diverse", which is encouraging recruitment and development of staff from local communities. That has been underpinned by an audit covering about 76,000 staff from the organisations concerned, to provide valuable information about their experience and to help to inform local action plans.

We have signed up the national health service to the Commission for Racial Equality's leadership challenge programme. Forthcoming guidance will cover positive approaches to the employment of disabled people. The national health service is a member of the Employers Forum on Age and two thirds of national health service trusts specifically include age in their equal opportunities policy statement. We intend to publish an equalities framework document later this year to ensure that equality and diversity are mainstream issues for the national health service. That will be supported by equality indicators so that the activities of the national health service as an employer can be kept under constant review.

Both the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and the hon. Member for Runnymede and Weybridge (Mr. Hammond) spoke about access to health care. Action on inequalities is a central theme. We are facing up to inequalities in health. We are the first Government to do so in a long time. We launched the Acheson inquiry on health inequalities, which we shall draw on in the public health White Paper, "Our Healthier Nation", which we shall publish shortly.

We are committed to ensuring fair access to consistently high standards of service, in accordance with need. As part of the comprehensive spending review, we commissioned a systematic review of the research into equality of access in the national health service. That research concluded that evidence of systematic discrimination is relatively limited, but that there are some areas of health care in which access has not been equal.

It will not surprise a well-informed gathering this evening that those areas include primary care services in the inner city; mental health services, in which there is evidence of particular problems for black and Asian people with mental health needs; and coronary revascularisation, in which people were less likely to be referred for treatment if they were poorer, older, female, or black or Asian. That work is further evidence of our commitment to understanding the problem and taking action.

Tackling such inequalities is a key issue for the new health action zones, for health improvement programmes and for primary care groups and, in future, trusts, as they begin to look in depth at the needs of their populations and better align their resources with those needs. The first national service frameworks will set national standards for coronary heart disease and mental health and will enable a rigorous approach to tackling inequalities. The next national service framework will cover older people and will of course need to tackle the important question of access to services.

The Commission for Health Improvement will look carefully at the issue of access to health care, within its overall remit for monitoring and supporting the NHS's progress in improving quality of care. I would expect that to be an important theme as the commission reviews action on the national service frameworks, for example, and the development of clinical governance. One issue would be whether groups within the population are receiving the sorts of treatment that the evidence suggests they should. That is an important issue, because fair access is one of the six themes of the NHS performance assessment framework. The framework recognises

"that the NHS's contribution must begin by offering fair access to health services in relation to people's need, irrespective of geography, socio-economic group, ethnicity, age or sex".

That is one of the six criteria by which the NHS's performance will be assessed in future.

Mr. Hammond: Given what the Minister has just said, would not accepting amendment No. 172, and thus including a specific duty for CHIMP, send an important and valuable signal?

Mr. Denham: I have considered the amendment carefully, but I concluded that it was not necessary. As I

have said, several of the normal aspects of the commission's work in reviewing the development of clinical governance will require to consider issues of access. That will apply especially to its consideration of the national service frameworks. It would be within the power of the Secretary of State to request the commission to carry out a specific study of access issues, should that be necessary. However, to introduce a standing requirement would be unnecessary in the context of the way in which the commission will work.

We are committed to implementing section 21 of the Disability Discrimination Act 1995 in the NHS and will shortly issue to the NHS a report on that by Disability Matters, including a proposed action programme for the NHS that will be informed by the views of service users as to priorities. We shall also issue a template to help the NHS audit its premises for their accessibility for disabled people. A range of development work is also under way to assist the NHS in making fair access a reality.

I have listed just some of the wide range of action under way. As I have explained, much has already been done to improve our information and understanding about how the NHS treats its staff and about the experience of patients. Equal opportunities is integral to our programmes of modernisation. With equality indicators and the performance assessment framework, we shall be able to track progress more systematically than in the past.

I believe that it is right to concentrate efforts on seeing through that substantial programme of change. In response to the debates in the other place and in Committee we reconsidered the question of legislation as proposed in some of the amendments. I set out earlier why I do not believe that a piecemeal approach to the introduction of legislation is the right approach. A more fundamental approach would need to take into account more important considerations across Government.

Mr. Simon Hughes: I am listening carefully to the Minister's speech. Is he willing to consider making a start by introducing legislation that would cover all NHS activity? I understand his point about the considerations across Government, but will he consider introducing legislation in the next parliamentary year to ensure that those who felt that they were being discriminated against in NHS treatment would be able to raise that under legislative provision?

Mr. Denham: I always wish to be helpful, but I do not believe that I can make a commitment to bring forward, in the next parliamentary year, legislation such as the hon. Gentleman seeks. As the House will understand, I fear that I could get into deep trouble for making a commitment to introduce any legislation in the next parliamentary year.

At the beginning of my remarks I was careful to set out the difficulty. Use of the Race Relations Act 1976 may be the right response to the Macpherson report, but we need to ensure consistency across Government. We must choose the right legislative approach in connection with other areas of discrimination, and to deal with the NHS specifically would contradict that.

Although a specific review would not be the right way forward, I assure the hon. Gentleman that we shall continue to keep the performance of the NHS under close review, in the way that I have described. We shall listen carefully both to those who work in it and those who receive our services.

Mr. Hughes: The NHS is the largest organisation in the country. I do not dispute that the Government's intentions are good, and the Minister has set out their programme of work. Whether that will guarantee sufficiently soon that complaints about unfair treatment can be taken up with some prospect of success remains to be seen. I accept that that is more important in connection with the service provided by the NHS than with the employment that it provides, as other provisions are more effective in that regard.

Because so little time is left, and although I am seriously not happy, I hope that I will be able to speak to the Minister when this debate is out of the way. I shall also ask those of my colleagues who deal with Home Office affairs to meet the Minister's colleagues in the Home Office. I believe that a way forward exists, and that a provision governing the whole of the NHS would be better than one that covers only part of the organisation.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 8

HEALTH CARE AND ENERGY EFFICIENCY SCHEMES

"(1) It shall be the duty of every Health Authority and Health Board to prepare, and to consider at least once a year, a report on

(a) the benefits; and

(b) the practicality

of setting up and funding a health care and efficiency scheme in their area, and every report shall specify those measures that the Authority or Board consider should be taken in order to alleviate fuel poverty in their area.

(2) In subsection (1)

"fuel poverty" means the inability to afford adequate warmth because of the inadequate energy efficiency of a home;

"health care and efficiency scheme" means a scheme for enabling or assisting persons suffering from fuel poverty to heat their homes more efficiently." *[Sir Robert Smith.]*

Brought up, and read the First time.

Sir Robert Smith: I beg to move, That the clause be read a Second time.

The new clause rehearses a proposal in the Health Care and Energy Efficiency Bill, my private Member's Bill whose Second Reading has been begun but adjourned. Given that that Bill will run out of time, the new clause gives the Minister an opportunity to outline how he will deal with this important matter.

The new clause would help health authorities to implement the results of the pilot schemes that have already been held and to help people who suffer health problems as a result of such factors as damp and poor insulation in their housing. I hope that the Minister, when he replies, will set out the Government's approach.

My office and the Department are trying to set up a meeting in connection with my private Member's Bill, which the Department of the Deputy Prime Minister has said it is seeking to improve. Obviously I welcome that, but it is important to hear what the Government intend

[Sir Robert Smith]

to do. Some successful schemes have been carried out, and best practice should apply across the country. I hope that the Minister will say how the Government plan to do that.

9 pm

Mr. Hammond: The hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith) has been remarkably successful in persuading his colleagues to allow him to put forward his pet project for consideration under the Health Bill. Many hon. Members have followed with interest the progress of the hon. Gentleman's Health Care and Energy Efficiency Bill. We all understand that energy efficiency and fuel poverty are important. We must ask, however, whether the Bill is the right way to deal with those problems. Is the national health service budget the correct budget with which to finance solutions?

We all appreciate the benefits that would be derived from energy efficiency. It is ironic, therefore, that the Government claim credit from the rooftops for having reduced VAT on fuel—while anyone who wanted to stimulate energy efficiency and fuel conservation would not conventionally seek to reduce prices.

The difficulty is that the Liberal Democrats appear to propose that we should spread further and more thinly an already overstretched NHS budget. They are fond of telling us that they will deal with the financial consequences of their proposals by adding an extra penny to income tax, but it is clear that that would not even begin to pay for the problems facing the NHS. If more and more responsibilities are to be included in the NHS remit, it will become even less likely that any Government can conceivably make available a budget capable of dealing with all those responsibilities.

There may well be a link between poorly heated homes and demands for health care. I do not deny that, and I am sure that the hon. Member for West Aberdeenshire and Kincardine could produce evidence to support that view. However, the link is relatively distant. The hon. Gentleman sought to suggest that the NHS would be making an investment that would save money by reducing demand for health care, but I do not believe that that would work.

Sir Robert Smith: Does the hon. Gentleman realise that for many of the pilot schemes the investment would amount to no more than the production of leaflets so that the general practitioners could ensure that patients who suffer winter illnesses that are clearly exacerbated by housing conditions could have access to resources already available to other schemes for home improvements? The proposal would mean joined-up Government, linking Departments that provide solutions with Departments that would benefit from them.

Mr. Hammond: If I had thought that the new clause would finance only the production of a few leaflets, I would have felt little need to debate it. I thought that the hon. Gentleman wanted rather more substantial intervention.

I do not deny that there is a link between poorly heated, energy inefficient homes and demand for health care. However, the NHS is not equipped to invest in order to secure reductions in demand, particularly in cases in which no straightforward causal connection is immediately clear. If the NHS had resources for such investment, many direct preventive treatments exist in which it is currently unable to invest. That would bring a quicker and more direct payback to the NHS.

I am not sure why the hon. Gentleman has focused on energy efficiency. Why not focus on diet, suggesting that health authorities should be responsible for subsidising good eating habits? Why not focus on life style, or even on driving technique? It may be possible to make a case that improved driving technique would reduce the health care consequences of road traffic accidents. The hon. Member for Dartford (Dr. Stoate) appears to find that extraordinary. He may be right to think that it is stretching the point somewhat.

The NHS budget is faced with so many other demands, with so many patients who cannot get the treatment that they need or want, and with ever growing real waiting lists. People in the real world outside this place would simply not understand our motivation if we spread the limited budget still further and made the NHS responsible for doing things that are no doubt worthy and should be done but are not its proper responsibility.

The NHS must focus its effort. It is struggling to do its job—even the Minister would not deny that. It is an uphill struggle to meet the rising tide of expectation for health care. The Liberal Democrats appear to want to divert resources that are already inadequate to meet the demand to what should be another remit altogether.

The Government's position is interesting. Various Ministers and Labour Members have made their position on the Health Care and Energy Efficiency Bill clear. The Under-Secretary of State for Health said that he supports the aims expressed in the early-day motion, which more than 100 Labour Back Benchers have signed. He did not sign it, of course, but he wrote to constituents expressing his support.

Sir Robert Smith: Is the hon. Gentleman aware that Conservative Members also supported that Bill?

Mr. Hammond: I am sure that the hon. Gentleman is right, but he should be cautious. He will recall that in Committee he accused my hon. Friend the Member for Rutland and Melton (Mr. Duncan), who was then shadow Minister of State for Health, of having offered the Opposition's support for the Bill during its passage. Having checked the record, the hon. Gentleman was forced to withdraw that remark.

The Minister for Public Health also apparently supported the moves that the hon. Gentleman introduced in his Bill, in a speech to her constituents, so I will be interested to find out the Government's position, not on the wisdom of introducing energy efficiency measures or even the link between energy efficiency in homes and demand for health care, but on the crucial issue raised by the new clause: should responsibility for insulating people's homes—ensuring that they have energy efficient homes— be taken on by the Department of Health and bodies within the NHS in addition to the huge burdens that they already carry? They have their work cut out; they do not need any additional burdens.

Mr. Denham: I recognise the concern that the hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith) expressed about fuel poverty and its impact on health. The Government take that matter seriously.

I shall explain why the action that the Government are taking nationally, coupled with the framework for local action now offered by health improvement programmes, offer the right way forward. It is important to clarify the Government's position and the suggestion that the Deputy Prime Minister supported the Health Care and Energy Efficiency Bill. I am advised that, on 26 May, my right hon. Friend the Deputy Prime Minister wrote to the hon. Member for Newbury (Mr. Rendel), who had put the original question. My right hon. Friend made it quite clear that the Government were not able to support the Health Care and Energy Efficiency Bill, so it would be a little wrong to suggest that we were attempting to improve the Bill of the hon. Member for West Aberdeenshire and Kincardine.

In relation to what the Government have done, we have, of course, reduced value added tax on fuel and on energy saving materials so that people can more easily afford to keep warm and insulate their homes. We realise that many pensioners currently face particular difficulties; that is why in the March Budget, my right hon. Friend the Chancellor of the Exchequer announced an increase, from this winter, in the annual winter fuel payment to £100 for more than 7 million pensioner households. That is also why the minimum income guarantee was introduced through income support from April this year. We have released substantial additional funds to help to improve our housing stock; in total, about £5 billion is being made available over the lifetime of this Parliament for investment in housing.

In addition, we set up a review across Government of policy on fuel poverty, which included discussions with more than 60 organisations that are expert in that field. Last month, the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Mansfield (Mr. Meale), published our proposals for action in the document "Fuel Poverty: The New Home Energy Efficiency Scheme". The Government have invited views on those proposals and we aim to have the new programme in place by April 2000. With the additional £150 million made available following the comprehensive spending review last year, the new home energy efficiency scheme will have a total budget of nearly £300 million for the first two years. An important body of national action is already well under way.

In relation to the scope for local action, clauses 26 to 32 of the Bill establish a framework for equally wide-ranging action on inequalities at local level. In particular, clause 28 requires a health improvement programme to be prepared in every area. Clauses 29 to 31 introduce new flexibility as to funding and operational arrangements at the boundary between the NHS and local authorities, where that will help to promote the health of local communities.

Health improvement programmes bring together all parts of the NHS, local government, local communities and their representatives, local employers, businesses, schools, and so on, to develop and implement plans to improve local health and health care. The programmes are not merely about improving services; they will also involve broadly based action to tackle the wider determinants of ill health. Although a contributor—possibly a substantial one—to health improvement programmes will be the NHS itself, not all the actions identified for a health improvement programme will be funded or developed by the NHS. Other partners, especially local authorities, will play an important role—as will voluntary bodies.

I resist the idea suggested by the hon. Member for Runnymede and Weybridge (Mr. Hammond) that we should try to maintain some sort of Berlin wall between the part of the health service that treats ill people and the action taken by the NHS and other partners to try to tackle the causes of ill health. Of course it is important to use money efficiently and effectively; however, I do not accept the absolute separation that the hon. Gentleman seemed to suggest. He will know from our debates in Committee that we believe that the health improvement programme and the new flexibility between the health service and local authorities introduced by the Bill are extremely important. They will enable new forms of joint action. There will be increased scope for funding transfers between the NHS and local authorities—not only across the boundaries between the NHS and social services, but on a wider front in matters such as housing, where that will best advance local health and well-being. There will be new ways of working together—through pooling budgets, for example.

Mr. Hammond: I have listened to the Minister's remarks. Does he not think, however, that there will be great difficulty in explaining to the public why waiting lists are getting longer, why more treatments are ceasing to be available, and why the NHS is not allowed to prescribe drugs, if he is seen to be diverting resources from the provision of treatment for people who need it to long-term solutions that are one step removed from the immediate health care agenda?

9.15 pm

Mr. Denham: That very much depends on the type of intervention and the use of money involved. Let me give the hon. Gentleman an example—one of which, I confess, I became aware only when preparing for the debate—so the hon. Member for West Aberdeenshire and Kincardine can think that he has achieved something. From my knowledge of the case, it appears to be a reasonable use of resources by a health authority, although it will obviously have to be compared with others.

The scheme was run by the Cornwall and Isles of Scilly health authority and involved a grant of £300,000 being made to councils to fund central heating and insulation improvements in homes occupied by families with children who suffer from asthma. The health authority took the view that the poor health of the children selected was directly connected to the cold, damp houses in which they lived. The improved homes housed 108 children suffering from asthma. Provisional results for 71 children show that, before the improvement, 68 children slept in an unheated bedroom and 43 in a damp or mouldy bedroom; those numbers fell to three and 15 respectively. Significantly, there was an improvement in the respiratory symptoms suffered by the children with asthma and a significant reduction in the number of school days they lost because of asthma.

I have not studied the scheme or assessed it for myself, but I should not like to rule out intervention of a sort that not only brought noticeable benefits to the children in health terms, but that, by reducing the number of school days lost due to asthma, helped to tackle some of the

[Mr. Denham]

consequences of ill health. In our programmes to tackle social exclusion, the Government try to join up such factors. If children cannot go to school because they are too ill, they are less likely to get a good job; they are more likely to be ill because of unemployment and so more likely to add to the costs of the health service.

Everyone involved will have to consider how to use funds prudently. Health improvement programmes involve health authorities and local authorities, which have their own capital resources and which benefit from the release of capital receipts. I hope that that framework will enable the creation of partnerships that identify which organisation is best able to invest, because it seems to me that interventions of the sort I have described can bring significant benefits. A scheme in Birmingham focused on improving the heating and insulation of homes to reduce occupants' risk of ill health and hypothermia. The scheme was targeted on people who were recipients of benefit and who were at risk of hospital admission; they were referred by their GPs, who advised directly on the likely health gains.

The new flexibilities the Bill will allow will make it easier to support staff working at the interface between health and housing, and help health authorities and local authorities to respond to the needs of local people in the round. They will enable the NHS and local authorities to think more inventively, to develop innovative solutions to long-standing problems and to use local resources in new and imaginative ways. Local action on the wider determinants of ill health might cover a wide range of issues, including fuel poverty; housing and the environment; action such as the sure start initiative, which brings health, social services and education together to give young people a better start in life; and access to good and affordable food.

My reason for directing the hon. Gentleman's attention to health improvement programmes rather than accepting the specific measures that he proposes is that an important principle of the health improvement programme approach is that it should combine concerted action on national priorities with a focus on the most pressing local concerns. The scale and impact of fuel poverty is likely to vary from area to area: an area with a large elderly population and poor housing might want to give the issue very high priority; in other areas, fuel poverty might be a lower priority for the health improvement programme.

It is right that there should be local flexibility, so I see no case for prescribing a mandatory, annual review process to tackle fuel poverty alone. I point out that, if this were to become a matter of such overwhelming importance that universal action was required across the health service, clause 28 allows the Secretary of State to issue directions about the matters to be dealt with by health improvement programmes and their form and content.

It is encouraging to see the enthusiasm with which local partners are already responding to the challenge of improving health and tackling inequalities. I have provided some relevant local examples already. I believe we are right to allow local flexibility of approach, and I do not believe the case has been made for mandatory local reports on energy efficiency matters—still less that those reports should be repeated annually. While I recognise and respect the hon. Gentleman's commitment to action on fuel poverty, I hope hon. Members will agree that the Government have introduced the correct framework for national and local action and that new clause 8 is neither necessary nor appropriate.

Sir Robert Smith: I thank the Minister for that response. Conservative Members should examine the Cornwall and Isles of Scilly scheme. If my briefing is correct, that scheme was established in 1995–96—so there was a time when people recognised the need to break the cycle of ill health. We must not believe that we can never step outside the health service to tackle the causes of illness. We must recognise the causes if we are to break the cycle of despair about ill health that is putting such a drain on our health service. If the Minister becomes aware of health schemes, he will monitor their conduct. He will ensure that they deliver and that the quality of the nation's health improves.

I recognise that we are about to discuss other important issues, so I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 13

HEALTH AND SAFETY OF NHS DOCTORS

"In paragraph 6(2) of schedule 2 to the National Health Service and Community Care Act, 1990, after subparagraph (f), there is inserted—

"(g) the duty to implement safe working patterns for all doctors in the training grades, including—

(i) abiding by nationally agreed maximum average hours of duty, minimum periods of rest between duty periods and continuous periods off duty, and

(ii) allowing sufficient time for appropriate training, formal education and study.".'—*[Dr. Harris.]*

Brought up, and read the First time.

Dr. Harris: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss the following: New clause 28—*Regulation of doctors' working hours*—

'The Secretary of State shall, prior to 31st March in each year, make regulations which shall have effect from the following 1st January for a period of twelve months, laying down—

(a) the maximum average number of—

(i) working hours, and

(ii) on call hours

that may be worked by hospital doctors in the training grades,

(b) the maximum average number of—

(i) working hours, and

(ii) on-call hours

that may be worked by hospital consultants; and

(c) a definition of "working hours" and "on-call hours" for the purposes of paragraphs (a) and (b) above.'

Amendment No. 180, in clause 18, page 23, line 23, at end insert—

'(1A) It is the duty of each Health Authority, PCT and NHS trust to put and keep in place arrangements for ensuring the safety and health of staff and patients.

(1B) In pursuance of the duty defined in subsection (1A) above each body shall prepare, publish and implement a plan to reduce to a safe level the hours worked by doctors in training grades and shall review the implementation of that plan annually and publish the result of that review.'.

Dr. Harris: These important new clauses go to the heart of what the health service is about. They address the

problem of junior doctors' hours of work and adequate rest and training. We have also chosen to table an amendment that seeks to place a duty upon the health service in line with its health and safety requirements. The hours worked by junior doctors affect not only their own health and safety but that of patients who are in endangered by inexperienced, over-tired doctors. The well-being of inexperienced junior doctors is threatened by the length of time that they are asked to work and the intensity of that work, which is often undertaken at extremely unsocial hours.

The basis of this new clause is unarguable. It is important that patients and staff are protected from bad working conditions. The Government are failing in their efforts to reduce the hours worked by junior doctors. We must look after our health service workers. An earlier group of new clauses that we have not had time to discuss pointed to huge staff shortages in certain medical specialties. That is due partly to the low morale of junior doctors who choose to forsake the NHS for other areas of medicine and to pursue areas of professional practice other than medicine—often in other countries. The evidence is clear from research collected in Oxford and elsewhere and from polls of doctors.

Something must be done because the status quo is not adequate. By legislating in this area, the Government would stress to the health service that this issue must be a top priority. If they do not address this problem, the Government's other objectives will be unattainable. It is inadequate for the Government to respond by saying that the need to protect the NHS from a shortage of junior doctors means that it will take another nine years to implement a new deal that was agreed nearly nine years ago. One way to guarantee that there will be a shortage of junior doctors is to fail to tackle that problem.

Many hon. Members and most people in the country would agree that 56 hours work at the coal face is far too much, yet that is what we are asking of inexperienced junior doctors.

Dr. Howard Stoate (Dartford): Will the hon. Gentleman give way?

Dr. Harris: No, I shall not. I know of the hon. Gentleman's keen interest in this matter because he went through that training too, but other hon. Members want to speak and we have only seven minutes before the debate will be guillotined.

It is critical that we recognise that even 56 hours of work are too many and that the rest periods—which are such an important part of the new deal that now seems like an old deal—are implemented as quickly as possible.

Mr. Simon Hughes: I appreciate that my hon. Friend is pressed for time, so I shall be brief. Does he accept that health and safety considerations are a particular reason why the Government should now legislate to restrict junior doctors' hours to an acceptable maximum? The health service is increasingly afflicted by claims of negligence and inadequate performance by its professional staff. The best way immediately to reduce the number of claims would be to prevent the risk of them arising by reducing doctors' hours.

Dr. Harris: That is absolutely right. In purely financial terms, the costs of litigation alone must mean that it is a false economy to work junior doctors so hard for so long, let alone the costs of training doctors who leave the NHS, often because of health concerns arising from overwork.

I should also point out that part-time trainees—who work flexibly and often because they have family commitments—work 40 hours a week, and they are paid at half-rate for many of those hours. Not only are their hours much longer than most people would consider to be part-time, but they are paid less for their work.

It is important that the Government accept the new clause because they are faced with the results of a ballot of junior doctors who, it would appear from the polls that have been taken, are intent on taking industrial action. I became a junior doctor in 1991, and laboured under the worst excesses of the previous Government. Morale was pretty bad at times then, but I never knew of a situation such as this, in which, according to some polls, 95 per cent. of junior doctors would consider industrial action.

That is not to say that the Government are failing in this area more than the previous Government did, but this Government raised expectations enormously, to the extent that when the then Minister first appeared before a junior doctors' conference, a few of them were naive enough to give him a welcoming ovation. A Minister would not now dare to put his foot in the door of the British Medical Association when the junior doctors committee was meeting there, for fear of endangering his safety.

The Minister has to act quickly; otherwise he will find that junior doctors not only vote with their feet to realise their career intentions outside the NHS, but vote to take industrial action. None of us wants that to happen.

I am conscious that time is short, but I want to make one more point. I have been a junior doctor within recent memory, and I know that there is nothing more fearful and stressful for a junior doctor than being tired and inexperienced and faced with the responsibility of looking after scores of patients at night. The Minister must not regard lightly the effect on junior doctors of years and years of such stress. They thought at first that salvation was at hand, but now find that not only have the Government done nothing to tackle the problem, but they have gone behind their backs to the Council of Ministers in Europe, seeking to increase their maximum working hours.

The Government's record on this matter is one of failure to implement the existing deal, of neglect of junior doctors' health and that of the patients whom they look after, and of letting down junior doctors by negotiating in Europe, behind their backs, longer working hours and a longer period in which to reduce those hours. On that basis, I urge the House to support the new clause.

Mr. Denham: I have just a couple of minutes to make it clear that we are firmly committed to improving junior doctors' working and living conditions under the new deal. In reaffirming that commitment, we have promised to fund the regional task force for as long as it is needed.

It is wrong for the hon. Member for Oxford, West and Abingdon (Dr. Harris) to say that we have failed. We introduced tough new standards last December to safeguard the quality of rest that juniors get. As expected, that has had a significant effect on the level of compliance with the revised new deal target. I shall say more about that in a moment.

[Mr. Denham]

We have issued guidance whereby the postgraduate deans will approve posts as suitable for doctors in training only if trusts are working with task forces to ensure compliance with national controls and if they are providing acceptable living conditions. We are also committed to improvements in catering and accommodation for junior doctors. We are working closely with the medical profession and NHS managers to promote higher standards in those areas.

Mr. Hammond *rose—*

Mr. Denham: The hon. Member for Oxford, West and Abingdon raised some important points, to which I want to respond in the short time available to me. He tabled the lead new clause, and he has the right to a reply. It is not my fault that the hon. Member for Runnymede and Weybridge (Mr. Hammond) did not get his act together, although he now claims to speak for junior doctors.

I acknowledge that there are concerns among junior doctors. I met junior doctors last week—the second time that I have met them. We had constructive discussions. It was not a fearful meeting at all. There are issues that we want to continue to discuss with them, and one of those is continuing progress on the new deal.

The tougher standards for rest breaks that we introduced last December with the agreement of junior doctors do not mean that any doctors are necessarily working any longer. They mean that the quality of the rest period is higher. The way in which compliance is assessed has been agreed by all the signatories to the new deal, including the junior doctors committee.

We accept that there remain—

It being five hours after the commencement of proceedings on the Allocation of Time motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the clause be read a Second time:—

The House divided: Ayes 154, Noes 337.

Division No. 207] **[9.32 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baker, Norman
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Keetch, Paul
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Morgan, Alasdair *(Galloway)*
Nicholls, Patrick
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Sir Robert Smith and
Mr. Michael Moore.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben

Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*

Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Graham Allen.

Question accordingly negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 5

PRIMARY CARE TRUSTS: PROVISION OF SERVICES ETC.

Amendments made: No. 7, in page 8, line 32, after 'services' insert '(including accommodation)'.

No. 8, in page 8, line 44, after 'accommodation' insert 'or services'.

No. 9, in page 8, line 47, at end insert 'or services'.

No. 10, in page 9, line 4, after 'accommodation' insert 'or services'.

No. 11, in page 9, leave out line 17.—*[Mr. Denham.]*

Clause 9

INDEMNITY COVER FOR PART II SERVICES

Amendment made: No. 12, in page 13, line 23, after 'below', insert 'and".'.—*[Mr. Denham.]*

Clause 10

REMUNERATION FOR PART II SERVICES

Amendments made: No. 13, in page 15, line 5, leave out from 'he' to end of line 10 and insert—

'(a) shall consult a body appearing to him to be representative of persons to whose remuneration the determination would relate, and

(b) may consult such other persons as he considers appropriate.'.

No. 14, in page 15, line 18, leave out 'revised' and insert 'varied'.

No. 15, in page 16, line 39, leave out 'revocation or revision' and insert 'or revocation'.

No. 16, in page 17, line 5, leave out subsection (4).—*[Mr. Denham.]*

Clause 11

LOCAL REPRESENTATIVE COMMITTEES

Amendments made: No. 94, in page 17, line 15, leave out from 'area;' to 'the' in line 16 and insert—

'(b) those medical practitioners and the deputy medical practitioners for that area; or

(c) the medical practitioners mentioned in—

(i) paragraph (a) above; or

(ii) paragraph (b) above,

and'.

No. 95, in page 17, line 23, leave out from 'area;' to 'the' in line 24 and insert—

'(b) those dental practitioners and the deputy dental practitioners for that area; or

(c) the dental practitioners mentioned in—

(i) paragraph (a) above; or

(ii) paragraph (b) above,

and'.

No. 96, in page 17, line 31 leave out from beginning to end of line 4 on page 18 and insert—

'"(3) For the purposes of this section and section 45 below, a person who meets the condition in subsection (4) below—

(a) is a deputy medical practitioner for the area of a Health Authority if he is a medical practitioner who assists a medical practitioner providing general medical services in that area in the provision of those services but is not himself on a list;

(b) is a section 28C medical practitioner for the area of a Health Authority if he is a medical practitioner who provides or performs personal medical services in accordance with arrangements made under section 28C above by the Health Authority (whether with himself or another);

(c) is a deputy dental practitioner for the area of a Health Authority if he is a dental practitioner who assists a dental practitioner providing general dental services in that area in the provision of those services but is not himself on a list;

(d) is a section 28C dental practitioner for the area of a Health Authority if he is a dental practitioner who provides or performs personal dental services in accordance with arrangements made under section 28C above by the Health Authority (whether with himself or another).

(4) The condition referred to in subsection (3) above is that the person concerned has notified the Health Authority that he wishes to be represented under this section by the appropriate committee for their area (and has not notified them that he wishes to cease to be so represented).

(5) For the purposes of subsection (3) above—

(a) a person is to be treated as assisting a medical practitioner or dental practitioner in the provision of services if he is employed by that practitioner for that purpose or if he acts as his deputy in providing those services; and

(b) "list" has the same meaning as in section 46 below.".'.

No. 97, in page 18, line 14, leave out '44(A1)(b) or (B1)(b)' and insert '44(A1)(c) or (B1)(c)'.

No. 98, in page 18, line 21, leave out 'section 44(A1)(b) or (B1)(b)' and insert

'subsection (A1)(b) or (c) or (B1)(b) or (c) of section 44'.

No. 99, in page 18, line 23, leave out from 'attributable' to end of line 25 and insert '—

(a) in the case of a committee recognised under subsection (A1)(b) or (c)(ii) of that section, to the deputy medical practitioners for the area;

(b) in the case of a committee recognised under subsection (A1)(c) of that section, to the section 28C medical practitioners for the area;

(c) in the case of a committee recognised under subsection (B1)(b) or (c)(ii) of that section, to the deputy dental practitioners for the area;

(d) in the case of a committee recognised under subsection (B1)(c) of that section, to the section 28C dental practitioners for the area.'.

No. 100, in page 18, line 30, at end insert 'deputy medical practitioners,'.

No. 101, in page 18, line 31, after first 'practitioners' insert 'deputy dental practitioners'.

No. 102, in page 18, leave out lines 33 to 36 and insert 'each such practitioner'.

No. 103, in page 18, line 44, leave out from second 'to' to end of line 46 and insert

'any practitioners mentioned in that subsection.".'.—*[Mr. Denham.]*

Clause 12

DIRECTIONS

Amendments made: No. 104, in page 19, line 44, leave out '45(2) or (3)' and insert '45(1C) to (4)'.

No. 17, in page 20, line 6, at end insert—

'or a function referred to in section 28EE(1)(a) to (d) below'.—*[Mr. Denham.]*

Clause 13

ESTABLISHMENT ORDERS

Amendment made: No. 18, in page 21, line 43, at end insert—

'( ) In paragraph 16(2) of that Schedule (general powers of NHS trusts), for "which is owned and managed" there is substituted "at or from which services are provided".'.—*[Mr. Denham.]*

Clause 14

EXERCISE OF POWERS

Amendment made: No. 19, in page 22, line 7, leave out from beginning to 'be' in line 9 and insert—

'For section 5(9) of the 1990 Act (restrictions on exercise of certain powers) there is substituted—

"(9) A power conferred by paragraph 14 or 15 of Part II of Schedule 2 to this Act may only".'.—*[Mr. Denham.]*

Clause 19

THE COMMISSION FOR HEALTH IMPROVEMENT

Amendment made: No. 20, in page 23, line 36, leave out 'section 20' and insert 'sections 20 to 22'.—*[Mr. Denham.]*

Clause 20

FUNCTIONS OF THE COMMISSION

Amendment made: No. 21, in page 24, line 37, leave out subsection (5).—*[Mr. Denham.]*

Clause 28

PLANS FOR IMPROVING HEALTH ETC.

Amendment made: No. 22, in page 32, line 12, leave out subsection (10).—*[Mr. Denham.]*

Clause 33

POWERS RELATING TO VOLUNTARY SCHEMES

Amendments made: No. 23, in page 36, line 13, leave out '(5)' and insert '(4)'.

No. 24, in page 36, line 17, leave out

'in the opinion of the Secretary of State'.

No. 25, in page 36, line 21, leave out from 'may' to end of line 22 and insert

'by a written notice given to the scheme member determine that the scheme is not to apply to him'.

No. 26, in page 36, line 23, leave out from beginning to 'has' and insert

'A notice under subsection (4) must give the Secretary of State's reasons for giving the notice; and the Secretary of State may not give a notice under that subsection until he'.

No. 27, in page 36, leave out lines 25 to 27.

No. 28, in page 36, line 30, after 'may' insert

'after consultation with the industry body'.—*[Mr. Denham.]*

Clause 34

POWER TO CONTROL PRICES

Amendment made: No. 29, in page 37, line 6, leave out from 'limit' to third 'to' in line 7.—*[Mr. Denham.]*

Clause 35

STATUTORY SCHEMES

Amendments made: No. 30, in page 37, line 29, leave out from 'scheme' to first 'to' in line 30.

No. 31, in page 37, line 35, leave out from 'scheme' to third 'to' in line 36.—*[Mr. Denham.]*

Clause 38

CONTROLS: SUPPLEMENTARY

Amendments made: No. 32, in page 39, line 23, leave out subsection (2).

No. 33, in page 39, line 31, after 'limiting' insert

'by reference to the prices or profits which would be reasonable in all the circumstances—

( )'.

No. 34, in page 39, line 31, after 'or' insert—

'( )'.

No. 35, in page 39, line 33, after 'supply' insert

'for the purposes of the health service'.

No. 36, in page 39, line 33, leave out from 'medicines' to end of line 34.

No. 37, in page 40, leave out line 2.

No. 38, in page 40, line 3, leave out from 'service"' to end of line 4 and insert

'means any of the health services within the meaning of the 1977 Act, the 1978 Act or the Health and Personal Social Services (Northern Ireland) Order 1972'.—*[Mr. Denham.]*

Clause 39

EVASION OF CHARGES ETC.

Amendment made: No. 39, in page 43, line 48, at end insert—

'(8) Subsection (4) of section 122A above applies for the purposes of this section as it applies for the purposes of that'.—*[Mr. Denham.]*

Clause 44

POWER TO RECTIFY TRANSITIONAL PROVISIONS ETC.

Amendment made: No. 105, in page 51, line 46, leave out & 61(2)(a)' and insert & 61(2)'.—*[Mr. Denham.]*

Clause 57

REMUNERATION FOR PART II SERVICES

Amendments made: No. 40, in page 62, leave out lines 8 to 13 and insert—

'(a) shall consult a body appearing to him to be representative of persons to whose remuneration the determination would relate, and

(b) may consult such other persons as he considers appropriate.'.

No. 41, in page 62, line 21, leave out 'revised' and insert 'varied'.

No. 42, in page 63, line 38, leave out 'revocation or revision' and insert 'or revocation'.

No. 43, in page 64, line 5, leave out subsection (4).—*[Mr. Denham.]*

Clause 61

REGULATIONS AND ORDERS

Amendments made: No. 44, in page 72, leave out lines 30 to 34 and insert—

'(1A) Directions under section 20 or 28 or Schedule 2, or by virtue of section 38(1)(b), are to be given by an instrument in writing.

(1B) Any such directions may be varied or revoked by subsequent directions under, or by virtue of, the same provision.

(2) Subsections (4) and (5) of section 126 of the 1977 Act (supplementary provisions about subordinate legislation) apply in relation to any power conferred by this Act to make Orders in Council, orders or regulations, or to give directions mentioned in subsection (1A), as they apply in relation to the powers which may be exercised as mentioned in subsection (4)(a) and (b) of that section'.

No. 45, in page 72, line 35, leave out 'subsection (2)' and insert

'subsection (4) of that section'.

No. 46, in page 72, line 36, after & 31' insert

'or an Order in Council under section (*English and Scottish border provisions*)'.

No. 47, in page 73, line 14, at end insert—

'( ) No recommendation is to be made to Her Majesty to make an Order in Council under section (*English and Scottish border provisions*) unless a draft—

(a) has been laid before, and approved by resolution of, each House of Parliament, and

(b) has been laid before, and approved by resolution of, the Scottish Parliament'.—*[Mr. Denham.]*

Clause 63

INTERPRETATION

Amendment made: No. 48, in page 73, line 28, at end insert—

'( ) "NHS trust" has the same meaning—

(a) in Part I of this Act as in the 1977 Act,

(b) in Part II of this Act as in the 1978 Act.'.—*[Mr. Denham.]*

Clause 65

DEVOLUTION

Amendments made: No. 49, in page 73, line 35, at end insert

'but this subsection does not apply to section 22.'.

No. 50, in page 73, line 36, leave out from beginning to end of line 18 on page 74 and insert—

'(2) The power of a Minister of the Crown under section 66 to appoint a day for any of the following provisions to come into force in relation to Wales—

(a) sections 1 to 8, 10 to 18 and Schedule 1,

(b) sections 26 to 32,

(c) section 64(1) and Schedule 4, so far as concerns the following provisions of that Schedule: paragraphs 1 to 15, 22 to 25, 26(a), 27 to 34, 36, 37 (except sub-paragraph (2)(b) and (d)), 38, 39, 69, 70, 72, 73, 74(b), 75 to 78, 79 (except sub-paragraph (2)(b)), 81, 82, 83 (except sub-paragraph (2)(a)) and 85 to 88,

is exercisable instead by the National Assembly for Wales.

(3) In Schedule 5 to the Government of Wales Act 1998 (bodies and offices covered by section 74), after paragraph 12 there is inserted—

"12A. The Commission for Health Improvement".

(4) The National Assembly for Wales (Transfer of Functions) Order 1999 is amended as follows; and those amendments are to have effect as if made by an Order in Council under section 22 of the Government of Wales Act 1998 (transfer of Ministerial functions).

(5) In Schedule 1—

(a) in the entry for the 1977 Act, after paragraph (c) there is inserted—

"(cc) section 43C;

(ccc) sections 46 to 49E",

(b) at the end of the entry for the 1990 Act, there is inserted—

"The references above to paragraph 1 of Schedule 3 are references to that paragraph before the amendments made by section 17 of the Health Act 1999.

The Treasury consent requirement under paragraph 8 of that Schedule (inserted by Schedule 4 to the Health Act 1999), so far as relating to the matters referred to in paragraph (b) of that paragraph, shall continue in effect",

(c) after the entry for the National Minimum Wage Act 1998 there is inserted—

"In the Health Act 1999—

(a) Part I and Schedule 4, except sections 20(1), 22 and 33 to 38 and Schedule 2 (other than paragraph 2);

(b) section 62, so far as it relates to any of the provisions which, by virtue of section 65(2), may be brought into force by the Assembly".

(6) In Schedule 2, after the entry for the Audit Commission Act 1998, there is inserted—

"Health Act 1999

The functions of the Secretary of State under section 20(1) shall be exercisable only with the agreement of the Assembly.

The functions of the Secretary of State under paragraphs 4 to 7 of Schedule 2 shall be exercisable only after consultation with the Assembly".'.—*[Mr. Denham.]*

Clause 66

COMMENCEMENT

Amendment made: No. 51, in page 74, line 27, at end insert—

'( ) Subsection (1) does not apply to section 65, of which—

(a) subsections (1) and (3) to (6) come into force on the day on which this Act is passed,

(b) subsection (2) comes into force on 1st July 1999 or, if later, the day on which this Act is passed.'.—*[Mr. Denham.]*

Clause 67

EXTENT

Amendment made: No. 52, in page 74, line 37, at end insert—

'( ) The Secretary of State may by order provide that so much of this Act as extends to England and Wales is to apply to the Isles of Scilly with such modifications (if any) as are specified in the order; but otherwise this Act does not extend there'.—*[Mr. Denham.]*

Schedule 1

PRIMARY CARE TRUSTS

Amendments made: No. 53, in page 75, line 34, leave out 'any such' and insert 'the'.

No. 54, in page 75, line 35, leave out 'Primary Care Trust' and insert 'authority'.—*[Mr. Denham.]*

Schedule 2

THE COMMISSION FOR HEALTH IMPROVEMENT

Amendment made: No. 55, in page 84, line 39, leave out paragraph 20.—*[Mr. Denham.]*

Schedule 4

AMENDMENTS OF ENACTMENTS

Amendments made: No. 56, in page 87, line 31, at end insert—

'National Health Service Act 1966 (c. 8)

. Section 10 of the National Health Service Act 1966 (modification of prohibition of full-time salaried practitioner service) is omitted (and, accordingly, section 29(4) of the 1977 Act and section 19(3) of the 1978 Act continue to have effect)'.

No. 57, in page 93, line 17, after 'arrangements)' insert '—

( ) in subsection (1), after paragraph (b) there is inserted—

"(ba) Primary Care Trusts,",

( )".

No. 58, in page 93, line 36, leave out from '(4),' to end of line 37 and insert

'for "incidental or supplemental" there is substituted "supplementary, incidental, consequential, transitory, transitional or saving" '.

No. 59, in page 93, leave out line 38 and insert—

'.—(1) Section 128 (interpretation) is amended as follows.

(2) In subsection (4)—'.

No. 60, in page 94, line 1, at end insert—

'(3) After that subsection there is inserted—

"(1A) So far as is necessary or expedient in consequence of a direction under section 16D or 17A above providing for the exercise by a Health Authority, Special Health Authority or Primary Care Trust of a function exercisable by another person, any reference in any enactment, instrument or other document to that other person is to be read as a reference to the Health Authority, Special Health Authority or Primary Care Trust".'.

No. 61, in page 97, line 36, at end insert—

'. In section 85B(2) (bodies in respect of which schemes for meeting losses and liabilities may be made)—

(a) the "and" after paragraph (c) is omitted,

(b) after paragraph (d) there is inserted "and

(e) Special Health Boards".'.

No. 62, in page 97, line 45, leave out from 'directions)' to end of line 46 and insert

'for "incidental or supplemental" there is substituted "supplementary, incidental, consequential, transitory, transitional or saving".'.

No. 63, in page 98, line 6, at end insert

'( ) in paragraph 16(c), the words from "which purposes shall include" to the end are omitted.'.

No. 64, in page 98, line 43, leave out 'for'.

No. 65, in page 98, line 43, leave out from 'special' to 'services' in line 46 and insert

'hospital" is omitted, after "above)" there is inserted "in a hospital at which high security psychiatric services are provided" and for "other special hospital" there is substituted "other hospital at which those'.

No. 66, in page 98, line 48, leave out from 'for' to 'which' in line 1 on page 99 and insert

'"which is not a special hospital" there is substituted "at .—*[Mr. Denham.]*

Schedule 5

REPEALS

Amendments made: No. 67, in page 103, line 17, at end insert—

'1966 c. 8.	The National Health Service Act 1966.	Section 10.'.

No. 68, in page 103, line 17, at end insert—

'1973 c. 65.	The Local Government (Scotland) Act 1973.	In section 97, in paragraph (a) of subsection (2), sub-paragraph (iii), subsection (2A) and in subsection (2B) the definitions of "recognised fund-holding practice" and "allotted sum".'.

No. 69, in page 104, line 20, column 3, at end insert—

	'In Schedule 15, paragraph 37.'.

No. 70, in page 104, line 35, column 3, after '6(2),' insert

'in paragraph 16(c) the words from "which purposes shall include" to the end,'.

No. 71, in page 104, line 41, column 3, at end insert—

	'In Schedule 16, paragraph 22.'

No. 72, in page 104, line 44, column 3, at end insert—

	'In section 123(1), "in a special hospital".'.

No. 73, in page 105, line 40, column 3, after '(d)' insert '34'.

No. 74, in page 105, line 43, at end insert—

'1995 c. 31.	The National Health Service (Amendment) Act 1995.	Section 1. Section 2(2). Section 3. Sections 7 and 9'.

No. 75, in page 105, line 53, column 3, leave out second 'and'.

No. 76, in page 105, line 54, column 3, at end insert '69, 71(4), 77 and 78'.—*[Mr. Denham.]*

Motion made, and Question put, That the Bill be now read the Third time.—*[Mr. Hanson.]*

The House divided: Ayes 372, Noes 112.

Division No. 208] **[9.46 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Baker, Norman
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Cable, Dr Vincent
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
Mactaggart, Fiona
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris

Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and Mr. Graham Allen.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Key, Robert
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and Mr. Stephen Day.

Question accordingly agreed to.

Bill read the Third time, and passed, with amendments.

Immigration and Asylum Bill

As amended in the Special Standing Committee, considered.

New Clause 1

TREATMENT OF CERTAIN OVERSTAYERS

'(1) The Secretary of State must prescribe a period ("the regularisation period") during which overstayers may apply, in the prescribed manner, for leave to remain in the United Kingdom.

(2) The regularisation period—

(a) is to be not less than three months; and

(b) ends on the prescribed day.

(3) Section 7 and paragraph 6 of Schedule 13 come into force on the day after the prescribed day.

(4) The Secretary of State must publicise the effect of this section in the way appearing to him to be best calculated to bring it to the attention of those affected.

(5) "Overstayer" means a person who, having only limited leave to enter or remain in the United Kingdom, remains beyond the time limited by the leave.'.—*[Mr. Mike O'Brien.]*

Brought up, and read the First time.

10 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss Government amendments Nos. 28, 29, 91, 92, 96 and 139.

Mr. O'Brien: I said on Second Reading that we would consider any representations that we received, as well as what was said in the Special Standing Committee. The new clause is part of that process.

Too often in debates on immigration and asylum, people have taken fixed positions and made knee-jerk reactions to proposals for change. The left too often saw every change as xenophobic and racist, while the right tried to be tough and often seemed to believe that every asylum seeker was bogus and every immigrant was unwelcome. Neither reaction has characterised our discussions on the Bill.

In the Special Standing Committee, we discussed with refugee groups, interested parties, the Opposition and others how to develop a policy with broad-based support. The refugee groups, particularly the Refugee Council, the Refugee Legal Centre, Justice and the Joint Council for the Welfare of Immigrants, responded positively to the opportunities to express their views. Lawyers also responded through the Immigration Law Practitioners Association. The Opposition came forward with some constructive proposals in Committee. I thank them for the tone in which they conducted the debate. We said that we would consider their proposals. We did not promise to accept every proposal or always to agree, but I hope that we are at the beginning of a process of sensible discussion on sensitive issues.

Setting aside the knee-jerk reaction of the appallingly racist *Dover Express* and the bilious mendacity of the odd leftist journalist, the debate on the Bill has been constructive in the national press and among pressure groups and many hon. Members. The Kosovan refugee crisis has shown everyone that many refugees are genuine. That has helped us to focus on devising a balanced package aimed at creating a system that works.

Miss Ann Widdecombe (Maidstone and The Weald): I do not want to spoil the wonderful consensus that the Minister is trying to generate, but does he include in his comments about knee-jerk reactions the reactions of his Front-Bench colleagues when we introduced our much milder Asylum and Immigration Bill in 1996 and were accused of playing the race card and being racist? Will he repudiate that?

Mr. O'Brien: The right hon. Lady voted for a Bill that removed all support from in-country asylum seekers and those in the appeal system. That was not an acceptable or humane approach.

Miss Widdecombe *rose—*

Mr. O'Brien: I hope that the right hon. Lady will allow me to reply to her. In an attempt to encourage her not to pursue the abrasive approach for which she is renowned, I welcome her to her new Front-Bench position. I wish her a long period as Opposition home affairs spokesperson.

Miss Widdecombe: I was rather surprised by the hon. Gentleman's answer which confused the social security measure, for which I was not responsible, with the Asylum and Immigration Act 1996, which introduced measures with regard to safe third countries, safe countries of origin and illegal working, all of which, to an extent, have been picked up in this Bill. Will he repudiate the opposition that his party mounted to that measure?

Mr. O'Brien: We properly opposed the 1996 Bill, which the right hon. Lady put forward, because it was a bad Bill that created a shambles in the asylum and immigration system. The problems that we have to sort out were caused during her time at the Home Office, when she was responsible for immigration and asylum. Before she tries to preach to us, let her remember the shambles that we inherited from her and those with whom she worked at the Home Office in the previous Government.

Let us return to the more proper and sensible discussion that we were having until the right hon. Lady intervened. Perhaps she wants to use these difficult, complex and sensitive issues as a party political football. The hon. Member for Hertsmere (Mr. Clappison), who ably represented the Conservative party in Committee, did not seek to do that. She ought to learn the lessons of the failure of the 1996 Act and start engaging in sensible, adult discussion about the issues.

When we discussed what is now clause 7 in the Special Standing Committee, concern was expressed about the position of those current overstayers who have come to the attention of the authorities and are likely to be deported. At present, they have a suspensive right of appeal. They have a full right of appeal if they have been here for more than seven years, but only on a point of law if they have been here for a shorter period.

Under clause 7, such people would be removed, with a right of appeal against the legality of the removal decision, but the appeal could be exercised only

from abroad. It is important to note that asylum seekers will retain a right of suspensive appeal. The concern is about immigration offenders—overstayers—who may have been here for many years.

We will not condone overstaying—it is as much an evasion of our immigration controls as is illegal entry—but we have listened to representations and we are prepared to allow overstayers a limited and final opportunity to take advantage of the right to a suspensive appeal against deportation. New clause 1 achieves that. Importantly, it will allow them to remain in the United Kingdom only until their appeal is decided—a matter of months—and it will be for the adjudicator to decide whether they can remain beyond that date. Some may be able to remain; others will not and will need to be deported.

Mr. James Clappison (Hertsmere): To which overstayers does that apply?

Mr. O'Brien: It applies to those who come to the attention of the immigration authorities during the period for which the regularisation procedure will apply. There will be a period during which they will be allowed to bring themselves to the attention of the immigration authorities; if they do that, we intend to allow them that right of appeal. We will consult the various organisations on the length of the period, but I anticipate that it will be about a year.

We will expect those who want to take advantage of the suspensive appeal to bring themselves to our notice, or they may be brought to our notice because they are detained, and in those circumstances an appeal will be allowed—but after that period is over, it is anticipated that such an appeal will no longer be available to those who are merely overstayers and have no other right of appeal.

Mr. Clappison: Is the Minister referring to all overstayers, or only those who have overstayed by more than seven years?

Mr. O'Brien: I am referring to those who currently have a right of appeal. Those who have been here more than seven years will have a full right of appeal, as at present. Those who have been here less than seven years have a very limited right of appeal, which is basically on a point of law, and that will continue to be the case. We are not extending the appeal rights beyond what we inherited from the Conservative Government. We will maintain the existing rights for a time and say, in effect, that if people want to exercise their right to a suspensive appeal in the specified period, let them come forward then, or that will be that.

Mr. Jeremy Corbyn (Islington, North): Does my hon. Friend intend to set out any guidance on how the appeals should be conducted, or will existing case law apply? Will there be any new criteria?

Mr. O'Brien: Perhaps it will help hon. Members if I set out in some detail how we shall do that, and in doing so I shall deal with the point that my hon. Friend has raised.

Mr. Peter Bottomley (Worthing, West): This is a tricky subject. Several people will have a copy of the Bill as it was first debated on Second Reading. Hon. Members have the Bill as amended in Committee. Some people outside will have the old notes on clauses and some clause numbers have changed. If possible, could the Minister refer to the present clause numbers and, if his officials can provide the information, the previous clause numbers? In that way, those watching our debates would be able to understand what we are talking about.

Mr. O'Brien: With great respect, the hon. Gentleman is seeking to add a level of complication—doubtless for the good reason of informing the public—to the proceedings, which might end up confusing more people. I shall try to be as straightforward as I can in my explanation of how the procedure will work, but I do not think much will be achieved by trying to refer to two different clause numbers each time I discuss a clause.

New clause 1 will allow people to remain in the United Kingdom until their appeal is decided, as I have said. Overstayers who apply for their status to be regularised will not be considered under any special criteria. In each case, their particular circumstances will be taken into account under the criteria set out in the immigration rules when deciding whether or not deportation is appropriate.

We shall ensure that the scheme is well publicised. The period for applying will be at least three months—we are considering the time limit—and clause 7 will not come into force until it is over. I believe that that was clause 6 in the old Bill. The details of how to apply will be set out in regulations.

We appreciate that the scheme does not go as far as some would like—some people asked us to retain the right of appeal indefinitely—but we are not prepared to allow current overstayers to retain access to lengthy deportation procedures in perpetuity. That would be both undesirable and impractical.

Amendment No. 28 is contingent on the regularisation arrangements provided for in the new clause. The former protection from removal provided by the original subsection (2) is no longer necessary. The effect of clause 3, which was introduced in Committee, and of paragraph 17 of schedule 4 is that, where someone makes an in-time application for further leave, the leave is treated as continuing while the application is being considered and while any appeal is pending under either clause 47 or clause 55(2). The person concerned is no longer an overstayer. Consequently, he is no longer liable to removal as such until the leave application is decided.

However, anyone who applies for leave to remain under the arrangements envisaged by new clause 1 is already an overstayer. If his application has not been resolved by the time clause 7 comes into force, he would be liable to removal under the new administrative removal procedures. Amendment No. 28 makes it clear that the new removal procedure will not apply to someone in that situation. If the application is granted, the person concerned will be granted leave to remain. If it is refused, they will have the same right of appeal during that period against any decision to make a deportation order as they do at present.

Amendment No. 29 deletes subsection (5) of clause 7. That power was originally included in case it was required. However, I can envisage no circumstances in which it might be necessary and, having regard to the concerns that were expressed by the Opposition—by

[Mr. O'Brien]

the hon. Member for Hertsmere about the number of powers in the Bill to make subordinate legislation—we have decided to forgo that one.

Clause 149 gives details of how the various orders and regulations are to be managed. Amendment No. 91 adds a new subsection (3A) to that clause, specifying that certain regulations are to be made subject to the affirmative resolution procedure. Those are regulations concerning the regularisation period for the current overstayers and regulations extending the clause 60 one-stop procedure. We listened to the representations made in Committee by several hon. Members about the way in which we should do that, and we accept that the affirmative procedure is appropriate for those regulations, in line with the orders specified in subsection (3) of clause 149.

10.15 pm

Amendment No. 92 is consequential on amendment No. 91. It simply adds a reference in the regulations that are to be subject to the affirmative resolution procedure to the list of exceptions in subsection (4), which otherwise requires all secondary legislation to go through the negative procedure.

Amendment No. 96 relates to new clause 1 and amendment No. 139. The new clause gives the Secretary of State power to make a regulation specifying when the regularisation period for overstayers ends. Subsection (3) of the new clause states that clause 7—under which overstayers are to be removed without deportation—and paragraph 6 of schedule 13 come into force on the following day. Amendment No. 96 refers back to new clause 1 in the commencement clause, listing it as a special case. For example, under clause 153(3), most parts of the Bill will come into force on the day that the Secretary of State appoints, but clause 7 will come into effect the day after the specified final day of the regularisation period.

Amendment No. 139 is a transitional arrangement. It retains the appropriate deportation appeal provisions of the Immigration Acts of 1971 and 1988 for overstayers who have made a valid but unsuccessful application under the regularisation scheme and who are to be deported under the old provisions, rather than removed under the new ones.

Mr. Richard Allan (Sheffield, Hallam): Will the Minister clarify a point arising from when clause 7 comes into force? That clause applies also to those who have observed the conditions attached to their leave to remain, as well as to those who are simply overstayers. Will those in the former category retain their appeal rights during the regularisation period?

Mr. O'Brien: Our intention is that clause 7 will come into force all at once after the regularisation period has ended. We listened to the representations of various hon. Members in Standing Committee, who felt that we had to examine the issue very carefully, and the aim is to bring in the clause at a date later than originally planned. We cannot go as far as some hon. Members wanted, but we believe that this is a sensible way forward.

Mr. Clappison: It would be less than gracious not to respond to the Minister's opening remarks. I am grateful that he has recognised that our opposition to the Bill has always been constructive and well meaning. I am just a little surprised, given what the Minister has said, that the Government have decided to guillotine debate and to keep the discussion of subsequent provisions as short as possible.

The Minister claimed to have listened to outside groups and to the evidence presented to the Special Standing Committee. However, had he tried to take on board all the criticisms of the Bill in that Committee, we would be here for a very long time. Perhaps that is why the Minister's colleagues want to guillotine debate.

New clause 1 follows on from matters that we have debated already, with regard to overstayers' rights of appeal, but new clauses 2, 3 and 5 contain very controversial proposals that have not been foreshadowed in debate in any way. They were not part of the Government's original proposals for the Bill, were tabled at a very late stage and then were made subject to the guillotine procedure. That is unsatisfactory.

New clause 1 appears to be an addition to what the Government have proposed already by way of curtailment of overstayers' rights of appeal. In Committee, we did not oppose the proposals for change in those rights of appeal, nor the proposed change of regime for overstayers from deportation to removal. That curtails the rights of appeal, especially for people who have overstayed by more than seven years.

We take a serious view of those who overstay. People who exceed their permission to remain are flouting the law and obtaining benefits not available to those who follow the rules and who lawfully leave when they are supposed to do so. Overstaying is a serious matter, but if people have been here for a certain period, a balance must be struck in deciding what to take into account before they are expelled or deported. We must consider the need to remove them from the country against the need to take into account compassionate circumstances that may have arisen because of their presence in the UK for such a long time.

The previous Government set that balance at seven years. When someone had overstayed by more than that, compassionate circumstances could be considered as a ground of appeal. The present Government have changed the balance. Once the regularisation period has elapsed, there will be no right of appeal on compassionate grounds for overstayers who have been here for more than seven years. They will be unable to prosecute any right of appeal in the UK, which makes a very great difference. In taking that view, the Government have gone further than the previous Government. We did not oppose that change in Committee, but the Government have since bolted on a regularisation procedure as a means of meeting concerns expressed by outside organisations that gave evidence.

Ms Diane Abbott (Hackney, North and Stoke Newington): It is true that the hon. Gentleman and his party did not oppose that change in Committee, but some of the Minister's Back-Bench colleagues did oppose it. Many people who overstay are settled members of the communities in which they live. They may have children at school, and the proposals will cause great misery and unhappiness.

Mr. Clappison: The hon. Lady's comments fairly reflect what was said in Committee. We went into

this matter—which, as the Minister said, is extremely sensitive—in some detail. It would not preserve the harmony that unexpectedly broke out at the beginning of the Minister's speech if I were gently to remind him of what the Labour party said about these matters when in opposition.

We have a number of questions about the regularisation period. The Minister has given a brief account of how it will work, and we have before us the bald statements in new clause 1. We wish to clarify matters further. Can the Minister confirm that the criteria to be taken into account in evaluating the cases of people who have overstayed are the same as those currently used in respect of the rights of appeal under the present system, which deals with them by way of deportation? For people who have been here for fewer than seven years, will the new regime mean that their rights to appeal will be judged against the points of law and other matters currently taken into account in their cases? For those who have been here longer than seven years, will compassionate circumstances be taken into account?

We want to know that there has been no relaxation in the current framework of law. It would be a new matter entirely if the Government intended, by way of regularisation, to relax the law in any way. We should also like to know how long the regularisation period will last. Will he tell us a little more about subsection (4), which deals with publicity on the effects of the clause?

We are not opposing what is being done. It may concern those who originally expressed the sort of fears that the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) mentioned. She may know, as will other hon. Members, that many people who fall into the category of overstayers and who stay here for a long time simply put their heads down and do not respond to anything and the compassionate circumstances build up. The regularisation period will come to an end at some stage—the Minister will probably tell us when—and when it has ended those people will face administrative removal even if they have been here for more than seven years, with the rights of appeal that that entails. They will simply be removed from the country and they will have to prosecute any rights of appeal in the country to which they are removed. That is the regime that is to be put in place.

We look to the Minister for answers to my questions. It is interesting to set his contribution this evening against what he told us in Committee when these matters were being discussed. The hon. Gentleman tells us that he has been prepared to listen, but in Committee the Government assured us that the rationale behind and justification for the changes was a so-called streamlining of the system. Having listened to the Minister this evening, streamlining is not the appropriate description.

We do not oppose new clause 1, but we need a number of answers to our questions.

Mr. Neil Gerrard (Walthamstow): I shall make a brief contribution because I raised this issue in the evidence-taking sessions and later in the debate on the relevant clauses in the Standing Committee. It is an important matter.

As originally drafted, the Bill took away all appeal rights from overstayers, including those people who now when they have been here seven years or more get a full substantive appeal—in which all sorts of factors can be taken into consideration—but who in future will be subject to administrative removal.

I very much welcome the fact that the Government have made some moves on this matter. In Committee, the Minister said—I am not sure whether the hon. Member for Hertsmere (Mr. Clappison) was there at the time—that when administrative removal is being considered the same factors relating to deportation that are in the immigration rules at present would be taken into consideration. That is a move in the right direction, but I still have some doubts about whether we have the balance absolutely right.

Mr. Clappison: As the hon. Gentleman knows, there were not many occasions on which I was absent from the Committee. I remember the matter to which he adverts, but the factors to which he is referring will be taken into account by officials in the Home Office. My point related to rights of appeal before the courts.

Mr. Gerrard: I understand that absolutely. At the moment, the immigration rules list matters that will be taken into account by an adjudicator in deciding a deportation order. In Committee, we were told that the same factors would be taken into account in an administrative removal.

However, there is a significant difference between an administrative removal and an appeal. I am always worried when appeal rights are removed. I recall the Asylum and Immigration Act 1996, to which the right hon. Member for Maidstone and The Weald (Miss Widdecombe) referred. By the way, the right hon. Lady was wrong when she said that the benefit cuts were nothing to do with that Act. Although those cuts started off as a social security measure, the court threw out the social security regulations that the Government introduced, so they amended the 1996 Bill in its last stages. Those regulations were part of that Act and a part of her responsibility as a Home Office Minister.

The 1996 Act removed appeal rights on visit visas, which we are quite rightly putting back in this Bill. I know, as do many other hon. Members I am sure, the consequences of that removal. Then, people who previously would have had appeals were turning up in our advice surgeries week after week saying, "The visit visa appeal for my relative has been turned down. Please can you help?" We got drawn into making representations, which ended up on Minister's desks.

Generally, it is much better for decisions on appeal to be taken through a proper appeal process, rather than through administrative processes, into which hon. Members will inevitably be drawn.

10.30 pm

Another matter that concerns me is that, in future, other routes may be sought. People might make probably quite unjustified asylum claims because they saw that as the route to an appeal. Alternatively, they might use one of the other provisions in the Bill—the possibility of an appeal under the Human Rights Act 1998. That could open up the possibility of appeals on compassionate grounds—for example, on family grounds in respect of people who have been in the country for some time.

If there is to be a grace period, it needs to be of substantial length, because it will not be easy to persuade people to come forward. They are likely to come forward

[Mr. Gerrard]

only if they think there is something in it for them—if they think that they will benefit in some way. It is not easy to see precisely what the incentive might be for people to declare themselves to be overstayers. Many people might think about it, but they may be advised to keep their heads down, in the hope that they can spin out the period during which they are in this country, so that, in the longer term, they can build up a case on compassionate grounds and make family connections through which they can argue an appeal on human rights grounds. I welcome the fact that the Government have moved to acknowledge that we should—at the very least—safeguard people who are in the country at present. That is a positive move in the right direction.

However, I still have some doubts. It might have been better to consider a measure that did not include a grace period. For example, if we said that everyone who has been in the country for seven years on the day on which the Bill comes into force could keep their right of appeal, that might mean that appeals would be heard over a considerable period, although the number would inevitably gradually dwindle. However, if we do not take that course, I hope that my hon. Friend the Minister will consider a grace period of reasonable length in which people can be persuaded to come forward. If the period is too short, it might not serve the purpose that my hon. Friend wants it to serve.

Mr. Allan: In speaking to the new clause, I first welcome the right hon. Member for Maidstone and The Weald (Miss Widdecombe) to her new position. She is one of the Members of the House who inspired me to become involved in politics and to stand at the last election. Like many other hon. Members, I was able to replace a Conservative Member, thus helping the right hon. Lady to achieve her position on the Opposition Front Bench. I am pleased that that happened.

However, after that election in 1997, I did not expect the new Labour Government to introduce Bills which, in many ways, take us back to the position adopted by the previous Conservative Government in 1996. I did not expect to feel the same anger about measures on immigration and asylum under a Labour Government, whose Members stood on the kind of platform that they did in opposition, that I had felt in 1996. I was interested to hear the Minister say that his approach was no longer one of knee-jerk reaction. In 1988, when the Labour Opposition opposed similar measures—to take away the appeal rights of people who stayed in this country for less than seven years—I took that to be principled opposition rather than simply a knee-jerk reaction from the left. I am somewhat disappointed to hear it described in those terms.

I am also interested to hear that the Government no longer feel that they need the support of dodgy left-wing columnists in subversive papers—such as *The Observer* perhaps. I do not know what the Minister was referring to, but perhaps that is the sort of extremist publication that he has in mind when he talks about dodgy subversive columnists. I am glad that he can retain the support of Labour Members without having to kowtow to those pressures from extremist positions.

We have had constructive debates on this issue and many others in Committee. I do not want to destroy the career of the hon. Member for Hertsmere (Mr. Clappison), but I should say that together we have been able to mount an effective opposition by asking the right questions, even though we approach the matter from different angles.

We opposed the provisions of clause 7 in Committee and we continue to be concerned, even though we are pleased that the Minister has made some concessions. Our opposition has paid off in that he has now tabled a new clause that gives a marginal right of appeal to some people who would have had that right removed by clause 7. We are also pleased with the commitment that the Minister made in Committee to ensure that the immigration rules explicitly refer to the sort of criteria that may be used before a decision on removal is made. The Minister made it clear that, even without a deportation appeal, those compassionate circumstances would be taken into account.

However, new clause 1 does not cover that other category of people—those who have breached their conditions. Clearly, people should not breach their conditions, but we believe that there is a difference between illegal entrants and those who have entered the country legitimately and have the legal right to be here but who have breached their conditions for one reason or another. Such breaches are not to be applauded, but the reasons for the breach may be understandable. However, clause 7 leaves such people in exactly the same position as illegal entrants, in that they will be removed and unable to exercise any right of appeal until afterwards, and new clause 1 does not change that.

Our other questions arising from new clause 1 relate to operational details. Recently, the Immigration and Nationality Directorate has not demonstrated that it is entirely capable of dealing with large rushes of applications, so we are concerned about how it will cope with the pressure resulting from a finite grace period. The hon. Member for Walthamstow (Mr. Gerrard) made a good suggestion—that it would be better to have a system whereby individuals who have been here seven years or more at the time when the legislation is implemented retain a right of appeal. That group would be finite—there is no suggestion that such a system would apply to persons other than those who were already in this country when the provision was introduced—and it might help to avoid an otherwise inevitable rush of applications toward the end of the grace period.

I hope that the Minister will think about those points. There is to be further consideration of the Bill in another place, and I am sure that their Lordships will want to consider this issue and many others. The Minister should recognise that our suggestions, if incorporated in the Bill, would enable the retention of a limited right of appeal, but without many of the administrative problems that new clause 1 would cause. I shall not continue to oppose the retention of a limited right of appeal tonight and the proposals before us give no opportunity to revisit the whole principle of clause 7. However, we shall continue to return to the issue of appeal rights for people who have either breached their immigration conditions or who have overstayed.

Fiona Mactaggart (Slough): In a way, I hesitate to speak on the new clause, because it relates to an issue that I raised on Second Reading and have been pressing vigorously with the Minister and the Home Secretary ever since, to such an extent that the Home Secretary has taken to associating new clause 1 with my name, which I think

is deeply unfair. That is not because the new clause does not represent a concession—it does, and I welcome it—but because the nature of that concession is, to be frank, pretty paltry.

All the new clause does is defer the time at which the rights of people who have overstayed to appeal against a decision to deport them are curtailed. Before the election, the Labour party said, in terms, that it would sustain such rights; and when he was an Opposition spokesman, my right hon. Friend the current Prime Minister made the powerful statement that:

"It is a novel, bizarre and misguided principle of the legal system that if the exercise of legal rights is causing administrative inconvenience, the solution is to remove the right."—[*Official Report*, 2 November 1992; Vol. 213, c. 43.]

However, we are planning to do precisely that. I am glad that, at least for some people who currently have a right that can work, there is to be a deferral before they can no longer exercise that right. The problem is that I am not confident that the new clause will work in practice. That is part of the problem with the Bill as a whole. Those of us who have been involved in immigration and asylum matters over many years are concerned about not just the Bill's principles but its administration. The recent administrative concessions that Ministers have introduced constitute the best changes made during consideration of the legislation.

I am concerned that the new clause will lead to fishing expeditions. What rights will people retain during the registration period? They will retain the right of appeal, which, as has already been pointed out, is ineffectual in most cases. It is potentially effective only for those people who have overstayed for more than seven years, and appeal statistics reveal that only 5 per cent. of appeals in this category succeed. So that is a tiny possibility. If we are to publicise extensively the fact that people will retain their right of appeal, it might lead to a fishing expedition. People will register because they will know that they retain their right of appeal, and then discover that that right is ineffectual in their case. So they will have done the work of immigration officers, who are tasked with finding and prosecuting overstayers.

I believe the proposal has serious defects, but that does not seem serious if we accept that overstayers are trying actively and deliberately to contravene immigration law. However, many of them are not doing that. A constituent, Mr. Singh—I do not identify him particularly by revealing his surname as it is common to many of my constituents—entered the United Kingdom in 1989 as a child of 12 when his father applied for asylum. I believe—although I have not investigated the application fully—that his father's asylum claim was not particularly well founded. Nevertheless, my constituent—who was a child at time—was part of that claim, which was refused and went to appeal. In the meantime, my constituent reached adulthood and married. His marriage application was rejected because he was an overstayer. Mr. Singh has no appeal on his substantive case, and he will never have one. That is the kind of person who might be affected by this measure.

Some 8,000 readers of *The Express* have sent letters and petitions to that newspaper concerning a young man who entered the United Kingdom as a child, whose parents stopped paying his school fees and who has been an overstayer in this country for a long time. His case has caught the imagination of its readers. He is a typical example of that kind of overstayer.

In view of the position that Labour adopted when rights of appeal were curtailed under the last Government, there is a strong case for following precedent. Ten years ago, Commonwealth citizens who entered Britain before the Immigration Act 1971 came into effect and who had lived here for five years were declared immune from deportation. In 1974, after the 1971 Act came into force, the then Prime Minister said that those people who would have qualified would be treated as though they continued to qualify. If we look at the history books and the statistics, we can see that the outcome was quite predictable: a fixed number of people who had arrived before the commencement of the Act and who retained their qualification right submitted applications. As one would expect, the number of applicants fell away five years after the Act's commencement.

In this case, the numbers would fall seven years after commencement because of the way in which the Home Office correctly exercises the rule regarding people who have been in this country for 14 years, recognising the compassionate circumstances that may exist in such cases.

10.45 pm

The new clause takes a small step in the direction that I requested the Government to take on Second Reading, and it is accompanied by bigger steps in other parts of the Bill, but I ask the Minister to consider whether publicising, in the short-term, a right that is not significant achieves very much. The process will not be made faster; it will not be made firmer because the new clause affects, by definition, only people who are already here, and it will not be made fairer because that would be achieved only by the introduction of a proper right of appeal against Executive decisions.

I am glad that a small step has been taken, but I ask the Minister to consider whether a slightly larger change—made, perhaps, in the other place—might deliver the slogan about a firmer, faster and fairer immigration system on which we were elected.

Mr. Corbyn: I shall be brief because there are many more matters to discuss and the proceedings are subject to an allocation of time motion.

There is a strong human dimension to the new clause. My hon. Friend the Member for Walthamstow (Mr. Gerrard) alluded to that when he said that the new clause must contain substantial provisions for overstayers or they will simply not come forward. Those of us who have the honour of representing one of the large number of inner-urban constituencies know many people who have been overstayers for many years. They lead a twilight existence. They live in perpetual fear of getting a parking ticket, of being stopped in the street, of witnessing a crime and being brought forward as a witness and of going to any authority because they know that they will be asked for their passport, their papers will be searched for, the Home Office will be contacted and their whole life will be torn apart.

If overstayers have a settled relationship and children, that fear is transmitted to their children, who are afraid to come forward and get involved. That simply is not right. If overstayers are looking for work, they are often subject to the worst possible exploitation. They will be exploited in sweatshops, burger bars, kebab houses and other places where people can get a job for a short time with no

[Mr. Corbyn]

questions asked. They will be paid disgraceful wages, and if they are abused by the employer, they cannot do anything about that. They cannot go to the Health and Safety Executive to complain about safety, and they cannot complain about not receiving the minimum wage or about anything else.

We have to recognise that we will damage the fabric of our society unless we try to make sure that everybody is legally entitled to work and able to lead a normal existence.

Although I recognise that the Minister has moved in the direction requested by my hon. Friend the Member for Slough (Fiona Mactaggart), it is essential that overstayers have the fullest possible rights of appeal. Case law indicates that in applications that rely, ultimately, on compassionate grounds, those grounds often reflect family relationships and structures. That is fine for people who happen to be in a relationship and to have a family, but the procedure often militates against single people who cannot claim such a network of support. That is why I have asked the Minister if any guidance will be given on that.

I hope that the Minister will reconsider what has been said and, perhaps, use the opportunity of the Bill's passage through the Lords further to amend the Bill not only to allow full rights of appeal, but to recognise the needs of single people who do not fit into the categories of compassionate circumstances that he is probably more accustomed to dealing with.

Mr. Peter Bottomley: This has been a useful debate. Some of it may seem very technical to people outside the House. I am grateful to the Minister for acknowledging that my point about trying to make our debates comprehensible to people outside is serious. New clause 1 will not be the most important part of the Bill to them because, in time, it will die as those who qualify under it have their cases and, if necessary, their appeals processed.

Those who have a serious concern about the new clause, and who have tried to provide briefing material to the House—they will continue to provide such material to the other place in the weeks ahead—must be able to look through the marshalled new clauses and amendments, including the four-digit numbers on the pages of the amendment paper and clauses with numbers of up to three digits, and be able to work out what effect each will have. If they begin by reading the original Bill, that process will be difficult to follow. I am grateful to the Minister for acknowledging that the present clause number had changed. If that happens in future, it would be helpful if we could be told.

As the Minister acknowledged when he spoke about consultations, a range of groups has been useful to the Government and wishes the Government to go further. The Minister acknowledged in Committee that meetings with such groups could be useful. Some of those meetings made progress, as the outside groups wished. Some groups hope that further progress will be made not just today and tomorrow, as the Bill goes through its Report stage under a pretty strict timetable, but in another place. We can anticipate further changes when it comes back from the House of Lords in due course.

I have one particular point to make to the Minister. For most of the time in Committee, he did well. Occasionally, he may have been defending the indefensible, but he usually kept his temper. He did not do that when my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) intervened at the beginning of the debate. The House will want to know whether that was preplanned, or whether it was his instant reaction to any kind of challenge to his remarks. I would like to think that it was preplanned and that it was the Minister's way of getting attention. Perhaps it was his bid to get into the Cabinet, but if it is repeated, we shall have to conclude that it is his reaction to being challenged.

We need to learn that in a democracy, challenge is normal. There may not have been much challenge to the Government on the matter in Committee, because it was only in the later stages that Labour Members began to participate more actively. They had originally listened rather quietly while arguments were advanced by the Opposition. I congratulate the hon. Member for Sheffield, Hallam (Mr. Allan) on his assiduity in Committee.

The points made in Committee matter a great deal. I pay tribute to the Minister's advisers, who try to keep the existing system running and to find ways of getting the new system to work better.

Part of the job of the Opposition is not only to argue for the changes that we believe should be made, but to allow Ministers to answer the arguments of outside groups about aspects that they believe the Government have not got right or could deal with better. I hope that all the representations that we have received over the past four or five days have been copied to Ministers. Some of those relate to the present new clause, but most refer to issues that will probably be discussed tomorrow.

Some of the groups had to spend as much time with refugees, migrants and overstayers as do Home Office and immigration service officials. The partnership between the voluntary sector and the public sector is important. We have heard Conservative, Liberal Democrat and Labour Members speaking of their experience, and some hon. Members have spoken very well this evening.

This is not a time for long speeches. Progress needs to be made. The limited rights for overstayers do matter. There is a point that is tangentially relevant to that. During the hiccups—to put it gently—of the immigration service over the past few months, some people became overstayers while their application for variation of their leave to remain was supposed to have been processed.

I have advised a constituent that if such people are refused variation of their leave to remain, and they abide by the time limit by which they must leave the country, and if they later apply to come back on a visitors visa of some kind, the fact that they overstayed because their original application, which was made in time, could not be processed will not be held against them. I do not ask the Minister for an assurance on that tonight, but I want him to know that that is the advice that I have given. If it was not people's fault that their application was not processed in time, that should not be held against them if they want to return to this country under normal arrangements.

Ms Abbott: I begin by thanking the Minister for listening to what was said in Committee and outside and making some move to meet our concerns through the new clause. However, in his opening remarks the Minister characterised people's response to immigration legislation as either knee-jerk leftism or knee-jerk rightism. I suggest

that one of the things that characterises people's response to immigration legislation is their personal and constituency experience.

I have never had much taste for the tone in which Ministers talk about economic migrants because my parents were economic migrants, although they were within the law. I come from a part of the world where, for at least three or four generations, people have used economic migration as a pressure valve to relieve poverty and deprivation, so I cannot buy into the tone that is sometimes adopted to people who travel thousands of miles to better their lives and those of their families, although one does not condone people doing that outside the law.

My constituency experience shapes my response to the new clause. For some of my colleagues, refugees and asylum seekers are transient figures who come through their constituencies for a few months and then are gone, but I represent a part of London where nearly everybody comes from somewhere else, be it Ireland, eastern Europe, Jamaica, Nigeria, Somalia or Iraq.

Outwardly, many people in my part of the world are pillars of the community, but technically they are overstayers. Many are wilful overstayers, but many others did not set out to subvert the Minister's legal system. They came here as children, as partners of men who became abusive and abandoned them, as students or as visitors. One cannot do as much immigration case work as I do and have any illusions about the saintliness of most people who come forward at surgeries, but the thread that is common to many of them is that they did not start out seeking to subvert the system. I would pray that in aid for them.

There is another common thread, certainly in many of the cases that I deal with. When Ministers talk about overstayers and economic migrants, they conjure up a world of triads, gangsterism and wicked, venal people whom all right-thinking people should condemn; but first, my children's school friends, party members and people I see in the supermarket did not start out seeking to subvert the system; and secondly, many of them are settled members of the community. I have dealt with pupils who have been shocked to find that some little boy whom they have known since nursery is facing deportation because—guess what?—his parents are overstayers.

I want to speak about what the new clause and its limitations will mean in practice in the context of my life and my constituency experience. As colleagues have said, the three-month period is not enough. Most immigrants—even legal immigrants—tend to keep their heads down. I remember previous deadlines for regularising people's situations, and when one was set by the Government of the day, I had to say firmly to my own mother—who was here perfectly legally, but on her Jamaican passport, to which she was very attached—that she should go and get a British passport because that was the best thing for her to do. Most immigrants—for all sorts of reasons and even if they are here legally—do not want to draw themselves to the attention of the authorities. How much worse are things for those who are here illegally?

Subsection (4) of the new clause says:

"The Secretary of State must publicise the effect of this section".

Presumably, that refers to the gentlemen and ladies in the Immigration and Nationality Directorate, and we will come to its operations as we go through the Bill. Some Members are slavish in congratulating the IND, and I am sure that many of its personnel are very nice people who go to church and are kind to animals, but the level of efficiency and the appalling state of the IND at present give me no confidence that it will publicise the effect of the subsection.

In effect, and as so often happens, these matters may come down to word of mouth. I do not think that three months is enough time for news of the subsection's effect to get round the Nigerian, Ghanaian, Iraqi and Somali communities in my constituency by word of mouth, or for their members to be persuaded to present themselves; and many people will miss out if the regularisation period is as brief as that suggested in the new clause.

I also think that there will be a problem towards the end of the three months when news of the subsection's effect finally gets round by word of mouth. There will be a big rush. How will the IND, which has boxes and boxes of unopened cases and misplaced files, deal with any sudden rush? We know what happened when the IND had to deal with previous rushes.

Some people have said that the new clause is a technical measure, but I know that, in the months and years to come, I will be dealing with some very sad cases as a consequence of it—cases involving people who, to all intents and purposes, are settled members of the community. Yes, technically they are outside the law, and yes, they are economic migrants; but have matters come to such a point that we, as a House, will condemn people who did not set out to subvert the law, and who are trying to play their part in the community?

It would be churlish not to welcome the extent to which the Government are meeting the need by tabling new clause 1, but I do not think that it will deal with circumstances in my constituency, and I hope that they will try to improve their proposals in another place.

11 pm

Mr. Mike O'Brien: We have had a short but useful debate, in which hon. Members have been able to express a welcome of sorts for our proposals. Some reactions have been warmer than others, but we have listened to what has been said, and have responded with the new clause and the amendments grouped with it.

My hon. Friend the Member for Walthamstow (Mr. Gerrard) said that overstayers could use other avenues of appeal. I think that the hon. Member for Hertsmere (Mr. Clappison) alluded to that as well. If overstayers wish to raise a family issue, or another issue that might properly be raised on the basis of the European convention on human rights, they are entitled to use that appeal mechanism on family and other compassionate grounds, provided that those grounds come within the provisions of the ECHR. However, we are introducing new powers for adjudicators to deal robustly with representatives who might seek to abuse such a system.

My hon. Friend the Member for Slough (Fiona Mactaggart) mentioned the *Daily Express* articles. I shall not comment on the case in question because it is before the courts; but overstayers are breaching immigration controls, and that is against the law. The Government were elected on the basis of their promise to establish firm immigration controls, and that sometimes means removing people who have been here for some time. People must face up to that unpalatable fact. Sometimes

[Mr. Mike O'Brien]

people will the ends, but not the means. It is important for us to convey the message that overstaying is breaching the law, and we must ensure that we enforce the law.

Our aim is to create a system that works. We want a system that considers the particular circumstances of individuals, and offers appeal rights where they are appropriate; but we do not feel that people who have no right to remain here should be able to do so, and drag out the process of their removal.

Ms Abbott: Does my hon. Friend accept that some people are overstayers owing to circumstances beyond their control, either because they came here as children or because they came here as partners of men who either turned out to have other wives or subsequently abused them? I see a lot of that in some communities.

Mr. O'Brien: My hon. Friend has written to me a number of times citing cases that she has taken to Ministers on compassionate grounds. We listen carefully, and, if there is a strong case, Ministers have discretion to make decisions on such grounds. That right will remain with them. However, lengthy legal procedures—and deportation procedures take a long time—enable people with no right to be here to drag things out, and that is unacceptable.

The hon. Member for Hertsmere asked me whether the criteria for the decisions would be the same as they are now. The answer is yes: there will be no relaxation of the criteria. As for how long the regularisation period will last, we envisage a period of about a year, but we shall consult various groups and listen to the debate as it progresses.

A number of hon. Members asked about publicity. I can tell my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) that we are committed to proper publicity. We aim to advertise in various ethnic minority media, including some of the international publications that are read by groups that may be overstaying in the country; but there are other ways of conveying our message through community groups.

My hon. Friend the Member for Walthamstow welcomed the changes, but sought more. I understand why he did so, but he was right to say that we had listened. I think that we have gone as far as we can, but we shall continue to listen, as far as we are able, during proceedings in another place.

The hon. Member for Sheffield, Hallam (Mr. Allan) sought more detail on the process. That detail is more properly given during consideration of the regulations that will, in due course, evolve from the Bill, but essentially, the idea is that there will be a period during which will have to apply. It will be properly advertised. A decision will be made under the current criteria on whether people should be allowed to remain. If the decision goes against them, they will be entitled to an appeal.

The appeal will occur in much the way that it does now, except, as the hon. Gentleman is no doubt aware, that the backlog of appeals is now quite low, so the decision on appeal should be able to be made fairly quickly. We intend to ensure that we keep that appeal backlog low, so that such decisions can be made rapidly.

My hon. Friend the Member for Slough was concerned about overstayers with families. One of my problems as a Minister arises when hon. Members are concerned about the families of people who are subject to deportation proceedings. Someone who is deported is prevented from re-entering the country for three years. Their wives and children may become very disturbed about the deportation. The wife and children, or the other spouse and children, may not need to leave the country. They therefore have a choice. Do they go with someone who may be out of the country for three years, or do they remain? That is a difficult choice. It often deters people who have a deportation order against them from going voluntarily.

What will happen with the removal process is that there will not be the three-year period, so people with—

Fiona Mactaggart: Will the Minister give way?

Mr. O'Brien: Let me finish describing the position; then I will give way.

People who have been removed and have a right to re-enter the country because they are married to someone—they have a lawful right to be here—may be able to apply soon at the nearest embassy or high commission to re-enter lawfully and to ensure that their families are kept together. That is a more sensible approach. So my advice to Mr. Singh is that, if he is overstaying, he should obey the law. If he has good family reasons for wanting to remain in the UK—my hon. Friend mentioned that he was married—he should go back to his country and make an application properly, as other people do, at the high commission or wherever it is—presumably, it will be in New Delhi. If he has a legal right to do so, he will in due course be able to re-enter and to rejoin his family.

Of course, if Mr. Singh were removed under the deportation order procedure, he might be prevented from coming back for three years. However, if he has no legal right to be here, he will not be able to return.

Fiona Mactaggart: Does the Minister accept that one reason why people are reluctant to do exactly that is the fact that, in some parts of the world, there are long delays before people are even interviewed on such applications? Perhaps if he could tell my constituent that he would not face a six-month wait before the interview on his application for return, my constituent might find it more possible to go to a country that he has not visited since he was 12 to make a fresh application.

Mr. O'Brien: The delays are not that long. The maximum delays in places such as Islamabad are about six months, which I accept is a long delay for the family, particularly when children are young. There are ways in which, in particular cases, it is possible to expedite those interviews, but in most other countries there are not such lengthy delays.

My hon. Friend will know that we have been making substantial efforts to reduce the backlog of interviews in various countries. We will continue to do so. She will be aware of the way in which the Foreign Office and Home Office will be integrating operations on issuing visas. I hope that the greater co-operation between the Home Office and Foreign Office will enable the sort of decisions that she wants made to be made much more quickly.

My hon. Friend the Member for Islington, North (Mr. Corbyn) described the life of some overstayers—working in sweatshops and living in fear. It must surely be far better to return properly, if they have a right to do so by reason of marriage, to regularise their stay and behave in a lawful way, as most immigrants do.

My hon. Friend the Member for Hackney, North and Stoke Newington referred to her parents as economic migrants. My parents were economic migrants, too, but they came here lawfully and obeyed the law. I trust that my hon. Friend's parents obeyed the law. That is what is important. Our job as lawmakers is to make good laws and then to ensure that they are enforced. Some people do not like enforcing laws because they may be unpalatable, but we have a responsibility as lawmakers to do so.

The hon. Member for Worthing, West (Mr. Bottomley) referred to the consultation with various interest groups. They have been enormously helpful to us and have prevented us from making mistakes that we might otherwise have made. We are entirely responsible for the decisions and many of the interest groups will disagree with some of them. It is important to keep the door open to dialogue because it helps us not to make mistakes and it helps them to understand where we are coming from and why we are making decisions. I have found the process of opening up the Home Office valuable and I hope that the interest groups have, too. We will seek to continue to do that.

The hon. Gentleman seemed to have some misunderstanding about giving advice. If someone applies in time, under the variation of leave order, the leave is extended until 28 days after the date of the decision. So people in that position are not overstayers. They cannot overstay, whether consideration of their application takes two days, two weeks, two months or even two years. They are not in the precarious position that he feared, so he can reassure people on that point.

The hon. Member for Hertsmere referred to the guillotine motion and complained that, if we wanted to listen, we would not be guillotining debate. We have had hours of debate in Committee, in the House, with interest groups and among Members of Parliament. The hon. Gentleman seemed almost to reduce the hours of consideration in Committee to an irrelevance, particularly the Special Standing Committee procedure in which we were engaged. This must be one of the most consulted-on Bills ever.

We offered two days of debate, but yesterday Conservative Members decided to muck about like a bunch of schoolboys, filibustering to disrupt the people's business. If Conservative Members have points worth making on this Bill that are so important, they should have curtailed the pranksters' antics yesterday. They are the architects of their own misfortune. Let us get on to talk about asylum and immigration and stop rehearsing the debates of earlier this afternoon.

Mr. Peter Bottomley: On a point of order, Mr. Deputy Speaker. Can the Minister explain what is meant by the people's business that hon. Members are not supposed to discuss? Is that from central casting—or did the Minister make it up?

Mr. Deputy Speaker: It is not for the Chair to advise the hon. Gentleman on such matters.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 2

REMOVAL OF ASYLUM CLAIMANTS UNDER STANDING ARRANGEMENTS WITH MEMBER STATES

'.—(1) A member State is to be regarded for the purposes of subsection (2) as—

(a) a place where a person's life and liberty is not threatened by reason of his race, religion, nationality, membership of a particular social group, or political opinion; and

(b) a place from which a person will not be sent to another country otherwise than in accordance with the Refugee Convention.

(2) Nothing in section 6 of the Asylum and Immigration Appeals Act 1993 (protection of claimants from deportation etc.) prevents a person who has made a claim for asylum ("the claimant") from being removed from the United Kingdom to a member State if—

(a) the Secretary of State has certified that—

(i) the member State has accepted that, under standing arrangements, it is the responsible State in relation to the claimant's claim for asylum; and

(ii) in his opinion, the claimant is not a national or citizen of the member State to which he is to be sent;

(b) the certificate has not been set aside on an appeal under section 51; and

(c) the time for giving notice of such an appeal has expired and no appeal is pending.

(3) For the purposes of subsection (2)(c), an appeal is not to be regarded as pending if the Secretary of State has issued a certificate under section 58(2)(a) in relation to the allegation on which it is founded.

(4) "Standing arrangements" means arrangements in force as between member States for determining which state is responsible for considering applications for asylum.'.—*[Mr. Straw.]*

Brought up, and read the First time.

11.15 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Government new clause 3—*Removal of asylum claimants in other circumstances.*

Government amendments Nos. 56 and 58 to 60.

Mr. Straw: The new clause is the centrepiece of this group. For the most part, the other amendments in the group are consequential.

The objective of new clause 2 is to deal with the problem—which was identified in the White Paper that we published last July—of lengthy and unnecessary delays to the operation of the Dublin convention caused by disputes over the safety of transfers to other member states. We made it clear in the White Paper, and in Committee, that we perceive that to be a major problem, and that we might table an amendment to deal with it later in the Bill's passage. New clause 2 is the result of those considerations.

[Mr. Straw]

New clause 2 would replace section 2 of the Asylum and Immigration Act 1996 in so far as it applies to asylum seekers transferred to other European Union states under what are referred to as "standing arrangements" for determining responsibility for asylum seekers. Those arrangements are currently provided for by the Dublin convention. As my hon. Friends and Opposition Members will notice, the clause itself does not specifically refer to the Dublin convention, as that convention may be superseded in the future. Moreover, every hon. Member will know, possibly by heart, that article 63 of the treaty of Amsterdam provides for the possibility, in the next five years, of a new instrument in the sphere.

The House will also note that new clause 2 provides that

"A member state is to be regarded for the purposes of subsection (2)"

as essentially a place where convention criteria are satisfied, and as

"a place from which a person will not be sent to another country otherwise than in accordance with the Refugee Convention."

Before I continue explaining the changes, I should mention that the new clause would also make it a requirement that removal may not proceed if an appeal is outstanding, or if there is the possibility of such an appeal—or, of course, if there is a successful appeal—on the basis of the European convention on human rights. We are proposing certain limitations on the right of appeal on ECHR grounds in cases that I shall explain when I speak to amendment No. 60.

We are proposing those changes to the approach established in section 2 of the 1996 Act, first, because of the very real problems that we are experiencing in operation of the Dublin convention within the legislative framework of the 1996 Act, which seems not to have anticipated the convention. The second reason for our proposals is our conviction that, in the context of the Dublin convention, some of the current requirements are no longer necessary.

I had quite a few surprises when I became Home Secretary. I discovered, among other delights, that I had a dignified function in the election of new bishops to the Anglican Church.

Miss Widdecombe: Better you than me.

Mr. Straw: Yes. I have to administer an oath of homage, which new bishops have to make to Her Majesty, that was written by Queen Elizabeth I and has remained unchanged ever since. The oath refers, by implication, to those who have converted to Rome, and promises them a dire fate—as was befalling them, one way or the other, in the 16th century.

Various other delights awaited me. I had not properly realised that the Home Office was responsible for burials, or that we were somehow princes of the Channel Islands and of the Isle of Man.

I had also not comprehended—I do not remember it ever being mentioned in the House, in all our fascinating debates on immigration and asylum—that, in 1990, the previous Government had signed the Dublin convention. Hon. Members should mark that the previous Government signed it at the height of their Europhobia, when Lady Thatcher was Prime Minister. Although I have yet to discover who was responsible for appending his or her name to the convention, the previous Government did sign up to it—which, happily for them, did not come into force until October 1997. I think that they had realised that, by then, they would be long since gone.

Mr. Clappison *rose—*

Mr. Allan: He signed it.

Mr. Straw: If the hon. Member for Hertsmere (Mr. Clappison) signed it, I shall give way.

Mr. Clappison: The Home Secretary may not be aware of the fact, but the Committee *Hansard* for the 1996 Bill shows that the then Labour spokesman, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), not only specifically mentioned the Dublin convention but welcomed it.

Mr. Straw: I look forward to consulting the record. I am happy to say that I was not a member of that Standing Committee. As the late Enoch Powell once said, the best way to keep a secret is to speak it in a Standing Committee.

The convention came into force in October 1997. Its purpose is not a problem and may have been given a general welcome, but its wording is a major problem that has caused immense difficulties in the European Union. It is already difficult to find sufficient evidence to show that a particular member state is responsible for individual asylum seekers. The added hurdle of disputes about the safety of member states makes matters even worse.

There are many hundreds of Dublin convention cases in a growing judicial review backlog. They are held up behind a series of test cases in which the courts are examining whether it is reasonable for me, as Home Secretary, to consider whether a member state of the European Union will abide by its obligations under the 1951 convention. A range of questions about the application of the asylum procedures in other member states and their interpretation of the 1951 convention can be at issue. In each case the representatives of the asylum seeker argue that an alleged deficiency in the other state's procedures makes it unreasonable for me to consider it a safe third country.

The scope for finding new points of detail in the laws and procedures of other member states on which to seek to delay removal is almost unlimited. An applicant's representative might point to a new report by a non-governmental organisation that alleges that an aspect of the procedure in another member state is defective. A case can be held in limbo for a year or more while it works through the courts. During that period it is impossible to progress the case of any applicant raising similar grounds.

As a result, almost all removals to a particular member state are delayed for at least the time that the case takes to get through the courts. We also find that no sooner has a case concluded in our favour than the applicant's representatives find another issue on which to challenge the decision and we are back to square one.

During our debates and in discussions outside the Chamber, but within the precincts of the House, many hon. Members have said that we need to process applications quickly and enforce the decisions. I agree, but in case after case the delay is caused not by the Immigration and Nationality Directorate of the Home Office, but by the fact that in this country, much more than in any other EU state that I can think of, particularly as the courts have developed the concept of judicial review, the opportunities for making one appeal and piling it on another have become disproportionate to the mischief of judicial maladministration, with which the courts are trying to deal through the process of judicial review.

If that pattern continues indefinitely it will be a constant obstacle to the effective operation of the Dublin convention. Around a third of all cases are presently delayed in that way.

The consequences are serious. There is an obvious risk of damage to our immigration control. The longer that an asylum seeker is in the UK, the harder it generally is to effect their removal. Over the coming years there could be considerable costs associated with that. In our debates on the Asylum and Immigration Act 1996 it arose that under section 2 it would be possible for people to be returned to one so-called safe third country—the definition was not originally limited to EU states—and then leapfrog back to a fourth, fifth or sixth country. Later, on the Floor of the House, we were able to secure support for changes to section 2, which certainly improved its operation.

Prior to the 1996 Act, asylum seekers who were to be returned to member states had an in-country right of appeal, and it has been suggested that reintroducing such a right might solve the problem. As my ministerial colleague, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) made clear in Committee, that would not prevent applicants from finding issues on which to apply for judicial review after their appeal, which in my judgment would only add to the delay. The cases often involve very detailed comparisons between our asylum system and that obtaining in other states and there would always be scope for raising new issues after appeal.

I believe that the proposal is justified by the safeguards in the Dublin convention—which were obviously not in force when the 1996 Act was passed—and the need to make the convention work effectively, as well as the high standards of asylum procedures in other member states. Such provision is not without precedent in other member states.

Germany is well regarded for its application of human rights. Since the war it has been almost rule-bound in its consciousness of the need to observe human rights, and its basic law has a structure of constitutional courts. In Germany, however, other member states are considered safe third countries as a matter of law. It is also notable that other member states simply do not experience anything like the same amount of litigation over these issues. Their courts are prepared to accept that member states can be regarded as safe third countries.

Ms Abbott: This matter was discussed in our proceedings on the 1996 Act. Is not my right hon. Friend aware that there were serious problems with people being returned to France who were then passed directly to Zaire and Congo? There have been occasions when EU member states have not proved safe for genuine asylum seekers.

Mr. Straw: I am aware of the concerns that have been expressed. I have examined in some detail the arrangements that apply in France. The French authorities, and the police in particular, tend to treat people who are regarded not as asylum seekers but as wholly illegal immigrants—they are called "sans-papiers"—in a fairly peremptory way, but that does not apply—

Mr. Deputy Speaker: Order. The right hon. Gentleman should face the Chair, not the hon. Member for Hackney, North and Stoke Newington (Ms Abbott).

Mr. Straw: Indeed. I apologise, Mr. Deputy Speaker.

The French do not treat asylum claims in so peremptory a manner. The French office for the consideration of asylum claims, OFPRA—I apologise to the House for the fact that I cannot recite off the top of my head what that acronym stands for—is a highly respected organisation, and if one reads the French press, as I do from time to time, one will quite often see stories about the length of time that it takes to deal with asylum cases. It applies itself strictly to the law.

We do not intend to return asylum seekers unless either their case has already been dealt with, in which case it falls to the other member state to take appropriate enforcement action, or there is an undertaking that it will be dealt with.

Mr. Allan: Does the Home Secretary acknowledge that there has been a successful challenge against the Government on the ground that the French do not treat non-state parties as persecutors under the refugee convention, whereas we do? In France, persecution by Islamic militants would not be recognised as it is here.

11.30 pm

Mr. Straw: Whenever there is an international convention—and this applies also to the European convention on human rights—there will always be some difference in the interpretation of that convention within the domestic law of the individual countries. That is called the margin of appreciation. The hon. Gentleman takes an interest in such matters and if he considers the interpretation of the European convention, he will notice significant differences between countries.

We are assisted in the interpretation of the European convention on human rights because we have what amounts to an international court that is able to determine what margin of appreciation should apply. There are many defects in the jurisprudence—but not in the original purpose—of the 1951 refugee convention, one of which is that there is no way that the margin of appreciation can be defined internationally. Different member states define it differently and it is open to argument which way is right.

There is a substantial argument that says that the interpretation applied by France, in respect of non-state parties, and by Italy, Germany and Switzerland—which has a good record on human rights and refugees—is much

[Mr. Straw]

closer to the original intentions of the framers of the 1951 convention than that of our courts in one or two cases.

Mr. Corbyn: A few moments ago my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) asked the Home Secretary specifically about the situation in France and its methods of removing people, especially to west African countries. In his discussions with the French Interior Minister, what undertakings were given to the British Government about the French formulation for adherence to the original convention?

Mr. Straw: I have talked to my opposite number, Jean-Pierre Chevènement, on many occasions about the French asylum system. People parody the French judicial system, but France is subject to the constitution and the application of the law to a similar extent to this country. Indeed, in practice although perhaps not in legal theory, there is considerable convergence in the way that the French approach many issues. They have detailed judicial procedures for processing asylum applications. They are in place, they are followed and they are subject to the European convention on human rights. From time to time, France is in the dock before the European Court of Human Rights, just as is every other signatory state, and it adheres to the court's judgments. I hope that that provides reassurance.

Some people are confused—I was myself confused at one point—by the fact that the French police may deal peremptorily with people who are not asylum seekers. Such people are wholly illegal and are not seeking asylum. However, that is a separate issue from those who have applied for asylum. Some thousands of people—fewer than in this country—apply for asylum in France each year and their applications are considered on their merits.

The most important safeguards that were introduced by the Dublin convention are that applicants are now returned to another member state only if that state has accepted beforehand that it is responsible for considering the claim and if specific arrangements have been made for the transfer. That is an important development. Those safeguards were not present when the 1996 Act was passed. Indeed, in opposition we argued for those safeguards during the passage of the 1996 Act.

I have spoken of my belief that other member states are able to meet the full effect of the 1951 convention. It is also important to note that the 1951 convention is not the only international instrument that provides protection to asylum seekers. In addition to the convention, protection is provided by the European convention on human rights.

I said in my opening remarks that I would refer to amendment No. 60 when I was explaining new clause 2.

Government amendment No. 60 would amend clause 58, which relates to miscellaneous limitations on rights of appeal. It would place an important limitation on European convention on human rights appeals in cases under new clause 2, and also on cases under new clause 3 that involve a member state or a designated safe third country. It would provide that, where the Secretary of State was satisfied that a claim that removal was in breach of the convention was itself manifestly unfounded, the right of appeal could not be exercised while the applicant was in the United Kingdom.

Such provision is necessary to prevent transfers in such cases being delayed by spurious allegations that the transfer would be in breach of the convention. I can tell my hon. Friend the Member for Hackney, North and Stoke Newington that we understand why people want to come to this country and remain here. I make no judgment about their motives: we must work on the basis that, in almost every case, people want to come here to better themselves. However, that desire has to be balanced against the need, in the wider public interest, to secure effective immigration control and—very importantly—to secure fairness for those of our constituents and their families who are willing to avail themselves of rights under the law. Those rights often mean that applications for entry into the United Kingdom have to be considered outside the country, rather than within it.

Any misuse of the certification power under amendment No. 60 would be challengeable by judicial review. The power will be exercised only with great care.

I hope that I have explained the reasoning behind new clause 2 and the associated amendments to the satisfaction of the House.

Mr. Clappison: I welcome the Home Secretary to our proceedings, and the consistent calmness that he has brought with him. That is in contrast to the mood swings that the Under–Secretary seems to be experiencing. After being soothing for a time, he has displayed some abrasiveness that is not entirely called for.

I appreciate the gratitude that the Home Secretary expressed in a written answer last Wednesday to all the members of the Standing Committee and Special Standing Committee. However, I was surprised when he imposed a guillotine on debate a few days later, but I shall have to ponder that mystery. The Under-Secretary said that there has been so much debate already that there is no real need for more, but the Government are introducing entirely new provisions that are in addition to the sensitive matters that the Under-Secretary agreed to reconsider on Report. That is rather strange, and I hate to think of the wails of indignation that would have greeted a Conservative Government who had acted in that way.

In principle, I do not take issue with what the Home Secretary has said in connection with new clause 2 and the associated amendments. Later in the debate, I hope that he will be able to satisfy my natural curiosity about the background to the proposal. As he conceded in his opening remarks, it did not arise from the debate in Committee, but was under consideration last year and appeared in a consultation document last July. If the Government were considering it for so long, why has it taken until now for them to put it into the Bill?

This sensitive proposal takes away a person's right to seek judicial review. We may not consider the proposal to be controversial, but expert groups such as the Immigration Law Practitioners Association and the other august bodies that gave evidence to the Special Standing Committee would like to have expressed their views. The opportunity to do so has been taken away by the way in which the Government have introduced the provision.

Mr. Allan: It may assist the hon. Gentleman to know that the Immigration Law Practitioners Association has seen the

new clause at this late stage and has described it as draconian, unprincipled and wholly without justification. The association would have liked to elaborate further in the Special Standing Committee.

Mr. Clappison: Even when I do not agree with someone, I like to hear his or her point of view, particularly in the case of experts. The Government want to close down debate and ignore the experts while pretending to go through the motions of holding a Special Standing Committee.

We do not oppose the new clause. The Home Secretary has conceded that it builds on the provisions of the Asylum and Immigration Act 1996. The Under-Secretary was intemperate—perhaps even reckless—when he spoke about that Act, much of which is reproduced in the Bill. On carriers liability, employment checks and rights of appeal, the Bill reproduces large parts of the 1996 Act. We can hardly oppose something that we enacted.

Remarks made on the 1996 Bill by Labour Members about the safe third country principle will make interesting reading alongside what they said in Special Standing Committee and their welcome to the Dublin Commissioner. My hon. Friends will recall how our provisions were criticised from pillar to post by Labour Members, some of whom have sat on the Front Bench.

We value consistency, accepting that asylum seekers can, in some circumstances, be removed to safe third countries. No legal impediment should get in the way, allowing cases to be dragged out before the courts. Section 3 of the 1996 Act removed the in-country right of appeal for that reason. The Bill goes further. Since that right was removed, some asylum seekers have successfully sought judicial review.

The Government's actions are justified. The safe third country principle should be applied without protracted legal proceedings, notwithstanding what Labour Members said in 1996. We are, however, curious to know why the Government have introduced the provision so late, bypassing all debate and expert evidence in the Special Standing Committee.

Mr. Gerrard: I find it difficult to deal with new clauses that were tabled just a few days ago. They are technical and it would have been useful to have seen them earlier. In particular, it would have been helpful if I had been able to consult outside organisations about their effect.

Safe third country appeals were introduced by the Asylum and Immigration Appeals Act 1993. People threatened with removal to another country on the ground that that country should determine their asylum application were given a right of appeal by that Act. In 1996, the Conservative Government decided that they had got it wrong and took that appeal right away. The original intention was to remove appeal rights entirely. I have looked back at what was said on Report in 1996. Then, we said:

"Originally, the Government believed that persons should return to those countries to make their appeal",

and we were glad that the then Government recognised

"that that was impractical and would have guaranteed no fairness or protection for the individuals involved."

We also said:

"If a political asylum procedure is to be fair and perceived as fair, it is very difficult to cover all eventualities, even in the European Union."—[*Official Report*, 21 February 1996; Vol. 272, c. 447.]

I have concerns and I should be grateful if the Minister could confirm whether my interpretation of the clauses is accurate. They seem to say that if we are dealing with someone who is to be removed to a country that is a signatory to the Dublin convention, they will prevent that person from having access to judicial review. In the case of removal to a country that is not a signatory to the Dublin convention, they would stop the person having appeal rights before he or she is removed.

Some of our arguments three years ago, about the difficulties of exercising the appeal rights after one has been removed, still apply. I have not been able to find out how many appeals there have been since 1996—I looked through asylum statistics in Home Office publications this afternoon—involving people who were removed from the country and who, in theory, had the right of appeal from abroad. I suspect that the numbers are relatively small.

The problem that that creates for me in trying to understand the reasoning behind the necessity for the changes is that I have always understood that decisions on asylum cases should be made on the basis of what is happening or has happened to the individual concerned. That was our fundamental objection to the white list that was introduced in the 1996 Act—we are now getting rid of that. The fundamental objection to that list is that it made assumptions about a country as a whole, rather than asking what was the position of the individual in relation to that country. A similar line is being followed in this Bill as regards the Dublin convention.

In the next few years, there are likely to be changes; if some of the provisions of the Amsterdam treaty are taken forward, there may be some significant changes, with agreements throughout the European Union on minimum standards. However, we are not there yet.

The other question, about which I am not at all clear, is what will happen in the next few years if the European Union expands. The clauses mention member states. What happens if countries that are not signatories to the Dublin convention join the EU? For one reason or another, we may well have granted asylum to people who have come from some of the states that may join in the next few years. There may be some question marks about the human rights standards in those countries.

Therefore, I am not clear how the provision will operate. I understand the problem with judicial review in the past few years, as Ministers do not want hundreds of cases queuing up behind one or two judicial review cases. I am not a lawyer and I may be getting this completely wrong, but I have always worried about judicial review being substituted for an appeal. That is what happened in 1996, when the appeal rights on safe third countries were taken away. Judicial review became almost a substitute.

In general, many asylum cases are refused. People go to appeal and a small number get permission to go to the Immigration Appeal Tribunal. Very few get leave to go to judicial review, although many of them may try. That suggests that a comprehensive process of decision making followed by an appeal under the law is much more difficult to take to judicial review. Perhaps that is at the root of what has gone wrong during the past three years. The removal of appeal rights brought in under the Asylum

[Mr. Gerrard]

and Immigration Act 1996 has left a vacuum into which lawyers have happily rushed. As we know, they are quite glad to go for judicial review and to spin matters out and keep the process going.

I find this matter difficult and I am not sure whether I have exactly understood the amendments—obviously, they are highly technical. As the Bill progresses through another place, I hope that we shall have the opportunity to reflect on them. There are worries at the back of my mind about whether we are getting the matter right, because some people might be sent back to another EU country, but will later find that their asylum claim has not been determined there and that they are to be moved on to somewhere else. Alternatively, the claim might be determined in a way that would strike us as unreasonable.

Mr. Allan: This measure, with the previous new clause, sums up the Government's approach in amending the Bill, in that the previous new clause made some minor concessions, but this one introduces a new element with a potentially significant and serious impact on asylum seekers. I share the concern of the hon. Member for Hertsmere (Mr. Clappison) over why the measure was introduced at such a late date. The sittings of the Special Standing Committee at which evidence was taken worked well; I hope that becomes the norm rather than the exception. However, that can work well only if substantive issues are introduced at an early stage. This is a substantive issue.

The matter seems to represent the Government's contribution to the arms race that seems to be taking place between the Government and the courts over judicial review. In later parts of the Bill, the Secretary of State denies himself the power to consider preferences as to where asylum seekers want to live, in order not to be taken to judicial review over whether he exercised that discretion properly. Perhaps Ministers will increasingly become automatons, who merely make standard decisions in order to avoid judicial review as that arms race continues. The Government—and perhaps the previous Government—have adopted a fairly combative approach to the courts in the way in which judicial review is exercised.

In this context, it is important to consider what judicial review does when it is exercised in cases under the Dublin convention and those in which safe countries are involved. The Secretary of State said that there would be serious consequences if the cases of a queue of people were undergoing judicial review. The consequences for an individual who is returned to a third country and is not treated properly are incredibly serious. That is literally a matter of life and death.

The kind of cases that have been considered are, for example, those of Kosovan asylum seekers that occurred before the beginning of the conflict. The British Government have now, quite properly, decided to apply 100 per cent. recognition to cases of asylum claims from Kosovans. However, before the conflict started, an individual took a case about being returned to Germany to the Court of Appeal and won, because it was clear that there was a significant chance that the person would be returned to Kosovo from Germany. There were domestic German reasons for that, although I understand that Germany does well in taking a large number of refugees. However, the consequences of a return from Germany to Kosovo could have been serious. We all saw what happened to people in Kosovo before and during the conflict.

There is also the Algerian example. The Home Secretary referred to the fact that we apply provisions differently, but arguments about the wrong kind of persecution are deeply disturbing. We seem to be saying that we are quite content to send people back to the wrong kind of persecution; we are content that they should be persecuted by paramilitaries in Colombia or by Islamic militants in Algeria. As long as the state is not carrying out the persecution, we are not prepared to apply the law.

The Secretary of State says that there is a problem with the Dublin convention. I accept that; and I accept what he says about the problems over the different definitions of the 1951 convention. However, I do not want us to take the lowest common denominator, whereby we all head for a minimal definition—especially in the European states, which are among the wealthiest in the world and are more able to offer refuge to individuals who are fleeing persecution. I do not want this country to play a part in driving down standards, by saying, when reinterpreting the 1951 convention, that it is acceptable to use the margin of error and to allow people to face the wrong kind of persecution.

I hope that the Government will tell us why they have introduced the provision at this late stage, and how they intend to drag up standards, rather than drive them down. If the Government are determined to adopt the approach of having 100 per cent. confidence in safe third countries and of not wanting the courts to intervene and consider the issues of differential recognition rates at all, there is a duty incumbent on them to ensure that our European partners have standards that match our own. There is a strong Somali community in Sheffield and Somalia offers a good illustration of my argument. I understand that, because Somalia is deemed to be a civil war state rather than a case of an established Government persecuting individuals, the conflict there would not be regarded in Germany as sufficient grounds for refugee status.

I was pleased when, during the British presidency of the European Union, the Government announced that a common European approach to immigration and refugee issues would be a key matter. However, all has been quiet since then and we have dealt only with domestic legislation. I doubt that the Home Secretary will be successful in reassuring us, so we shall revisit the issue in detail in another place, where we have legal minds who will apply themselves to it. However, I hope that the right hon. Gentleman will be able to offer us some hope that the Government are facing up to the challenge that they set themselves during the British presidency to reach a common European approach and to make the Dublin convention work.

I also hope that the right hon. Gentleman will state that, in that effort, the Government's intention is to meet the highest possible standards, and not to go down the route of the lowest common denominator. As the hon. Member for Walthamstow (Mr. Gerrard) said, some of our future EU partners will be countries in eastern Europe whose records are not entirely laudable on these matters. To go

for the lowest common denominator would be a dangerous path and would make the new clause deeply disturbing to the Liberal Democrats.

Ms Abbott: I join colleagues from the Special Standing Committee in expressing regret that these important and highly technical new clauses were not tabled in good time, so that the Committee could take expert evidence on them and debate them properly. Despite their having the support of some Opposition Members, there is no doubt that the new clauses will have to be considered more fully in the other place.

The amendments deal with issues on which, during the passage of the Immigration and Asylum Act 1996, Labour Members spoke at great length. Concerns still remain in respect of differential standards and differential interpretations of asylum issues within EU member states. It is not a pleasant thought that we as a Government are reduced to playing pass the parcel with asylum seekers. It is difficult to comment on these technical new clauses, having had only a few days in which to study them, but one cannot lose sight of the suspicion that the convenience of Home Office officials is being elevated above the rights of asylum seekers. My hon. Friends have raised serious questions about the new clauses and I hope that Ministers will be able to answer them—if not in the minutes remaining, then when we resume the debate tomorrow.

Mr. Straw: In the closing minutes of the debate this evening, I hope to deal with some of the questions raised. My hon. Friends the Members for Walthamstow (Mr. Gerrard) and for Hackney, North and Stoke Newington (Ms Abbott) and the hon. Member for Nottingham, North (Mr. Allen) all asked why the Government were not able to table the amendments and the new clause at an earlier stage in the Bill's passage. I wish that we had been able to do so. They were not an afterthought—the issues they deal with were flagged up in the White Paper published in July, and, if they had wanted to do so, it was open to the non-governmental organisations that gave evidence to the Special Standing Committee to anticipate that we might make a change—

It being Twelve o'clock, the debate stood adjourned, pursuant to Order [this day].

Debate to be resumed this day.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONSTITUTIONAL LAW

That the draft Scottish Parliament (Assistance for Registered Political Parties) Order 1999, which was laid before this House on 26th May, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

WHO Environment and Health Conference

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

12 midnight

Mr. Tony Colman (Putney): I thank Madam Speaker—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I ask hon. Members to leave the Chamber quietly as an Adjournment debate is in progress.

Mr. Colman: I thank Madam Speaker for allowing this debate on the World Health Organisation third ministerial conference on environment and health, which my right hon. Friend the Deputy Prime Minister will open at 10 am in the Queen Elizabeth II Conference Centre. As I said during business questions last Thursday, I urge the Government to timetable a full debate in the House before the summer recess on the outcomes of the conference, given the important policy areas to be covered by the conference in the next three days, which include the United Kingdom environment and health action plan.

In this short Adjournment debate, I will cover what I believe to be the main areas of concern, and I look forward to hearing the Minister's response—if not immediately—when she enters the Chamber, and subsequently in writing. This is the third conference in the WHO European region environment and health process, which has been running for 12 years. The process brings together representatives of 870 million people from 51 countries, including all the countries of the European Union, central and eastern European countries, the newly independent states and the central Asian republics.

As hon. Members will be aware, there are huge differences in the levels of health between countries. Since the decline of the Soviet Union, both public health and the state of the environment have diminished across Europe. However, it is also important to recognise—as did Acheson in his report into health inequalities in the United Kingdom—that great inequalities can exist in the health of different groups within the same nation. I hope that our Government will act on the basis of that report, independent of the WHO environment and health process.

The first conference in Frankfurt in 1989 issued a set of "principles for public policy" to guide Governments' actions on environment and health. The second conference held in Helsinki in 1994 called on Governments to produce national environment and health action plans—some of which have been ground-breaking in their encouragement of joined-up thinking between different ministries and Departments in countries across Europe. The third conference, starting in the morning, hosted by the United Kingdom Government, focuses on action. All involved sincerely hope that implementation will begin, and that outlook is reflected in the conference theme: "Action in Partnership". I shall take this opportunity to consider some of the outcomes of the ministerial conference.

First, I note that the main outcome is to be a legal protocol on water and health, which is the protocol to the 1992 Helsinki convention on the protection and use of trans-boundary water courses and international lakes.

[Mr. Colman]

The aim is to prevent, control and reduce the incidence of water-related diseases through collaboration on water management and the protection of health and the environment. I am sure that that laudable proposal, which has been developed by the United Nations Economic Commission for Europe and the WHO regional office for Europe, has cross-party support in the House.

The protocol addresses measures to achieve adequate supplies of wholesome drinking water, adequate sanitation and the effective protection of water resources, and safeguards against water-related disease arising from the use of water for recreational purposes. I am sure that all those who swim in the sea—including me—support that latter aim. I hope and trust that the Minister will send a message to her European colleagues to sign, ratify and implement the protocol.

The European region as a whole faces significant problems. According to the World Health Organisation, one in seven people in the WHO European region do not have access to safe water. Surely that must be considered a violation of one of the most basic human rights. Furthermore, at the dawn of the third millennium, diseases such as cholera, typhoid fever and hepatitis A—which we thought had long since disappeared from Europe—are reappearing. In Latvia, for example, several hundred cases of hepatitis A and bacterial dysentery are attributed to contaminated drinking water each year.

Given that the protocol has been agreed and is to be signed on Friday, what will be done to ensure that its worthy objectives are implemented? How are we to guarantee that the protocol is translated into meaningful action on the ground? Will the Government consider hosting a funders meeting, bringing together the World bank, the European Bank for Reconstruction and Development and other funding sources, as well as representatives of citizens and non-governmental organisations, in a partnership to examine how we move from words to action?

Partnership is the recurring theme in the conference proposals. I particularly welcome the commitment to public participation, access to information and access to justice in environment and health matters and the reiterated commitment to the Athens convention of 1998. What are the Government's plans to support further work in that field? I have long been a supporter of the local Agenda 21 process, with its emphasis on economic development, environmental protection and social equity and the involvement of all local stakeholders. Of course, many local authorities have ensured that links between health and the environment are part of their local Agenda 21 plans.

The WHO healthy cities project has also made a significant contribution to improving public health and the environment at the level where it counts most—the local level. The UK is to have the national environment and health action plan, which also proceeds on the Agenda 21 stakeholder approach. When will that be launched? What key indicators do the Government intend to use in that important policy document?

I note that my right hon. Friend the Minister for the Environment will tomorrow chair an important session of the conference, on early human health effects of climate change and stratospheric ozone depletion in Europe. I hope that he will be able to support the proposals on contraction and convergence being made by Globe, the cross-party MPs' group on the environment, and will urge on all countries present the urgent need to sign and ratify the Kyoto proposals as an absolute minimum domestic action.

Yesterday's Chatham house conference on implementing the Kyoto protocol demonstrates the need for urgent action at COP-5 in Bonn this autumn. I commend to the House the suggestion of the honourable Simon Upton of New Zealand, who has led in this field, for the European Union to negotiate a deal on Russian hot air in return for finance to deal with environmental degradation in Russia.

The World Health Organisation's contribution to monitoring the impact of climate change on human health is to be applauded and, I hope, developed. However, I hope also that the focus of all our actions will be on preventing climate change as far as possible, rather than on adapting to those changes once we know that they are happening. I am glad to say that Ministers of all countries in the European regions reaffirmed their commitment to the precautionary principle in paragraph 44 of the draft ministerial declaration. I warmly welcome that endorsement of the principle, and hope that it leads to action to reduce risks to health where there is uncertainty. Furthermore, I also commend to the House the proposal for an international centre for emissions trading based in London as a way economically to drive down emissions.

I ask that every health authority, trust and primary care group should be requested, as part of an NHS-Kyoto CO_2 reduction target, to bring forward its plans for sustainability. The conference is a great opportunity for the NHS to demonstrate what it has already done towards achieving the UK reduction target of 20 per cent.

I note the adoption of the charter for transport, environment and health. It is good that the WHO has at last placed firmly on the agenda transport and its impact on health. That will be particularly welcome to asthma sufferers throughout the world. The charter also takes a sensible approach to other aspects of transport, ranging from particulates to social isolation caused by lack of access to transport and the destruction of communities by traffic and noise.

About 120,000 people are killed in traffic accidents each year, and one in three of those are under the age of 25. There is also a wealth of evidence that the most disadvantaged suffer most. Those from the lowest social class are up to five times more likely to be the victims of traffic accidents and are far more likely to live in areas of higher traffic pollution levels, more traffic noise and busier, less sociable streets. Those World Health Organisation figures are surely unacceptable to all hon. Members.

The problems caused by traffic are only one part of the equation. There is an emerging link between lung cancer and exposure to traffic pollutants. It is estimated that 80,000 deaths among adults of over 35 years of age in urban areas of Europe are related to long-term exposure to transport air pollutants used in the ambient concentration of particulates as an indicator of exposure.

I look forward to pressure from the UK Government to move the charter from declaration status to legally binding convention status as soon as possible. Domestically, I hope that Ministers will shortly be able to fulfil their promise to announce a national target for traffic reduction, and that they will introduce policies to achieve that target.

Hon. Members will no doubt join me in welcoming the WHO's focus on child health at the conference. It is of great importance that the special vulnerability of children is recognised when safe exposure levels are set for toxic substances. The strong stance of the recently launched WHO initiative on tobacco is welcome, but the impact of tobacco advertising on child health needs to be addressed. The proposal in the draft declaration for annual monitoring and reporting on the state of child health in paragraph 50(F) is also worthy of note. It is to be hoped that Governments will include a focus on reproductive health as a key issue in protecting child health.

What is missing from the conference agenda this week? It is disappointing that there is to be no discussion about healthy food. I led a UK parliamentary delegation to the Inter-Parliamentary Union food summit conference last December at the Food and Agriculture Organisation in Rome. I was struck by the importance of the Codex Alimentarius jointly run for the past 50 years by the WHO and the FAO as a benchmark of the acceptability of novel foods.

Do the Government agree that that is important, and will they be represented at ministerial level at the Codex Alimentarius Commission to be held in Rome from 28 June to 3 July, when the new role of the World Trade Organisation in genetically modified foods will be debated? It is a pity that the conference this week did not reassert the primacy of the FAO and WHO in this field, or at least debate the issue.

The excellent Healthy Planet Forum, a 2,000-strong parallel conference taking place at Westminster central hall, is filling the gap by hosting an alternative food summit this Thursday. Can the Minister say whether any UK Government Minister has been able to clear his or her diary to speak at the food conference?

I am also disappointed that the issue of toxic chemicals, which appeared on the draft agenda, has been omitted from the final agenda and draft declaration. That is a critical issue for the environment. The recent scandal involving dioxins in Belgian food has served to emphasise public concern. The World Wide Fund for Nature is holding an expert panel discussion on toxic chemicals today at the NGO Healthy Planet Forum, when I understand that WWF will be making known new research in this area. I hope that the Minister will then be able to respond to the new research.

The Healthy Planet Forum will bring together NGOs, local authorities and interested people from almost all the 51 countries, and many others from outside Europe, to discuss the range of links between human health and the environment. The forum has been organised with the financial support of the UK Government, whom I thank, and the European Union and socially responsible businesses. I look forward to a lively and stimulating interaction between the civil society event and the ministerial event.

I strongly welcome the conference and its linkage of environment and health. I note that in the final sentences of its draft declaration, it mentions presenting the London declaration to be agreed this week to all member states in 2002 through the WHO and the committee on environmental policy of the UNECE. I recommend that the proposals should be presented to Earth Summit III, Rio plus 10, to be held also in 2002, so that all the nations of the earth can consider and take forward the excellent work being done this week.

12.14 am

The Minister for Public Health (Ms Tessa Jowell): I congratulate my hon. Friend the Member for Putney (Mr. Colman) on securing such an important and well-timed debate. The points that he raised span my ministerial responsibilities and those of my right hon. Friend the Minister for the Environment. I will ensure that the many points that my hon. Friend raised which are of specific relevance to my right hon. Friend are drawn to his attention.

The important challenge for the conference is linking the domestic and local impact of health and environmental issues with the need for global action. One reason why we are so glad that the WHO is a partner in that challenge is that the organisation has global reach. It has 191 member states and four key functions: giving worldwide guidance on health; setting global standards for health; co-operating with Governments to strengthen national health programmes; and developing and transferring appropriate health technology, information and standards.

The WHO's European region draws its membership from across the continent—from Greenland to the eastern limits of Russia, covering 51 countries and 870 million people. It therefore has a clear strategic overview of how the environment of the whole continent interacts with its population and is extremely well placed to co-ordinate work—on air pollution, for example—at a level that is simply not available to individual member states. The United Kingdom has long been a supporter of that approach to tackling trans-boundary issues.

I want to refer specifically to health inequality because it is linked directly to the disproportionate harm that can be done to people in deprived communities by environmental conditions. For example, the Department of Health's Committee on Medical Effects of Air Pollutants published a report last year that looked at the relationship between air pollution and people's health—a link that is often described as causal in terms of ill-health.

The study concluded that air pollution hastened between 12,000 and 24,000 deaths in 1997—although, it was estimated, by only a matter of days in many cases—and brought on about the same number of hospitalisations. Most of those people were disadvantaged and vulnerable to begin with and their condition was clearly exacerbated by a polluted environment. That is an important issue on which we co-operate globally, because environmental pollution does not respect frontiers. We consider working with the WHO and member states across Europe to be the proper way to achieve progress.

Another example is water quality, which does not often affect us directly, but the central and eastern European countries suffer most acutely from lack of a decent water supply. Polluted and infected water is equally as hard to contain as poor air quality, and contaminated water brings contaminated food which may be exported across the continent. Again, we need to act internationally and together to safeguard everybody's environment and health.

The conference that begins in London tomorrow is the third such conference. The first was held in Frankfurt in 1989, and the product was the European charter that set a framework for future action and policy formulation in this area. The second was held in Helsinki in 1994, and members drew up a framework plan for improving environmental health.

[Ms Tessa Jowell]

The London conference is a high-profile event—the biggest political event on the environment and health ever held in Europe. Health, Environment and Transport Ministers and officials from the 51 member states of the WHO's European region will attend, together with delegates from other WHO regions, and the conference is a joint effort by the WHO and the European Union. That shared ownership, as it were, highlights the importance of the issues, and the need for an inter-country approach to tackling issues that know no national boundaries.

The conference will emphasise the importance of actions to improve health and the environment by promoting both national and international developments. Its theme is "action in partnership", and gearing that action towards mapping a strategic path towards an environment for sustainable health in the 21st century.

Conferences such as this are often criticised for excluding the people whom they affect, and for being packed with unresponsive bureaucrats inhabiting ivory towers. It is because I want us to overcome that that I so much welcome the parallel event involving non-governmental organisations that I shall visit tomorrow. I shall address one of its sessions on Friday. We sought to involve non-governmental organisations in the drafting of the papers that we shall discuss, and have invited some of the keynote speakers. The neighbouring parallel conference, which will be attended by more than 1,000 people from across Europe, will reinforce the messages and the representative base of the 50 NGO delegates who will attend the ministerial conference.

Let me quickly go through the items on the agenda, and respond to some of the points made by my hon. Friend. Tomorrow the charter on transport, environment and health will be discussed. It will be signed by me, and by other United Kingdom Ministers: the Minister for the Environment and my noble Friend Lord Whitty, the Under-Secretary of State. The charter will cover integration of the environmental aspects of health in transport policies—including health within environmental impact assessments—transport-related health impacts, and the impact on vulnerable groups and sensitive areas. It will also establish guideline values for the health implications of transport activities, promote cycling and walking, and establish policy measures and instruments for sustainable and health-promoting transport.

Ms Joan Walley (Stoke-on-Trent, North): Can my right hon. Friend assure us that part of that commitment will be followed by a commitment to the road traffic reduction legislation that is needed, with specific targets?

Ms Jowell: As I am sure my hon. Friend is aware, that is being considered by Ministers at the Department of the Environment, Transport and the Regions. I shall ensure that my hon. Friend's concern about the importance of traffic reduction measures is drawn to their attention; but I think that, overall, the transport charter will be seen as being complementary to the Government's integrated transport policy.

On Thursday, the protocol on water and health will be considered—a protocol to the 1992 convention on the protection and use of trans-boundary water courses and international lakes, developed jointly by the WHO and the United Nations Economic Commission for Europe. Ministers will sign it at the London conference, and it will be legally binding. This is the first occasion on which the WHO has been involved in the development of such a legally binding protocol. It will address action on adequate drinking water and sanitation, safe water for agriculture, aquaculture and recreation, and systems for monitoring and managing risks to health. The UK Government, across Departments, have been closely involved in the negotiation of the protocol.

On Friday, we expect the London declaration, a strategic document signed on behalf of the conference by UK Ministers and structured around three themes: action, partnership and the 21st century. It will draw together key recommendations for further action from the other conference documents. It will consider the WHO's role in working with member states on health and the environment, and the role of NGOs and other enterprises.

Although those are the major strategic issues to be considered, as my hon. Friend the Member for Putney (Mr. Colman) has said, there are others, including the important issue of children's health and the environment, with the focus, which I particularly welcome, on the impact of environmental tobacco smoke. Progress on the implementation of national environmental health action plans will be considered. The updated report will be published shortly. I hope that he will recognise at that time that substantial progress has been achieved.

There will be an overview of local Agenda 21 projects to improve environmental health. Measures to achieve greater public participation in tackling those issues, ways of disseminating best practice in safe and healthy work places, and the effects of climate change on human health will be considered. I take my hon. Friend's point that it is important that issues in relation to sustainability and the national health service are also addressed. As a Green Minister in the Department of Health, I can assure him that we take the issues of sustainability extremely seriously.

The problem is that, at such an event, there is never time to do justice to all the issues that people want to raise and to discuss, but I hope that the range of agenda issues that will be addressed in the main conference and in the NGOs conference will stimulate debate, begin to provide some solutions and begin to establish a clear set of actions that will follow.

Mr. Colman: Would the Minister like to comment on the alternative healthy food summit, which is coming up on Thursday, and whether a Minister could be there on the platform alongside the many eminent people who are coming from throughout Europe to discuss that issue?

Ms Jowell: I understand that it is not possible for a Minister to attend the summit, but I can give my hon. Friend an assurance that I will ensure that I and the Minister with responsibility for food safety receive a report of those discussions and consider their implications for food policy in England.

By the end of the week, we will have signed a legally binding protocol on water and health, which will commit each Government to publish targets for achieving safe drinking water, adequate sanitation and proper protection of other aspects of water that impinge on people's health. In particular, each Government will have to draw up plans

on how they intend to attain those targets and to monitor their progress towards them. In effect, the existing high standards that we enjoy in the UK and the rest of the European Union will be rolled out throughout the continent. That is the intention.

We will also have signed a charter on transport and health that recognises the need for sustainable policies to reduce the harmful effects that transport can have on people's health and their environment. That involves air, soil, water pollution, accidents, noise and greenhouse gas emissions. We want to encourage a healthier, more physically active approach to transport. We will work with our European partners to build on the lessons that we have learned from our integrated transport strategy.

All those represent significant gains for the people of Europe. We are determined that the big statements and big promises of an important inter-ministerial conference are translated into practical benefits for the local environment in this country and improvements in people's health.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Twelve o'clock.

House of Commons

Wednesday 16 June 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Gold Sales

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

9.33 am

Sir Peter Tapsell (Louth and Horncastle): I am glad to have the opportunity to initiate a debate on the proposed sale by the Bank of England of more than half of this country's gold reserves. That decision was announced by the Treasury on 7 May and has been widely and critically discussed in the financial press, but the Government have been strangely reluctant to defend it or explain it in any detail to the House.

I should start by making it clear that I have no personal financial interest in the value of gold. I have never purchased any gold bullion, gold sovereigns or shares in any gold mining company for myself, and I have no connection with any mining company or any part of the jewellery trade. However, I have always taken a keen academic interest in the economic role of gold, which has been of importance in every society in recorded history.

In the 1980s, in my capacity as a stockbroker, I was required for some years to manage a gold bullion fund, valued at many hundreds of millions of dollars, for the previous Sultan of Brunei, Sir Omar Saifuddin. I was therefore able to add practical knowledge of the gold bullion market to my academic and political studies of it.

I regard the decision to sell 415 of the 715 tonnes of our gold reserves as a reckless act, which goes against Britain's national interest. The sale of that crucial element of the United Kingdom's reserve assets will weaken our scope to operate independently, reduce our influence in international financial institutions and diminish the United Kingdom as a world financial power.

I shall briefly set out eight of my main reasons for opposing the decision. Later in my speech, I shall expand on some of those and add a few more. First, a move such as the one announced on 7 May was always likely to destabilise the gold price, as Britain is a leading G7 country whose example is likely to influence other countries and because it was not expected to sell gold. Market sentiment has become overwhelmingly negative and the price has collapsed from $287 per fine ounce immediately before the announcement to $259 at the fix yesterday—a fall of 10 per cent. That has reduced the value of our gold reserves in a little over a month by about $650 million, from $6.5 billion to $5.85 billion at current prices. The Chancellor's announcement has so far cost this country's taxpayers over £400 million, which is more than the cost to us of the Kosovo war.

Secondly, the decision reduces our monetary independence. For a country to hold gold is always and everywhere seen as an affirmation of independence and monetary sovereignty. We are told that the decision is not connected with preparations for joining the euro, but if we were to join—the Treasury has said that 40 per cent. of the proceeds from those gold sales will be invested in the euro—and if the euro were then to collapse or we were obliged to leave in the future, the absence of significant gold reserves would make it much more difficult to establish the credibility of any new currency that we had to set up.

Thirdly, the decision smacks of short-termism. In their foreign reserve policy, Governments and central banks are supposed to act in the long-term interests of their country. It is true that on a short-term view, gold has not performed well purely as an investment in the past 20 years, but that reflects mainly the success, which is possibly temporary, of central banks in controlling inflation. No Government can be sure that price stability will endure for ever.

Fourthly, the decision is a threat to the London gold market because it reduces the Bank's ability to act as what is known as a swing lender to the market. Many market participants believe that after the sales have been completed, the Bank will not have enough gold to fulfil its function as a swing lender and so retain the centre of the world gold market in London.

Fifthly, about 20 per cent. of the proceeds are to be invested in yen—so the Treasury tells us. Yet, by lending gold we could earn a better return, as the rate of interest on gold is higher than that on yen investments. I have already mentioned that 40 per cent. is to be invested in euros, yet we hear that the Netherlands is already taking steps to build up its foreign reserves to protect the guilder if the euro were to collapse.

Mr. Robert Sheldon (Ashton-under-Lyne): The hon. Gentleman said that the interest earned on gold was greater than that on other foreign assets—

Sir Peter Tapsell: On yen.

Mr. Sheldon: I did not understand that; I am not sure what the interest on gold is.

Sir Peter Tapsell: The deposit rate in Japan at the moment is about 0.5 per cent., and the normal interest rate on gold is 1 per cent., which is double.

Sixthly, the concept of reserve management that lies behind the decision is deeply flawed. The Treasury has argued that gold makes up almost half of the unhedged or "net reserves", to quote its press release. That concept of net reserves is arbitrary, as it all depends on what liabilities are deducted from gross assets. So far as I have been able to discover, such a concept has never been used by any other country; international gold figures are always quoted in terms of gross reserves. After the sale of 415 million tonnes of our gold, as is intended—125 million tonnes straight away and 290 million tonnes in the medium term—our gold reserves will be only 7 per cent. of our gross reserves, which is slightly less than those of Albania.

Seventhly, the history of the past 50 years shows again and again that United Kingdom Governments have from time to time been forced to intervene, either to stop the

[Sir Peter Tapsell]

pound rising too quickly or, more frequently, to try to slow a fall in the pound. It makes no sense to throw away a key element of that instrument. No other major country is doing so. In relation to imports, our reserves are already far smaller than those of comparable countries.

Eighthly, in the view of many leading bullion dealers, the method of sale chosen—auctions—is also ill advised. Whatever the merits of transparency, the UK taxpayer has certainly lost substantially from the drop in the price consequent on the announcement and the resulting fall in the expected proceeds from gold sales. Each bi-monthly auction of our gold—the first of which will be held as soon as 6 July—is likely to worsen that problem.

Mr. Andrew Tyrie (Chichester): Given the great criticism of the introduction of gilt auctions, which have turned out to be successful, and given that the Government have decided to sell the gold, does my hon. Friend think that there is a better method of selling it than by auction?

Sir Peter Tapsell: I did say that there was a problem about transparency. When examined on the problem of method of sale by a committee in Congress the other day, Mr. Greenspan said that it was very unsatisfactory. Incidentally, he is completely against selling gold. He said that, whereas Mr. Buffet could buy silver, and when the report came out three months later that the price of silver that he had been buying had risen, he could sell his silver at a profit, Mr. Greenspan did not think that major central banks should proceed along those lines. That is of course the problem and why, no doubt, the Bank of England has found it necessary to announce to the world that it will keep selling every other month. The penalty one pays for that—for psychological reasons mainly—is a substantial fall in the gold price.

In giving evidence to the Treasury Select Committee recently, our governor said that the fall in the price of gold had been greater than he had anticipated and he thought it to have been overdone. The authorities should have foreseen that the psychological impact of the Bank of England, of all institutions, announcing that it would take such a course of action, would be very adverse on prices.

That brings me to comment on the historical background. The argument about gold has gone on for centuries. The Bank of England was founded in the reign of King Charles II and, as early as 1717, it decided to put our reserves into gold. That was done, interestingly, on the advice of Sir Isaac Newton, who was born and brought up in Grantham in Lincolnshire—my home county. It is very appropriate that my hon. Friend the Member for Grantham and Stamford (Mr. Davies), whom I congratulate on his promotion, should today be sitting on the Opposition Front Bench.

Sir Isaac Newton, Lincolnshire's most famous son—the county has had a famous daughter since, but I shall pass over that rather more controversial point—proposed that, in effect, the Bank of England should put its reserves into gold. The matter was debated at length in the House of Commons and was approved, only after great controversy, in December 1717. Thereafter, many other central banks and other countries argued about whether they would put their reserves into gold, silver, a mixture of the two, or some other form. People have often forgotten that the great economic debate of the second half of the 19th century all over the western world was over bimetallism—in effect whether a country ought to have its reserves in gold or silver.

That debate culminated in the presidential election of 1896—the most ferociously fought and perhaps most famous of all American presidential elections, which centred on whether the United States should put its reserves entirely into gold or a mixture of gold and silver. At the Democratic convention of 1896 in Chicago, William Jennings Bryan made his famous two-hour speech on the subject, in which he used the phrase about mankind not being crucified on a cross of gold—one of the greatest speeches ever made. But William Jennings Bryan lost the presidential election by 500,000 votes, and William McKinley, the pro-gold winning candidate, ensured that the United States shortly thereafter went on to the gold standard. The Federal Reserve Board was originally established to look after the gold.

I mention all that—there is a great deal more to it; many histories of the period have been written in economic terms—to show that what we are discussing is of immense importance and has always been regarded as such. We tend in our debates in this House to think only of more recent events, such as Britain's return to a gold link in 1925, our retreat from it in 1931, the American abandonment of a fixed relationship between gold and the dollar in 1971 and about whether, today, Britain should join the single European currency—the arguments over which are very closely related to those I have been describing. It is very significant that, as recently as last Thursday, the British people were, in effect, being asked to vote on matters closely related to the subject of this debate.

Sir Teddy Taylor (Rochford and Southend, East): Does my hon. Friend think that the whole business of the instruction given to the Bank of England to switch from gold largely into euros is simply a pathetic attempt—a device—to give credibility to, and boost the value of, the Euroflop currency?

Sir Peter Tapsell: I said that I thought that that was one of the possibilities. It is certainly among those that commentators have discussed. I have never been an advocate of the conspiracy theory of history, and I tend to think that slightly more complicated issues are involved than that, but I shall return to the issue of the relationship with the euro.

The point of my remarks about the history of the issue and the fact that it has been passionately argued about for centuries, was to show the amazing contrast with the almost furtive way in which the announcement was made on 7 May. One might have expected that the Chancellor of the Exchequer would make the announcement at the Dispatch Box—but far from it. The announcement came on a Friday afternoon, in answer to a planted written question by the hon. Member for Hove (Mr. Caplin), who is not even in the Chamber today, and who has not yet had time to establish himself in the House as a leading authority on international monetary affairs. It seems extraordinary that it should have been done in that way.

Moreover, the written answer given by the Economic Secretary to the Treasury—who I am glad to see in her place—was extremely cursory and brief, and contained

only a very small part of the story. As is characteristic of the present Government, the information was contained in two press releases, each several pages long, one from the Treasury and one from the Bank of England, giving a great deal of information about the Government's intentions—vastly more than was given in the written answer—and then press conferences were held at which many questions were answered. The House of Commons was sidelined again, on this very important issue. For those reasons, the way in which the announcement was handled was disgraceful.

The immediate effect has been the loss of £400 million of our taxpayers' reserves, and so far the only beneficiaries of this event have been the foreign finance houses, which have been shorting the gold market. As I said to my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) in all friendliness, I am not a subscriber to the conspiracy theory in any aspect of life, so I shall not go into detail about the conspiracy theories that are widely circulating in the City about that shorting of the gold market, but it is often said that some of those famous foreign finance houses have shorted gold to a huge amount—vastly greater than the tonnage of sales contemplated by the Bank of England—and that it was therefore vital for them for the gold price to fall substantially so that they could close their positions and take huge profits. I do not know whether that is true, although I think that there is no doubt that several finance houses have been shorting gold in a very large amount, so I suspect that the financial press will pursue that point with vigour in the days and weeks to come.

Everyone remembers how Mr. Soros precipitated the last Russian economic collapse by publicly declaring that, in his view, the rouble was overvalued. Not long after, he said that his funds had lost $800 million as a result of that collapse in the Russian market. I do not know whether our Chancellor has been inspired by Mr. Soros to follow in that path, but he seems to have produced a somewhat similar effect.

I have the greatest respect for the Bank of England, and it is perfectly clear that the Bank did not take the decision. I doubt whether it even favours it. It was given an instruction by the Treasury and when, at the press conference, a Bank of England spokesman was asked by a journalist whether the Bank thought that this was a good idea, that spokesman replied:

"It was a political decision."

I hope that, when the Economic Secretary replies, she will—as has not yet been done—give us all the reasons for this political decision, because the Bank of England, despite its many merits, has not always been clever at playing the market, and Governments in general are not usually very clever at playing markets. The last time that the Bank of England sold gold in sizeable quantities was in 1971, at about $40 per fine ounce. The price of gold then rocketed, reaching a peak of $850 by 1980. So when the Bank of England last sold gold, it did so at the worst possible time, and I do not know whether anyone has ever worked out the extent to which the British taxpayer was deprived of profits by that decision.

I strongly suspect that the Bank of England is now again selling at pretty near the bottom of the bear market—or what would have been the bottom if it had not made its announcement. As I said in my personal declaration of non-interest, I have never owned gold, but in recent weeks, as the gold price has declined, I have said jocularly to friends that, if I won the national lottery, I would put half the proceeds into gold bullion with the price below $300. I believe that many people who have followed these matters with interest were thinking that it was about time that the finance houses closed their short position. It is extraordinary, as a matter of market judgment, that the Treasury and Bank of England should have chosen this very sensitive moment to step in and deal that damaging blow to market confidence.

The answer that other countries have given is extremely interesting. We have not really been told the Government's reasons for their sale, but on 26 May the Prime Minister, in answer to a question by my hon. Friend the Member for Macclesfield (Mr. Winterton), said that

"throughout the world countries have been selling gold in order to diversify their reserves."—[*Official Report*, 26 May 1999; Vol. 332, c. 351.]

That is really the only ministerial statement that has been made, and that was elicited by an omnibus question by my hon. Friend.

The Prime Minister's answer was most misleading, as I shall show. Of the more than 100 countries that hold gold, only five, with relatively small economies, have sold. No other major economy has sold gold or intends to sell it. It must be borne in mind that the losses imposed on the British taxpayer by the Chancellor's decision have also been suffered by the French, German, Italian and American taxpayers. I cannot imagine that, when the Governor of the Bank of England next attends a cocktail party in Basle for the monthly meeting of the Bank for International Settlements, he will be the most popular chap there.

Mr. Christopher Gill (Ludlow): I am grateful to my hon. Friend for giving way. Several times he has instanced the potential loss to British taxpayers as a result of the Bank of England selling its gold reserves. I understand that point and entirely agree with him. However, is there not another consideration? Gold and money are a store of value. If, by selling gold, the Bank of England put that value into another currency that seems unlikely to preserve the store of value for British taxpayers, would that not have a doubly deleterious effect on taxpayers' funds, first by making a loss on the transaction, and secondly by investing the proceeds in a currency where the store of value will not be retained?

Sir Peter Tapsell: I entirely agree with my hon. Friend. I shall deal with that point later, as I intend to make a fairly comprehensive speech about gold. The point about gold, as my hon. Friend says, is that it is no one else's liability. As soon as one puts money into other stores of credit, other factors are at work.

I return to the Prime Minister's claim that so many other countries were selling gold. No major country is planning to sell gold, and other countries must be extremely irritated by the way in which the British Government have handled the matter. A series of central bank governors of major countries have issued similar statements on the subject. For example, on 19 May the governor of the Bank of France, Mr. Jean-Claude Trichet, said:

"I will simply say that as far as I am aware—and this is not just the position of the Bank of France and our country, but also the position of the Bundesbank, the Bank of Italy and of the United States, and these are the four main gold stocks in the world—the position is not to sell gold."

[Sir Peter Tapsell]

The chairman of the US Federal Reserve bank, Mr. Greenspan, speaking to the House banking committee in Washington the following day, 20 May—there was obviously co-ordination between the central bank governors—said:

"We should hold our gold. Gold still represents the ultimate form of payment in the world. Germany in 1944 could buy materials during the war only with gold. Fiat money in extremis is accepted by nobody. Gold is always accepted."

Those were the words of Mr. Greenspan, the world's most admired central bank governor. That takes up exactly the point made by my hon. Friend the Member for Ludlow (Mr. Gill). It is therefore not open to Ministers to say, as the Prime Minister said, that countries of our standing in the world are all selling gold.

Mr. Edward Davey (Kingston and Surbiton): I am grateful to the hon. Gentleman for giving way. Will he confirm that the average annual sales of gold by national central banks across the world over the past decade has averaged 300 tonnes a year—almost three times the amount that the Bank of England proposes to sell?

Sir Peter Tapsell: That is perfectly true, but the holdings of gold by central banks are only 6 per cent. lower now than they were 20 years ago. Other central banks, such as those of Russia and China, have been buying gold. It is perfectly true that the amount of gold that the Bank of England is selling is relatively small, but the psychological impact on the market is disproportionate.

The Bank of England was the bank that set the lead. Together with Rothschilds and Mocatta, it has always been at the centre of the world gold market ever since 1717. When the Bank of England says that it is selling gold, the tonnage that it is selling is less significant than the psychological impact of that on the rest of the world.

It is true that five countries—Australia, Canada, Argentina, Belgium and the Netherlands—have each sold more than 100 tonnes of gold in recent years, but in no case have those countries done so to diversify their reserves or to increase the technical efficiency of their management. They have all had other reasons.

It would take far too long for me to go into detail about the position in each country, but briefly, Australia sold because there was a mineral price slump in the world at the time and it had an economic crisis. In any case, Australia has very large quantities of gold underground, not yet dug up, so it does not have to worry too much about its gold reserves above ground.

Canada, which also has very large quantities of gold underground, sold in preparation for joining the North Atlantic Free Trade Agreement at a time when its currency was under pressure. Argentina has a currency board-type arrangement, which is quite different from a central bank, and is in effect part of the dollar area, so the considerations about gold that would be important to other central banks do not apply. Belgium sold in order to satisfy the debt:GDP ratio criteria in the Maastricht treaty.

The Netherlands is widely believed to be concerned about the possibility that the euro may collapse entirely. It was interesting that the new president of the European central bank, who is a distinguished former governor of the Dutch central bank, went so far as to say publicly the other day that he thought, and had so advised, that the euro was introduced two years too early. The Dutch, who have traditionally run a strong and successful currency since the war, are extremely concerned about the euro. It is said that they have been trying to build up foreign reserves outside the euro, in case the euro collapses.

I shall deal now with the question why central banks should hold gold. I hope that the Minister will reply particularly to these points. It is not just a few of us specialists in the House who are interested. I assure her that the markets generally are extremely interested in the subject. I have never received so many messages from total strangers as I have in recent days, since the title of the debate appeared on the Order Paper. The financial press is also very interested. It is time that the Government explained in detail the reasons for their policy.

Why do central banks hold gold? First, as I said to my hon. Friend the Member for Ludlow, because it is no one else's liability. If one invests in the bonds, paper and Treasury bills of other countries, one can suddenly find that one's asset has greatly diminished.

A taxi driver said to me two days after the Government's announcement, "Why are we selling our gold? I don't want to sell my gold and be given toilet paper money in return." That is sound economics. The man in the street may not have read his Keynes, but he has a good grasp of the realities of economics.

If, as the Bank of England proposes to do, it puts 40 per cent. into dollars, 40 per cent. into euros and 20 per cent. into yen as a result of the sale of the gold, it will be speculating. We have seen a tremendous collapse in the yen, and the American dollar has gone up and gone down periodically, so the Bank of England is, in effect, playing the market.

To return to an earlier intervention from my hon. Friend the Member for Chichester (Mr. Tyrie), the argument about transparency also applies to currencies.

When a currency is under pressure it is difficult for a central bank to start to sell it. It is regarded as near-treachery. When the British and French currencies came under serious pressure in 1992, the US Fed and the Bundesbank were expected to support them, not to sell them. There has been some controversy over whether the Germans supported our currency as vigorously in 1992 as we think they should have done. I think that my noble Friend Lord Lamont has views on that subject, which may come out in his book to be published shortly.

In theory, central banks are supposed to co-operate with each other so that when a particular currency comes under pressure, they rally round to support it. The idea that by diversifying into foreign currencies the British Government will suddenly have much more flexibility is an illusion. I very much doubt whether the Government would like the market to see them selling their newly bought euros because they thought that the euro was about to collapse even further. That would not help the Prime Minister's position in the centre of Europe.

Mr. Nick St. Aubyn (Guildford): Does my hon. Friend agree that, in selling our precious gold reserves and putting the money into the collapsing euro,

the Government will be showing much more support for the euro than those who belong to it showed support for us in 1992?

Sir Peter Tapsell: Yes, but one should not conduct economic policy on a tit-for-tat basis. Incidentally, we would all be wise not to assume that the euro will continue to weaken for ever. I can speak with a free conscience on this matter, as I voted against every clause of the Maastricht treaty. Indeed, there would never have been a European central bank if three more of my colleagues had joined me and others in voting against the paving motion.

The fact is that the euro now exists and it is just another currency, as I always predicted it would be. Currencies go up as well as down. In my view, the dollar is today over-valued and the euro is under-valued. The fact that in a few weeks or months the euro will probably go up against the dollar and the pound does not strengthen the argument for joining it. Euro-sceptic that I am, I do not believe that it would be in the British national interest for the euro to collapse because that would lead to chaos in Europe and would be damaging for our export markets.

The second reason why one should hold gold reserves is because they build public confidence. Market research carried out last year by one of the world's leading research companies in several European countries showed overwhelming support for countries maintaining gold reserves: 76 per cent. of respondents in France, 72 per cent. in Germany and 75 per cent. in Italy said that gold reserves are important in supporting a strong economy; 84 per cent. in France, 83 per cent. in Italy and 65 per cent. in Germany agreed that having a strong gold reserve helps to bolster public confidence on which economies depend. Similar results—70 per cent. opposing the sale—were received when the British public were questioned on the subject in a recent opinion poll.

Another reason why central banks should hold gold is that, over the very long term, gold maintains its value. In 1900, the value of gold was almost identical to its value in 1717. Although its soaring up to $850 in 1980 artificially over-priced the market—it has been coming down ever since—gold holds its long-term value, as we have seen throughout history. On 27 May, the *Financial Times* pointed out that $35 an ounce, which was what gold was in 1971 before President Nixon and Treasury Secretary Connally broke the link between the dollar and gold, would be equivalent to $281 today. Thus, despite the fact that gold is at the bottom of a long bear market, it was still worth more than $35, in today's terms, when the Government made their announcement. It has now dropped below that figure.

Mr. Sheldon: It all depends where one dates one's basis. However, $35 an ounce was the price before the war, so the hon. Gentleman must take that as his basis as well.

Sir Peter Tapsell: The right hon. Gentleman is a distinguished former Treasury Minister, but I must point out that that was not the price before the war. The price of $35 an ounce was fixed at Bretton Woods in 1944. In 1932, President Roosevelt devalued the dollar against gold and we devalued, under a Labour Chancellor, in 1931. However, the $35 that was officially linked to gold—which put the whole world not on a gold standard but on a dollar standard between 1945-71—dates from Bretton Woods. I have not argued that gold has been a particularly good market investment in recent years, but it has not been as bad as many people would suppose. Even since 1971, it has roughly held its value in line with inflation.

My next argument for central banks holding gold is that a country's reserves should be diversified to minimise risk. Research shows that gold is an ideal portfolio diversifier. When I was given the Brunei fund to manage, I had to go on a crash course because I knew nothing about gold management. I took much expert advice and even commissioned, at great expense, advisers to give me an idea of how much gold should be in a portfolio. The boffins who deal with those matters believe that, over a long term, the ideal gold holding in a major portfolio is about 20 per cent. That is because gold is an ideal diversifier as its returns are what is technically known as "negatively correlated", which means that they operate in a counter-cyclical manner. When bonds and equities fall in price, gold tends to go up.

Gold prices are much more volatile than other market prices. It is not unusual for gold to go up 2 or 3 per cent., or down 2 or 3 per cent. in a single day. If Wall street falls by 2 or 3 per cent. in a single day, it is headline news throughout the world. Thus gold has a stabilising effect in a long-term portfolio.

Gold is also the asset of last resort. Although it is needed in good times, it can be vital when times are difficult. The last sale of gold in France was in 1969 to deal with the financial consequences of the May 1968 uprising. In Portugal gold was last sold following the 1975 revolution. More recently, in 1991 India used its gold reserves to borrow $1 billion to avoid default.

I have already quoted Mr. Greenspan, who said that in 1944 Germany could not buy anything except with gold. In a real crisis, there is no doubt that gold is important. It is not just my taxi driver who takes that view. When I was in Vietnam last year, everybody told me that every Vietnamese peasant has gold underneath his floorboards or his straw because the Vietnamese have no confidence in their currency. We tend to talk about gold in terms of official reserves, but a lot of unofficial gold is hidden in China and Vietnam and, one is always told, in France—although I have a French wife and I have not yet managed to discover her gold hoard. It is widely believed that people hold gold all over the world secretly, against the possibility of disaster, which is a tremendously important market consideration. That is what is meant by the psychology of gold and it is extraordinary that the Bank of England should have taken this decision, and the way that they have done so.

I do not wish to go into the question of International Monetary Fund gold sales in any detail, because that is a separate, although obviously related, subject. The IMF is not a central bank. It is ironic that the Chancellor, who is understandably keen to help the poorer nations of the world, seems also to be keen to persuade the IMF to sell gold. He hopes that it will do so, but many poorer countries would be extremely hard hit by that.

Hon. Members who are interested might care to read the recently published pamphlet entitled "Gold mining's importance to sub-Saharan Africa and heavily indebted poor countries", because 41 HIPCs mine gold, and it is an extremely important part of the exports of nine of those

[Sir Peter Tapsell]

countries. Curiously enough, the sale of IMF gold, if it depressed the price of gold still further, would seriously and adversely affect many of the poorest countries.

The sale of our gold will not increase the size of our reserves; they will remain the same, so that argument cannot be used. Many countries feel that they ought to be building up their reserves, and they are all trying to do so. An extraordinary aspect of the situation is how dangerously low Britain's net reserves are. Their net value on 7 May was only $15 billion. A more sensible policy than selling gold would be to build up our reserves by buying dollars and other currencies with our sterling. That would help to lower the exchange rate of sterling, which is a desirable objective at present, and increase our reserves of foreign currencies, which the sale of gold will not achieve.

Mr. Tyrie: In view of the experience in the 1990s with the huge movements of global capital, does my hon. Friend believe that open market operations are an intelligent way in which to try to alter the value of a currency?

Sir Peter Tapsell: I would not normally take that view, but our long-term economic aim ought to be the building up of our reserves. That is what every country wishes to do, and many of them are pursuing that. Our reserves in relation to our imports are very low, so any step that we can take to build up our reserves will be welcome.

I have mentioned the aspects of public opinion. I am not one of those who thinks that one should follow focus groups and so on, but it is overwhelmingly evident that public opinion in this country is opposed to the whole policy of selling gold by 5:2. The Government will have to be persuasive if they are to change that view.

There have been previous attempts to reduce the role of gold in central banks. The last was the introduction of special drawing rights. At that time, I happened to be an adviser to the monetary authority of Singapore. I went to see Dr. Goh Keng Swee, who was then Singapore's Finance Minister and who, in my experience, had the most subtle and brilliant financial mind of any Finance Minister or central bank governor I have ever known. I said to him, "Dr. Goh, will Singapore take SDRs?" Dr. Goh replied, "I have no intention of putting a paper tiger into Singapore's tank." That is a slogan worth keeping in mind.

The whole point about gold, and the quality that makes it so special and almost mystical in its appeal, is that it is universal, eternal and almost indestructible. The Minister will agree that it is also beautiful. The most enduring brand slogan of all time is, "As good as gold." The scientists can clone sheep, and may soon be able to clone humans, but they are still a long way from being able to clone gold, although they have been trying to do so for 10,000 years. The Chancellor may think that he has discovered a new Labour version of the alchemist's stone, but his dollars, yen and euros will not always glitter in a storm and they will never be mistaken for gold.

10.26 am

Mr. Edward Davey (Kingston and Surbiton): I congratulate the hon. Member for Louth and Horncastle (Sir P. Tapsell) on keeping to a fairly balanced view when he developed the theory of the role of gold in a modern economy. However, I disagree with his conclusions.

In answer to my intervention, the hon. Gentleman talked about the psychological importance of this sale of gold and explained the psychological role of gold in monetary economics. He was right to focus on that, because gold's main contribution in the modern monetary economy is that it is, at the last resort, the store of value and the provider of assistance in underpinning market confidence. However, many other commodities and assets retain value for investors, businesses and Governments and there are many other ways of maintaining market confidence in a modern economy, from regulation to the lessons of history.

At the end of this century, many participants in the financial markets—and in all product and labour markets, for that matter—have much greater confidence in the ability of capitalism and financial capitalism to deliver success. That was not the case centuries ago, when gold made a much more important psychological contribution. The lesson of history is that we do not need gold to underpin confidence and value. The role played by gold has been declining, which means that the hon. Gentleman's point about its psychological contribution is much less strong today.

I completely agree with the hon. Gentleman that, in the past, gold was absolutely vital—in the early days of financial capitalism, it was crucial—but the role that he wishes to attribute to it is not as strong as he suggests.

Mr. Gill: Does the hon. Gentleman think that these matters should have been discussed in the House before the decision to sell was made, given that money has been put aside in reserves by the taxpayer? The taxpayer clearly has a view, as my hon. Friend the Member for Louth and Horncastle (Sir P. Tapsell) explained in his excellent presentation. There is also the question whether the taxpayer feels that that store of value, which belongs to him, has been preserved by putting the proceeds of the sale of gold into other investments. Does the hon. Gentleman think that the House should have been granted a debate on these important matters before the Government took the decision to sell the gold?

Mr. Davey: I do not agree with the hon. Gentleman about that. One of the criticisms that can be made of the Government is that they were too open and transparent about the sale of the gold, and that that has moved the market price. I do not subscribe to the criticism that has been made of the Bank of England's approach, because I think that the way in which it has set out these sales over the next 12 months will help to bring order and stability to the gold market, which, as has been said, is characterised by volatility.

The hon. Member for Ludlow (Mr. Gill) tempts me a little. The problem with the House is that we do not analysis Government expenditure in enough detail. The House grants £300 billion to £350 billion of public expenditure without full debate. We should scrutinise the Government on that expenditure: not on technical gold sales. There is a strong argument for not having a full debate on gold sales, because that could move markets.

The role of gold can be overplayed. That is not to say that gold markets are not important and that we should not have gold reserves: of course we should. I do not pretend to have all the financial knowledge before me properly to take a view about whether the Bank of England is right in its portfolio adjustment, but I concede that the people who are overseeing the portfolio of assets that the Bank of England holds in its vaults must from time to time decide whether to make changes and adjustments. It would be nonsense if the Bank of England were to hold static for ever a particular set of assets in particular proportions.

Mr. St. Aubyn: Does the hon. Gentleman think that it is right that the Government took this decision without giving any thought to the effect on the developing world and on the gold price? Jobs are now being lost in very poor countries as a result of this decision.

Mr. Davey: I am grateful to the hon. Gentleman for raising that issue, because that is also one of my concerns. Will the Minister explain a little more the thinking behind this decision? Now that we have this debate, it would be sensible for the Government to outline the thinking behind this sale, particularly with respect to employment in developing countries that have gold as one of their key commodity exports and the Government's policy to promote the sale of gold from the International Monetary Fund to help to deal with debt relief in poor countries. I hope that all parties in the House support that policy, because it is crucial that we try to forgive the debts of the poorest countries—the debts that are deemed to be, in Jubilee 2000 language, unpayable. The Government have made a good start, and I hope that they go further. It would be wonderful if the Minister were to announce today further gold sales for that purpose, but I doubt that she will do so.

I hope that the Minister will explain the thinking to reassure us that the left hand knows what the right hand is doing, that there is some co-ordination between the Treasury and the Bank of England on all aspects of policy, and that the policy on assisting debt relief has been linked to the policy of portfolio adjustment at the Bank of England. If those decisions are not co-ordinated, the Government are not doing their job properly.

I congratulate the hon. Member for Louth and Horncastle on securing this debate. It will help the House to focus on the role of gold in a modern economy. I take a different view from his. In international monetary economics in the late 20th century, money creation and the complexity of global financial markets is such that the role of gold is much diminished. Money creation in modern financial capitalism is almost endogenous and does not rely on a stock of yellow commodity lying in the central bank's reserves. The workings of financial capitalism have almost no relation to gold.

The hon. Gentleman is right that, in extremis, if the whole structure of financial capitalism were to fall to the ground with a nuclear meltdown of the financial markets, the role of gold would come to the fore. It is right for central banks to consider all potential future risks to ensure that our society and our economy can function even in such disaster scenarios. They should hold gold, but they do not need to do so as they have in the past.

I do not know whether selling 125 tonnes of gold over the next 12 months and buying yen, euro and dollar assets is the right portfolio adjustment. Not many hon. Members have the information and expertise to make that full analysis. However, I think that it is right that the Bank of England is considering how best to deploy its assets.

The total amount being sold is very small compared with the amounts that have been sold by other countries in recent times and that are expected to be sold in the future. Switzerland has announced future sales of 1,300 tonnes of gold, which is much greater than the amount that the Bank of England proposes to sell. We should put this matter in context, and should not get too hot under the collar about it.

10.36 am

Mr. Andrew Tyrie (Chichester): I agree that more attention should be given to this subject. The Government should have called a debate, and I regret that they did not. I also agree about the mystique—"Goldfinger" is on television tonight, so it is an apposite day on which to hold this debate, and I have set my video recorder.

The key issue is whether gold can still play a monetary role. It used to play a big monetary role because people did not trust paper money. It played a crucial role in the development of the international traded goods sector in the 19th century. It was very effective, because it was difficult to cheat. It coincided with a period of stable prices in the 19th century. I say coincided because it was largely luck: it was because gross domestic product grew at roughly the speed of the monetary base—the increase in the amount of gold available—and thereby serious deflation was avoided.

That history of success in the 19th century was carried over into the 20th, and gold was used as part of the stabilising function in the Bretton Woods system in 1944—the dollar link. When inflation created by the Vietnam war destroyed Bretton Woods, that should theoretically have led people to rush back to gold. They did a little, but no serious analyst suggested that gold should be brought back as the monetary base. There were more sophisticated arguments for commodity-based standards, which I think had some merit, but virtually no one, even during the crisis created by global inflation, thought that gold was the right way to go.

Since that time, gold has steadily fallen in price. Can gold once again play a role as a reserve currency? I do not think so. It is no longer a good store of value: we have seen that in recent years. I do not think that gold is a suitable vehicle for open-market operations, which are themselves far less relevant in an age of such huge global capital flows. Nor do I think that we will go back to gold as a vehicle for dealing with inflation, if that returns.

Gold is, as the famous phrase goes, a barbarous economic relic. I cannot believe that it makes good economic sense to spend a huge amount of money digging something up, turning it into ingots and then burying it again in vaults. These gold sales are not primarily a monetary issue. I note that the Monetary Policy Committee did not even discuss the matter. The case for the demonetisation of gold is strong.

I cautiously support the sales, but I am sorry that the Government have not moved more carefully. I do not think that there was any need to rush into these sales. We do not know whether the gold price will go down or up. My hon. Friend the Member for Louth and Horncastle (Sir P. Tapsell) said that he thought it was at a low point.

[Mr. Andrew Tyrie]

He may be right, and he may be wrong—we do not know—but he could be right, and if he is right we should proceed more cautiously.

Mr. William Cash (Stone): Will my hon. Friend give way?

Mr. Tyrie: If my hon. Friend will forgive me, I will not, because I have only two or three minutes in which to finish my speech.

I am a little worried that we will sell too quickly. It is a question not just of the amount, but of the speed. There are good arguments for believing that the gold price may continue to fall. The United States might start selling gold. Has the Treasury a view on whether major countries are now considering gold sales? Is there any suggestion that they might?

I think that gold will be used less in the 21st century as a store of value in Third world countries—Vietnam was mentioned earlier—and that will result in more gold coming on to the market. Improvements in mining techniques will almost certainly increase the amount of gold available. I worked in the European Bank for Reconstruction and Development for a while, and it was found to be profitable to "leach" the piles of slag that had already been used for gold mining, to obtain gold by means of more efficient industrial processes. The supply side points to a weak gold price for some time to come.

With great respect, I thought that my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) was talking nonsense when he suggested that the Government might be selling in order to influence the price of the euro. They could do that perfectly well by using the forward book, with or without gold, as a reserve in the vaults. As I have said, I would like the Government to explain why so fast, and why so much.

10.42 am

Mr. Quentin Davies (Grantham and Stamford): I congratulate my hon. Friend the Member for Louth and Horncastle (Sir P. Tapsell) on securing this short debate, during which he raised a number of points that it would be remiss of the House not to discuss seriously. He is a distinguished parliamentarian, and brings to the subject a wealth of professional experience as well as the depth of historical knowledge for which he is famed in the House. I never listen to him without learning something that I did not know before, and I certainly was not disappointed on this occasion.

The hon. Member for Kingston and Surbiton (Mr. Davey) also made some sensible points, and we heard a valuable—but sadly, owing to the shortage of time, all too short—contribution from my hon. Friend the Member for Chichester (Mr. Tyrie), who probably knows more about the subject than any other Member except my hon. Friend the Member for Louth and Horncastle.

The Government have left two questions in the minds of parliamentarians and the public. First, why did they decide to sell the gold? We are still no clearer about that, and I hope that we shall be clearer by the end of the debate. Secondly, why have the Government adopted such an astonishing method of conducting the sales?

Because the Government had not given us sufficient explanation, my right hon. Friend the Member for Horsham (Mr. Maude), the shadow Chancellor, wrote to the Chancellor of the Exchequer, but all that he received was a lot of waffle. The reply stated:

"As we have been careful to explain this is a prudent restructuring of the reserves."

This is to do with

"Prudent management of public finances"

to achieve a

"better balance in the portfolio."

Those are evasive answers. We need an answer to the question, why is it more prudent for gold to constitute 20 per cent. of the net and 7 per cent. of the gross reserves, rather than 40 per cent. and 17 per cent., or whatever the current figures are? We have heard no explanation of the factors that determined the Government's course of action, and we badly need one.

Gold has traditionally been held as a reserve because its value is a negative function of the strength of the dollar, a positive function of inflation rates and a negative function of real interest rates. It is possible to construct a hedge against the dollar simply by holding other currencies, but there is no such obvious way of obtaining protection against a resurgence of inflation, a collapse of real interest rates or interest rates becoming negative again, as they have during all our lifetimes, that is better than holding gold. As my hon. Friend the Member for Louth and Horncastle pointed out, gold is a long-term insurance policy against contingencies that we do not foresee in the immediate future, but which could always return. We need to know why the Government have decided that they want to roughly halve that insurance policy. After all, 700 tonnes of gold is not very much for an economy the size of ours.

The Government must think that there is some reason for holding gold in the reserves, or they would have decided to get rid of the entire gold reserve. We need a clear explanation of why they think it prudent to hold a mere 300 tonnes. If they agreed with the arguments advanced by my hon. Friend the Member for Chichester, it would be logical for them to get rid of gold altogether; but they have not, and their actions lack credibility.

Do the Government have formal models for determining their management of the portfolio of the reserves? Is there a formal risk management model? If so, will they place it in the House of Commons Library, so that all of us, including the public, can learn on what the portfolio decisions are based, and why such adjustments are apparently required? After all, the Government are acting in an agency capacity, managing the taxpayer's money.

The Minister must reply to the serious point made by my hon. Friend the Member for Louth and Horncastle. We cannot allow the rumours to grow, because they are extremely dangerous to public confidence. It has been suggested that the market is very short of gold, that the short positions may be a substantial multiple of the total amount of gold currently held by the Bank of England, and that the Bank's real motive is to save the bacon of firms that are running those short positions. If such a suggestion is being made seriously, it must be dealt with authoritatively and definitively, and we want an answer from the Government now.

Apart from the question "Why do it?", the obvious question in the minds of the public is, "Why do it in what is apparently such an incredibly incompetent and foolish fashion?". Someone who is going to sell something does not announce it in advance to the world, and certainly does not try to talk down the price of a commodity in which he is rather long. In normal circumstances, that makes no sense. If these circumstances, or these rules, are abnormal, we had better hear why it is sensible to make a public announcement. On the facts, it is extremely foolish and damaging. As my hon. Friend the Member for Louth and Horncastle said, the markets have reduced the value of the whole gold reserve by 10 per cent. or more since the announcement, and it is clear that the announcement has been one of the major factors in the fall. This is, prima facie, a clear case of incompetence on the part of the new Labour Government.

As if that were not enough, how extraordinary it was to try to talk the International Monetary Fund into agreeing on a programme of gold sales a few weeks before trying to sell our own gold. That was madness. One has to be as incompetent as the Government appear to be to damage the market in advance of such a major sales operation. The Minister and, indeed, her boss the Chancellor, owe the taxpayer an explanation. Why have the taxpayer's assets been squandered and their value gratuitously reduced? No sensible business man or woman would dream of conducting his or her affairs in such a way. Or is it perhaps that the conspiracy theory is right? Has the Government's whole plan been simply to drive down the gold price by whatever means, fair or foul, to save the position of certain figures in the City—the firms that were hinted at by my hon. Friend the Member for Louth and Horncastle—which, apparently, are so short and potentially in such trouble? The Minister has an opportunity to throw light on that. I hope that she will do so.

Given the appalling mistake of having alerted the rest of the world that we were going to sell the gold, why did not the Minister think of alternative ways of proceeding? If she did, why did she not choose them? A private placing is one obvious route that I would have wanted to explore. Some central banks are buying gold. As their balance of payments improve, perhaps China and some of the far east countries will add to their reserves. We have already heard that the Bank of France and the other major gold holders are not selling. Perhaps they might have been prepared to buy a little more, particularly if the alternative was a public auction. They might have said, "We'll help the British out a bit and take some." The discount would almost certainly have been a good deal less than the 10 per cent. and more that has been the effective discount following the manner in which the Government decided to proceed.

Alternatively, what about "feeding the fix"—feeding the market over time? Was that alternative properly explored? If so, why was it not chosen? Of course, the amounts are significant, but, for years and years, the South Africans fed the fixing in the opposite direction. They sold their annual gold production over time, spreading it over the year. They found that to be a good way of doing things, so why, conversely, is it not a good way to reduce one's gold reserves? We want to hear whether that potential solution was explored and, if so, why it was rejected.

Finally, what about the idea of a millennium issue—a retail issue of gold, not sovereigns? Each coin would presumably be much more valuable these days. That might have had distinct marketing opportunities at the millennium. Had we proceeded down that route, the Government might even have sold the gold at a premium and a discount would not have been necessary. Again, we want a clear explanation of why that route was not chosen.

10.52 am

The Economic Secretary to the Treasury (Ms Patricia Hewitt): I congratulate the hon. Member for Louth and Horncastle (Sir P. Tapsell) on securing the debate and on his fascinating and wide-ranging speech, which, as the hon. Member for Grantham and Stamford (Mr. Davies) said, again displayed his skills and knowledge as a historian. I also congratulate the hon. Member for Grantham and Stamford on his promotion to the Front Bench. We heard in yesterday's Finance Bill Committee that we were to lose two of the Front-Bench team from the Opposition. We welcome him and his colleagues to their new places.

In this extremely interesting debate, we have heard the two traditions, if you like, of attitudes towards gold. We have heard from the hon. Member for Louth and Horncastle of the mystical significance of gold—I was waiting for that word to appear and he did not disappoint me. During the sensible contributions of the hon. Members for Kingston and Surbiton (Mr. Davey) and for Chichester (Mr. Tyrie), we heard of the alternative view that was taken by Keynes in the 1930s—of gold as a "barbarous relic".

I regret only that I have been left so little time to respond to the multiple points that have been raised, but I dismiss first the wilder rumours to which the hon. Members for Louth and Horncastle and for Grantham and Stamford both referred. They are nonsense. It is important that we do not in the House take at face value such absurd rumours, which occasionally float around the markets. We should be careful not to give currency to such rumours by remarks in the House that may verge on the irresponsible.

Several Members have asked why the Government have decided to restructure the reserves and to reduce our holdings in gold. The answer is simple. We have reviewed the nature of our portfolio—the assets that we hold in the reserves. We believe that the size of the holdings and their spread across currencies and gold should be determined by the balance of the risk and reward that is offered by gold, and how that compares with the other assets that are held in the reserves.

As some hon. Members have pointed out, gold has been a very poor investment over the past 20 years. The gold price in June 1979 was $280 dollars an ounce. It is little changed on that today, although it shot up to an unsustainable peak of some $800 an ounce in 1980. By contrast, other investments have offered capital gains, or reinvestment of substantial interest earnings over that period. What we are looking for in the restructuring of the reserves is a sensible diversification of the assets.

We are not saying that gold will continue to be a poor investment. As the hon. Member for Chichester said, none of us knows, but we would not be planning to retain a significant proportion of the reserves in gold if we believed that it had no place as a store of value. However, what has happened to the real value of gold should caution the House against some of the more exaggerated claims in its favour.

[Ms Patricia Hewitt]

We continue to believe that gold is a valuable asset and that it performs an important role in countries' reserve assets, but it has to justify its share in terms of its contribution to the overall balance of risks in our reserves portfolio. A key objective in that portfolio's management is to minimise the risk to the taxpayer of fluctuations in the value of the reserves. Financing a large part of the reserves through borrowing in foreign currency largely eliminates that currency risk, as the hon. Member for Grantham and Stamford has acknowledged, but considerable risk is borne on the remaining net foreign currency and gold reserves, totalling the equivalent of $14 billion.

The hon. Member for Louth and Horncastle asked why we use that measure of net reserves. Perhaps I may draw his attention to the advice of the International Monetary Fund that countries should disclose not only their gross reserves, but their currency liabilities, so that a proper judgment can be arrived at of net reserves.

Almost half of this country's net reserves have been held in the form of gold. Without taking a view on the prospects for gold, that is a very big exposure to a single asset. Reducing our gold holdings from 715 tonnes to some 300 tonnes over a number of years will gradually bring gold's share of the net reserves down to about a fifth. We believe that that will achieve a better balance in the portfolio.

We will have a better diversified portfolio. We will not be as concentrated in gold as in the past. At the moment we are twice as exposed to movements in the gold price as to movements in the value of the dollar. Therefore, it is a simple portfolio decision, designed to reduce the risk borne by the British taxpayer.

The hon. Members for Louth and Horncastle and for Grantham and Stamford raised the question, as did other hon. Members, of the timing. The decision to sell now was not motivated by any view that the gold price was about to fall further, or by any of the wilder fantasies that have been suggested. The decision follows a careful review of the role for gold in the UK's reserves. As I have said, it is about portfolio restructuring, not about playing the market, which the hon. Member for Grantham and Stamford seems to want us to do.

Of course we considered various routes for selling the gold before we decided that an auction programme offered advantages of transparency, spreading sales out over a lengthy period. If we had sold outside an auction process, we risked uncertainty over the timing of sales and much greater undermining of the gold price. If we had gone for covert sales on that scale, it is extremely likely that the sales would have been possible only at a discount to the market price. The House would rightly have been critical of such a course.

The gold market has become increasingly sensitised to central bank sales in recent years, of which, as some hon. Members have reminded us, there have been many throughout the world. There would have been a real danger that the market would have realised that a major central bank was selling and would have over-reacted to the volumes actually sold. As the Governor of the Bank of England has indicated, even with the orderly and transparent procedure that we have adopted, the market reaction has been somewhat overdone.

The *Financial Times* said there were three questions to ask about the—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We now come to the next debate.

Rail Network Integration (London)

11 am

Mr. Jim Fitzpatrick (Poplar and Canning Town): In opening this debate, I do not think that it is at all inappropriate to seek your indulgence, Mr. Deputy Speaker, simply to mention that this is national bike week, and that today is national cycle to work day, which is strongly supported by the Department of the Environment, Transport and the Regions. This morning, I personally participated in the events, by cycling from Barking to Westminster, via Tower Hamlets and Covent Garden.

I am sure that the House will wish to congratulate everyone involved in supporting those events, including the all-party cycling group and the British Heart Foundation, which—wholly appropriately, Labour Members may think—was giving out red roses. I should also like to thank the Minister for Transport in London for her personal support for cycling and cyclists. Her support is very much appreciate by those who are involved in cycling.

Yesterday, in his statement, the Deputy Prime Minister best summed up the essence of this debate when he described a "joined-up London". That is exactly what is required.

I shall briefly deal with only three matters—as I know that several colleagues also wish to speak—the first of which is the definition of integration. Secondly, I shall give some examples of good practice in my own constituency and in east London generally. Thirdly, and most importantly, I shall describe the creation of a London orbital line, which would link the East London line, the South London line, the West London line and the North London line.

Integration is not only about theoretical connections or construction projects. Although those are important, integration also encompasses many other matters, such as accessibility generally, and the ability of people with disabilities to access the transport system. Integration is also about ensuring that connecting modes, such as the bus network—which is much maligned, but does an excellent job—feed adequately into the underground system, the rail network and the docklands light railway. It is also about signage—including the language used—in transport hubs and connecting stations, so that individuals feel comfortable with where they are and where they are going.

One of the most advantageous aspects of the London underground is that even tourists seem to be sufficiently comfortable with how the system operates to be able to arrive at a station, look at a map, enter the underground and arrive at a completely different part of London. Maps are therefore very important. I commend DLR for producing integrated maps showing transport modes other than DLR—a model which is being copied by other operators, and can only improve transport in London.

Security in the transport system, too, is very important, and is achieved not only by closed-circuit television but by ensuring that stations and other venues are staffed.

The debate is about user-friendly transport—which includes indicator boards notifying passengers when the next bus or tube will arrive—so that we have not only theoretical integration, but physical and even emotional integration, allowing people to feel comfortable and confident in using public transport. Everyone involved in the issue is promoting that type of integration, and much progress is being made in achieving it.

I should like to echo the comments made yesterday by the Deputy Prime Minister in paying tribute to all of London Transport's staff. In the majority of their activities, despite many problems, they are very efficient, helpful and courteous. I am sure that many hon. Members have seen many more rude passengers than rude staff members, who provide an excellent service.

In Poplar and Canning Town, unlike in some parts of London, we are well served by transport links. In my constituency, we have the docklands light railway, the Jubilee line extension, London City airport, a variety of bus routes, the District and Central tube lines and the London-Tilbury-Southend line. We are also right next door to the channel tunnel rail link, which will be in Stratford.

My constituency also has many good examples of integration, such as at Limehouse station and the newly reconstructed West Ham station, and especially at Canning Town—which has a state-of-the-art station to interface the bus network, the Jubilee line extension, Silverlink and DLR. The Canning Town station is clean, safe and efficient. Consequently, it is becoming ever more popular.

Public transport in east London generally is becoming busier, as it carries ever more passengers. DLR, for example, previously carried about 20 million passengers annually, but is now carrying 28 million passengers a year. Although passenger numbers will be reduced significantly when the Jubilee line extension opens—from 29 million passengers annually to 21 million—they will rise to 40 million when the Lewisham extension opens. The Government office for London and the Department of the Environment, Transport and the Regions are considering provision of extra DLR trains to deal with those increased numbers.

It has been well argued that east London will be the engine for this great capital city, to drive us into the next millennium. East London's transport infrastructure will be critical in ensuring that east London is successful in playing that role, and the London orbital should be one of the main aspects of that infrastructure.

The purpose of the London orbital is to link the East London, South London, West London and North London lines into a circular line. The South London line is run by Connex, the West London and North London lines by Silverlink, and the East London line—which has recently re-opened after a three year refit, and has some new connections, particularly at Canada Water—by London Underground.

The problem to date, however, has been that the lines do not quite link up. There is a missing link between Dalston and Whitechapel, where there is a disused railway viaduct, and another missing link between Surrey Quays and Queens Road station, in Peckham.

London Underground has proposed two schemes to join up those missing links. The first is a northern extension, which London Underground Ltd. authorised to proceed in 1997, but needs additional funding. The second is a southern link, on which, last year, the Deputy Prime Minister authorised preparatory work, and on which a decision will be taken this summer.

[Mr. Jim Fitzpatrick]

The two schemes would cost only £150 million. Moreover, when the links are built, London Underground could run a line from Highbury, down the East London line to Peckham, and then—on Connex lines—on to Clapham Junction, Wimbledon or Croydon. Although Wimbledon or Croydon are currently the preferred options, after working for 13 years as a firefighter at Battersea fire station, I prefer the Clapham Junction option. However, I do not think that that argument will sway LUL.

Completion of the links would make it possible to run trains right round an orbital route at no extra cost. I believe that that should happen, and much of the Deputy Prime Minister's statement yesterday seemed to be advocating such a course.

The main benefits of such an approach are that the initial stage could be under construction within the lifetime of this Parliament, and the links would reach parts of London that currently are not on the tube, such as Peckham, Battersea and Hackney. Such an approach would be an important step towards integrating tube and rail networks; improve the accessibility of regeneration areas, such as the docklands; and create new cross-London railways at one twentieth the cost of a new tube line.

The orbital would also give through-London passengers an alternative to going via the centre, improve radial journeys, and put more of south London—which currently has 40 per cent. of London's population, but only 11 per cent. of stations—on the tube map. I am not sure what south London ever did to offend the powers that be who originally designed the tube network.

Thus, at no great expense, an orbital network could be devised for London, because most of the lines needed for such a network are already in place. One can travel from Clapham Junction to Willesden Junction and on into the east end via Highbury and Islington and the North London lines with only one change. The East London line, which reopened in March last year, currently runs between New Cross and New Cross Gate. London Underground is currently looking into the pros and cons of extending that line north from Shoreditch, via Bishopsgate, to connect with Dalston. In a reply to a written question tabled in July last year, the Government stated that they were considering how best to take that project forward. The scheme, whose estimated cost is only £150 million, is relatively inexpensive because it uses much existing infrastructure. Yesterday's statement by my right hon. Friend the Deputy Prime Minister clearly moves that agenda forward, which is welcome.

In respect of the southern extension, London Underground appears to have two favoured alignments: New Cross Gate to East Croydon or West Croydon, or from Surrey Quays on to South London rail lines, but with services to Wimbledon via Streatham and Tulse Hill. The Surrey Quays link would make use of largely disused land to connect with existing rail lines north of Queen's road, Peckham.

London Transport, Railtrack and the Association of Train Operating Companies attended a conference last year to discuss ways in which the organisations could work more closely together. The objective was to improve integration, and I understand that my hon. Friend the Minister for Transport in London attended. As a result, four different working groups were set up to consider different aspects of integration. The first is physical integration, and LT has appointed a project manager to ensure that action is taken quickly on matters such as joint maps and a combined timetable. There are working parties on fares and ticketing to improve links; on public affairs issues; and on long-term schemes and strategies, in a joint arrangement with ATOC. The long-term working group is considering the bigger issues, preparing briefing documents for the new mayor and assembly next year, and working toward a common stance.

On the orbital network, LT would argue that, in world-city terms, there might be a role for enhancing the network, but it will obviously depend on the mayor's strategy. In addition, there is the question of funding. The Government have stated that, if road pricing is to be acceptable, the money derived from it must be used to fund public transport, such as bus priorities, road calming measures or pedestrianisation. However, revenue derived from car travel could usefully be used for schemes such as the extension of the East London line, which would be relatively inexpensive. The extended line would naturally form part of an inner orbital network. It is possible that the mayor might be encouraged to form an orbital network if it conforms with his or her other policies and priorities.

The orbital might come about naturally: as other schemes came to fruition, they would simply need to be linked up—for example, the Croydon tramlink already covers one quarter of the outer orbital network. Yesterday, the Deputy Prime Minister spoke of "joined-up London", and referred to the London link plan connecting the five airports with the channel tunnel rail link. He mentioned expanding the network from its current form by adding the Jubilee line extension, the docklands light railway extensions, the Croydon tram and the Thames water taxis. I believe that London's transport network is doing an excellent job in the circumstances, but it could do much better.

I am grateful to Archie Galloway, chairman of the East London Group, for writing to me in support of the London orbital. His group represents 10 London boroughs, the City of London corporation, local business and regeneration agencies, and it launched a brochure on the case for the orbital yesterday. I should also like to express my appreciation to my hon. Friends the Members for Battersea (Mr. Linton) and for Putney (Mr. Colman), who have worked hard to promote transport issues in London with parliamentary colleagues and those outside who are interested or involved in transport.

The case for the London orbital is well made, and my right hon. Friend the Deputy Prime Minister and his Department are clearly looking in that direction. I anticipate further progress being made between now and the arrival of the new mayor and assembly next year.

11.14 am

Mr. Martin Linton (Battersea): I, too, welcome the announcement made yesterday by my right hon. Friend the Deputy Prime Minister of a private-public partnership in which London Underground and Railtrack will together examine ways in which the surface railway system and the London underground can be linked. My right hon. Friend has been a long-term advocate of such a linkage between tube and rail in London, which, in a useful

phrase, he described yesterday as "joined-up London". He also mentioned some of the major schemes that could flow from that linking: for example, the five airports around London and the channel tunnel rail link could all be linked into the same railway system, thus enabling swift communication between them.

In a debate such as this, we can focus closely on London and consider in detail the possibilities opened up by that statement. One scheme that is explicitly included in the discussions between London Underground and Railtrack is the East London line extensions, to which my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) referred. I am sure that the northern extension, which would link the East London line to the North London line will be mentioned by my hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore), just as my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) will refer to the southern link that will link the East London line to the line into Croydon. That will enable tubes to be run from Highgate down to Croydon and Wimbledon and give the first tube interchange for the Croydon tramlink, about which my hon. Friend the Member for Croydon, Central (Mr. Davies) is so enthusiastic.

I shall concentrate on another possibility, which is that of running trains from Highgate around to Clapham Junction, via either Brixton or Streatham Common. The important thing is the link to Clapham Junction. The reason for my interest in the scheme and for my having asked many questions about the East London line, which lies many miles from my constituency, is that my constituency contains Clapham Junction, which is one of the oldest and most famous large stations in London. It was built in 1863 and, many years ago, it became the busiest station in the United Kingdom—indeed, the busiest in Europe, and it still has signs that advertise that claim. Its name has become famous world wide: Harold Macmillan used the phrase, the "Clapham Junction of politics" to mean a place that everyone has to go through; and, in a music book, I even discovered a description of the chord of the diminished seventh as the "Clapham Junction of music", because it is the chord from which one can go anywhere.

Clapham Junction has entered popular currency in many different ways, yet it is not on the tube system. That omission is a long-standing and keenly felt grievance of the people of Battersea, and it needs to be put right. My reasons are not purely parochial; there are many reasons why that link should be made. Many commuters do not want to go to a central London terminus, but to some other part of London. Entering London from any direction other than the south or south-west, they are able to get off the train and on to the tube system before they reach a terminus; but that is not possible coming from the south or south-west, because Clapham Junction is not on the tube. More important, a scheme such as the London orbital would allow access to the tube system by many communities in London that do not currently have such access.

Quite apart from linking up with the East London and South London lines, the network would lead to a link to the West London line, which goes from Clapham Junction up to Willesden Junction. It is sorely underused by rail passengers—few even know of its existence. Until recently, there was only one stop on the line between the two junctions, at Kensington Olympia, but last month another stop was opened at West Brompton. Apart from those two stops, the line passes without stopping through the rest of Battersea, through Sands End in Fulham and through a station in the constituency of my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) which is intriguingly named North Pole—it was closed many years ago, but I believe that it should be reopened. At Willesden Junction the line joins the North London line, completing the London orbital route that we are seeking.

That orbital route has long been dreamed of. It was suggested many years ago by the Greater London council. The Railway Development Society and Transport 2000 have campaigned for it under the name Outer Circle. The story is rather like Frobisher's search for the north-west passage. Only since yesterday have we been able to say that it can be done, because only when the two missing links in the East London line are joined up does the orbital route become possible.

That creates three important possibilities for travellers in London. One is for commuters going to Docklands or north London rather than the terminus who want to avoid the hassle of going through the centre of London. They will be able to make a direct connection with an orbital route. Another important use is for through London passengers. Many people have no business in central London and come to the capital only because the railway system is so centred on it. Given the option of an orbital route they might well get off at Clapham Junction, go to Willesden Junction and get on a train in another direction. A few people do that already, but not many because there is not a regular orbital train. I am convinced that many people would happily get off at stations such as Highbury and Islington or Willesden Junction, which are two or three miles from the terminus, and change to another line if they could.

However, the most important issue for inner London Members is that many communities in inner London are disfranchised from the tube system. A London orbital line would correct an ancient injustice. Large parts of south London were bypassed by the tube system, as were Hackney and some parts of north London. That happened partly for geological reasons. When the system was built it was thought to be impossible to tunnel through clay. A tunnelling expert today would say that clay was the best material through which to tunnel. There were also historical reasons that the train services in north London were longer distance lines that were less inclined to build up commuter services, so the tube was relied on for that, whereas the south London train lines developed as commuter lines.

As a result, south London, which has nearly 40 per cent. of the population of London, has only 11 per cent. of the tube stations. More insidious than that is the fact that many lines have far fewer trains per hour, which means that access from the south London suburbs—or, indeed, from Hackney—to central London is often much more difficult. It is possible to get to the centre of London quickly from Bromley, Croydon or Clapham Junction. The system is handy for those who work near the terminus, but it is not conducive for those who want to travel to any other part of London or join in London as a metropolis. That contributes to south London's reputation

[Mr. Martin Linton]

for having quiet suburbs with people who do their job in the City and go home at half past five, whereas north London has a more raffish, cosmopolitan atmosphere.

Joan Ruddock (Lewisham, Deptford): Not true.

Mr. Linton: South London has changed. The train system built with that in mind is now inappropriate. Thousands of students and young people who come to work in the capital and live in south London want to be able to travel around London until late at night. They do not just want to go to work and go back home. The tourism industry in south London suffers inordinately from the fact that the area does not exist on the tube map. Millions of tourists come to London under the impression that it is almost entirely north of the Thames. Tourist attractions, as Battersea power station will become, find it difficult to persuade tourists that south London exists.

The entertainment industry suffers from the same problem. I am president of Battersea arts centre. Even though it is often the *Time Out* pick of the month, it is surprisingly difficult to persuade people from north London that they can catch what used to be called a British Rail train to Clapham Junction, get off, walk five minutes and find an arts centre. It is much closer than many of the arts centres that they frequently go to in north London, but it seems far less accessible. That is a problem for the parts of London not touched by the tube system.

Those in inner south London suburbs such as mine, close to the centre but far away in travel time, suffer most. My constituency is criss-crossed with hundreds of railway lines. It probably has a greater concentration of railway lines than any other constituency, even though acres upon acres of goods yards have been closed. However, it is like the ancient myth of Tantalus. We have all the railway lines, but after one stop people have to change to a different mode of transport. A two or three-mile journey to central London can often take an hour.

We should try to use the enormous possibilities that the public-private partnership opens up to revert to the original concept of the London underground. It was not built to take people to central London and dump them there. The concept was that trains would continue underground from the terminus to take people to different parts of London. That is why the Metropolitan line tunnels are wide enough to take large steam trains, although they have never been used for that. The concept of linking tube and railway lines will make it possible for the first time for people from outside London to travel in and have the advantage of being taken not just to Waterloo, but to several stations in inner London.

No other capital scheme could be started during this Parliament. Indeed, it could be completed early in the next if approval is given to the extensions later this year. At perhaps £150 million—my hon. Friend the Minister may be able to give us a better idea of the cost—it will be only one twentieth of the £3 billion that a new tube line would cost.

The third great advantage of the scheme is that it would put all London into quick contact with the regeneration areas in Docklands. It would also help many disadvantaged areas in inner London. The Thameslink line, which goes through central London, was opened for its true purpose only 10 or 15 years ago. It still has very few stations and those at Walworth and Camberwell, in the constituency of my right hon. Friend the Member for Camberwell and Peckham (Ms Harman), have been closed for a long time. That is probably the longest stretch of railway track in London with no station and it is in one of the most densely populated areas. Although they are close to the centre, those suburbs are inaccessible.

The orbital scheme has many advantages for regeneration, cost and time scale. I am glad that my right hon. Friend the Deputy Prime Minister introduced the concept of a joined-up London. Including the London orbital and other routes in the concept and joining them to the tube system will contribute enormously to the revival of inner London.

11.29 am

Mr. Norman Baker (Lewes): I congratulate the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) on securing this debate. I do not know whether he accelerated the timing of the Deputy Prime Minister's statement yesterday, or whether he was just very timely, unlike some of the trains that many of us rely on. I found his comments and those of the hon. Member for Battersea (Mr. Linton) interesting. We all agree that we must make the maximum creative use of the existing infrastructure. I benefited from the London orbital, such as it is, on Monday, when I travelled from Brighton to Oxford without changing, on the line via Kensington Olympia. I agree that the line is hardly used, but the potential is there.

The Thameslink service has allowed people from outside London to go through the city without having to change. The situation 10 years ago, when people had to get off at Victoria, take the tube and get another train somewhere else was simply ludicrous. People going about their business in London do not want loads of people traipsing on and off trains at different stations.

The idea of merging sub-surface lines with the tube is nothing new. I used to live at the end of the District line, at Upminster. Long before my time—pre-war, I think—that line was used for a combined London, Tilbury and Southend and underground service; one could get a train from Richmond to Southend via the tube network and overground lines. Such ideas were used in the past and it may be simply a matter of reactivating them. There used to be shared use of the Bakerloo line north of Harrow, with combined services running up to Watford Junction but that has now been cut back on the underground map.

I sympathise with the point about south London. I used to live in north London, and south London was a different world; it was pretty inaccessible, partly perhaps because of the nature of the underground map, which is representative rather than accurate in its portrayal of the distance between stations. For example, the escalator link between Monument and Bank is shown as about as long as the distance between Upminster and Barking on the District line. That would make it the longest escalator link in the world, I imagine.

Perhaps the Government could consider encouraging London Transport to devise a more creative map that shows more of the existing connections with—to use the shorthand—the British Rail network, of which many members of the public are not aware. Why are not the links to Clapham Junction and Olympia on the underground map?

I am surprised at the involvement of Railtrack and the Government's warm reception of it. The Government have been highly critical of Railtrack, with good reason, for giving a first-class service to its shareholders and a third-class service to some of its customers. We have heard about underinvestment and broken rails in the Severn tunnel and the Deputy Prime Minister has rightly been trying to force Railtrack to invest more in the network, but it seems that its reward for not doing so is to be given a share of the London underground network. We can only conclude that, had it failed even more abysmally, it would have been allowed to enter the two deep-tube public-private partnership competitions as well.

We must be careful before we hand over more of our rail infrastructure to Railtrack, given its poor performance so far. I hope that belt-and-braces contracts will be signed to ensure that it does not get another milch cow for its shareholders, leaving people in London, and the Government, wringing their hands and wondering what has gone wrong.

One of the technical questions that need to be answered is about the effect on overground suburban services. I am not sure whether it is intended that underground or overground rolling stock should be predominantly used. There is an acute shortage of rolling stock, and that which is used on the overground lines, which would presumably integrate with the underground network, is in many cases very old indeed. The Connex services from my part of the world use 1963 trains, and I think that 1954 trains run from Uckfield; certainly they were built before I was born, and they are still in daily use. What would the criteria for new rolling stock be?

All the underground system is third rail, as are many of the suburban services, but the north London services use overhead lines, so that complication needs to be sorted out. I am also slightly concerned about the capacity of the underground system to handle more trains. We can do a certain amount by increased signalling, but my understanding from talking to London Underground employees and my colleagues in London is that one of the problems is not signalling but station capacity. If we had more trains, the congestion on platforms, which is a real hazard, would only get worse. For example, London Bridge station is regularly blocked to prevent people from accessing the platform until one or two trains have gone.

Mr. Bernard Jenkin (North Essex): Does the hon. Gentleman share my concern that there may be a danger that the Government will take this opportunity to reduce the urgency of the Crossrail proposal? The suggested link has always been the Treasury's answer to Crossrail; it is the cheap version, allowing the Heathrow express to run along the top of the Circle line and into Liverpool Street. Better integration is on offer, but no new capacity. We should be wary of an excuse to drop the urgency of the Crossrail project.

Mr. Baker: That is a helpful intervention. We need to do both: to use our existing infrastructure in the best way but also to have new schemes giving access to areas such as Hackney—which Crossrail would serve—that would not benefit from the orbital link.

The Minister for Transport in London (Ms Glenda Jackson): I can understand the hon. Gentleman's regarding the intervention by the hon. Member for North Essex (Mr. Jenkin) as helpful, but it was less than helpful in its failure to point out that it was the previous Administration who shelved Crossrail.

Mr. Baker: That is equally true. I can agree with both Front-Bench representatives who have intervened on me.

There is a Treasury input in the public-private partnership proposal. The hidden hand of the Treasury is always there, trying to ensure that as little public money as possible is spent on the project and that as much of it as possible is shunted off to the private sector. We have heard that there are problems with the timetable and we do not know when deals will be concluded and contracts signed.

My hon. Friend the Member for Carshalton and Wallington (Mr. Brake) did not get an answer when he asked:

"If there is a further delay to the PPP plans, what allowance has he"—

the Deputy Prime Minister—

"made for the extra finance that will be required to ensure that maintenance and investment continue? At what point will he show that the public-private partnership is best value, and will he use the public sector comparator to do that? Are the Government holding discussions with other consortiums . . . about the possible integration between the national rail network and the sub-surface lines . . . or is only Railtrack in the running?"—[*Official Report*, 15 June 1999; Vol. 333, c. 161.]

Those questions, with respect, were not answered yesterday, so I am hoping that if I repeat them today my hon. Friend the Member for Carshalton and Wallington and I will be able to read the answer in the *Official Report* tomorrow.

Why are the Government so opposed to the idea of a public interest company, which could provide the investment that the underground system needs? Do not large older systems such as London's tube network require access to predictable long-term sources of capital, including the ability to borrow against their own revenues? Allowing London's new transport authority to borrow, free from the artificial public sector borrowing requirement constraints, would enable it to access a capital market at far less expense than any private sector borrower. Why have the Government ruled that out and taken a more uncertain route?

There are problems with station capacity. Railtrack has said that the new Canada Water station on the East London line is unable to take more than four-vehicle trains and that peak demand "may cause serious overcrowding." That does not sound like a world-class transport system.

Significant investment will be required in signalling, station capacity for passengers, platform capacity, rolling stock, new connections, dealing with the third rail overhead problem and ensuring that suburban overhead services do not suffer as a consequence. I welcome the idea of using infrastructure, but I put those points in a constructive manner to the Minister and ask her whether proper estimates have been made and, if so, who will pay.

If an agreement is finally concluded and signed with Railtrack, will it be under any obligation to extend the network, perhaps to take in Crossrail, or, perhaps, to consider new connections, or will it simply be there to make the most of the existing infrastructure? If we are

[Mr. Baker]

to give Railtrack yet another helping hand—which I did not expect the Government to do—we should exact a high price for it, and I hope that the Government will do so.

11.41 am

Mr. Brian Sedgemore (Hackney, South and Shoreditch): I am delighted to join in the debate and I am pleased that my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) has raised it. I want to concentrate on the vital missing link in the London orbital, which in Hackney we describe as the east London tube line extension. As we have heard, there are two gaps, one in the southern area and one in the northern area. I want to concentrate on the urban regeneration consequences of filling in that vital missing link.

I have been arguing the case for the east London extension for about 10 years. I think that it was about eight years ago that I raised it in an Adjournment debate. I am glad to see that there is much more support for it now than there was then. In those 10 years, Ministers and shadow Ministers have come to Hackney and said that it is a super idea, but they have gone away and not much has happened. The only real thing that has happened is that, after a lengthy and cumbersome Public Works Acts inquiry, the Secretary of State has given permission for at least the northern missing link to be filled in.

But now we are told that we must await the arrival of the Mayor of London. To the putative front runners, whether it be Trevor Phillips for Labour, Jeffrey Archer for the Conservatives or—well, I will not mention my hon. Friend the Member for Brent, East (Mr. Livingstone) because my pager tells me that to do so would be off message—I would say that I could neither vote for any of them nor recommend that anyone else should vote for them unless they can give a copper-bottomed guarantee that this will be a top priority when a Labour Mayor of London is elected.

The scheme will have a huge number of regeneration consequences for the London borough of Hackney. Although £150 million is petty cash for the railways, this is not some small scheme for us. The regeneration consequences of the east London tube line extension are enormous. Hackney is the third most densely populated authority in Britain. More than a quarter of its population live in the corridor of the proposed east London tube line extension on the orbital route, and they are waiting for the benefits to flow from it. Unemployment in Hackney is double that for London and Britain, and is comparable only with the highest rates in the north west and the north east of England. In some wards in the east London tube line extension corridor, the rates are three times the London level.

In that corridor are 2,500 businesses, employing 30,000 people, so two-thirds of all Hackney's jobs are in this new line catchment area. We estimate that 14,000 jobs are waiting to be created if the missing link is put in, 8,000 of which will be directly attributable to the new line, and the others will be offshoots of the new line.

Not all those new jobs will be taken by Hackney people, but the unemployment rate in Hackney is expected to fall by 10 per cent., which is a massive fall, once the line is up and running. In addition, we calculate—this was referred to by my hon. Friend the Member for Battersea (Mr. Linton)—that the link with central London and docklands could provide another 2,500 jobs for Hackney residents and many jobs for residents from other parts of east and south London.

In addition to that, Hackney's age profile is such that during the next five years a huge surge of school leavers will come on to the job market, and unless the line is up and running, many of those school leavers will not have a job at all, even with the excellent work being done under the new deal.

Like Battersea and certain other areas in London, we do not have a tube at all, so two-thirds of Hackney's work force travel outside the borough. Some use private cars, although car ownership is also at almost the lowest level in London. Many use the buses, although they are becoming less and less reliable. Therefore, this is a critical reliable route for the people of Hackney. To make a quick comparison, neighbouring Islington has three tube lines. Its demography is almost the same as Hackney's, yet it has 50 per cent. more local jobs. I suspect that many of those are related to the transport in the area. Therefore, the orbital line is critical for Hackney.

I make one last political point. The supremo for the scheme is the Deputy Prime Minister. He has been to Hackney, as has my hon. Friend the Minister for Transport in London, to look at the scheme, and we were delighted to see them. We are concerned about the long hard struggle and the long wait that we have had. Some people in Hackney are asking whether the Deputy Prime Minister can cut the mustard on this one. We have always regarded him with affection. We see him as the Mike Tyson of politics. But we are beginning to wonder whether he is losing his ability to strike the knock-out punch, or, to put it more prosaically, where will the money come from and when will we get it?

Originally, we were told that London Transport would give us the money straight out. Then we were told that it would be part of a private finance imitative. Now we are told that it will be part of a public-private partnership. We do not blame the Department for the Environment, Transport and the Regions; we blame the Treasury, as ever. We are all fed up with these Treasury gyrations and gymnastics. I should like my hon. Friend the Minister to tell us that the money is coming shortly.

11.47 am

Joan Ruddock (Lewisham, Deptford): I, too, congratulate my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on initiating this important debate in the House. I agree with everything that has been said by my hon. Friends, and, perhaps, even with the odd thing that has been said by Opposition Members.

Eight years ago, I was shadow Minister for Transport in London, and I produced a report then which stated:

"Through the election of a Greater London Authority, Labour will return to London the strategic planning it so desperately needs. We will link land use and transport planning to provide greater access at lower environmental costs. We will set higher standards for every aspect of public transport and maximise the integration of different modes to provide easier, more pleasant and more reliable travel."

I am delighted that old Labour's promises are being so forcefully fulfilled by new Labour today.

I also acknowledge that the process by which the proposals came to us through the Deputy Prime Minister yesterday was undoubtedly encouraged by the activities

of my hon. Friend the Member for Battersea (Mr. Linton) and all the work that his group has done in trying to advance the case for transport integration in London.

I add my specific support to the extensions of the East London line. As others have said today, south London and, in the case of Hackney, north London, are ill served, or served not at all, by the underground system. Therefore, it is crucial to have the extension from New Cross Gate to Croydon.

My constituency will stand to gain a tremendous amount. We have made no job calculations, but we expect a real boost to the local economy and to providing access to jobs that exist elsewhere which are not easily accessed at the moment. Regeneration is at the heart of the economic progress that is being made in my constituency.

The partnership between a progressive Labour authority and the Government is producing a welcome and essential fall in unemployment and an improvement in the local economy and environment. However, we want more. Yesterday's report about the premature deaths suffered by people in this country from the effects of car-borne pollution should spur us all to access the railways. In my constituency, much of the car exhaust comes from vehicles passing through to other parts of London. We need to be able to reduce reliance on that form of transport, and the integration of London's railway services will be important to that end, however it is done.

The East London line extension group has argued that, although the necessary investment to build the two extensions to the line amounts to £150 million, the extension will boost the £1.5 billion investment provided through regeneration schemes in the affected areas. That will foster jobs in general but also, I hope, the growth of the creative and arts industries.

My hon. Friend the Member for Battersea mentioned that such industries are important for many people, but my area has many practising artists and creative institutions. We want to extend the links with their counterparts across the river, such as have already been established between Lewisham Art house and the Whitechapel gallery, for example. Such links create jobs and add to the richness of London life.

Yesterday, my right hon. Friend the Deputy Prime Minister set out his vision of a connected London and talked of new connections between all the major transport hubs. As the plans progress, I urge the Government to think carefully about the local integration of different modes of transport and the stations that they serve. Again, a local example could be the blueprint for much of what the Government want to achieve.

My hon. Friend the Member for Poplar and Canning Town, in opening this debate, referred to the criteria defining integration. I agree with everything that he said about what that means, and that it is more complex than merely providing a variety of services or linking hard rail, light rail and the underground.

In Lewisham, there are 28 passenger rail lines, which go into central London and out towards the south. There are 39 major bus routes, serving numerous destinations, and the docklands light railway will soon extend through my constituency and into Lewisham. However, it seems to me that most people learn to use—and keep on using—a single route. They have great difficulty in planning other routes to places that they visit occasionally or when they want to make a change. That is a critically important matter. We need better sign provision and maps, and must enable people to maximise their use of rail through improved connections. There is no doubt that that is the integration that we need for the 21st century.

The Lewisham challenge partnership is led by my local authority. It proposes that the locality needs a new type of integration. The Lewisham passenger transport interchange proposed by the partnership deserves the attention of my hon. Friend the Minister. It is the subject of a bid under the single regeneration budget and represents an important model. The bid document states that the aim of the bid is to

"improve the ease of use of interchange by reducing the time taken for transfer between services and make the service more attractive to commuters currently using private cars"

and to

"connect the stations more directly with the leisure, retail and business activity within the town centre and the wider community."

That is of crucial importance. As has happened in so many other boroughs, towns and other parts of London, our railway station has been cut off from the town centre by railway lines, two major roads and the extensions necessary to carry car-borne traffic. Reintegrating people, transport services and leisure and business activities gives rise to some very important issues.

The new interchange will also promote and exploit transport's potential to encourage business. Employers as well as employees are concerned about integration, which will help with employment links across the Thames and throughout the region. The improvement to the natural and man-made environment will make the interchange more attractive and pleasant to use.

I urge my hon. Friend the Minister to look carefully at what is happening in my area as an example of how to move forward, and to bear in mind the discomfort suffered by so many people when the East London line was out of action. We all want to see the new proposals go ahead, but due regard must be given to the travelling lives of passengers and customers when the new works are in hand.

I end by saying that, in 1836, the first urban railway in the world was opened, to great excitement, in my constituency. It ran between Greenwich and London bridge, and Deptford station is still being used to this day. Of course, I was not around at the time—

Mr. Jenkin: The hon. Lady is old Labour.

Joan Ruddock: On the contrary, I am absolutely new Labour. However, I can imagine the enormous excitement that that innovation must have brought to south London. Since then, the railway has suffered from much neglect. Trains are so overcrowded, late and in such poor condition that many Londoners are completely disenchanted with the rail system. But I believe that we are now at the beginning of a new age of great excitement about the use and integration of rail and underground systems, from which all Londoners will benefit.

11.57 am

Ms Karen Buck (Regent's Park and Kensington, North): I also congratulate my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on securing this debate, and wish to express my gratitude to

[Ms Karen Buck]

my hon. Friend the Member for Battersea (Mr. Linton) for the leadership that he has shown in recent months in helping to build the case for the orbital network. They have set out a powerful and persuasive case for seizing and developing the opportunities presented by yesterday's statement.

Safe, affordable and reliable public transport is the key to tackling traffic congestion in our city. It will bring immeasurable benefits for London's economy and help to tackle social exclusion, as well as making London a cleaner and more pleasant place to live in. Like other Labour Members, I warmly welcomed yesterday's statement by my right hon. Friend the Deputy Prime Minister about the London link scheme that will link the national railway and the underground. Greater integration has to make sense in terms of making the best use of available capacity and improving the potential for passengers to make journeys through London and on the orbital route.

It makes sense for Railtrack to be a partner in the developments, although it will have to improve on its investment and management record. I speak with passion on that subject, as I depend on the Bakerloo line, to which the hon. Member for Lewes (Mr. Baker) referred earlier. That line goes as far as Harrow and has suffered continual disruption because of signal failures throughout the 1990s. The surface train and underground network extending from Watford, through Queen's Park station and into Baker street has been less effective than it could have been because of the signal failures that have plagued it. I look forward to the Government and the rail regulator being firm and tough in negotiations with Railtrack to ensure that the company delivers.

My purpose in contributing to the debate is to stress the need to fill the gaps that at present are left by the underground and surface rail services. The orbital network presents a great opportunity in that regard but, to fulfil our wider ambitions for public transport, we must make sure that swathes of the inner city are not excluded.

Surface train services that interconnect with the underground should be able to operate as regularly as most suburban bus services, giving passengers confidence about reliability and frequency. That is the only way to make sure that people use the underground as an alternative to their cars, particularly for getting to work, when punctuality is of the essence. In my corner of west London, a densely populated inner-city community is squeezed between two important rail lines—the West London line and the Paddington mainline and channel tunnel link. Properties on those estates need soundproofing to insulate them from the noise of the trains that pass virtually under their windows, but the people there have no access to either service.

Silverline plans to run trains on the West London line from Clapham to Barking, covering half the London orbital route through north London and offering numerous interchanges to the tube and other lines. Unless there is a station at North Pole road, however, thousands of people on the William Sutton Trust estate, the Peabody estates and the Hillfarm estate in north Kensington will have no means of accessing the service.

A proposal to reopen a station at North Pole road has been under consideration for decades. About three years ago, Railtrack concluded that only three additional stations should be provided on the West London line between Clapham and Willesden junction. There will be stations at West Brompton, which I was pleased to see open recently, at Shepherd's Bush and at either Chelsea harbour or North Pole road. I understand that capacity is not sufficient to win priority for North Pole road.

The exciting opportunity presented by the public-private partnership and the orbital network makes this the right time to seize the chance to reopen that station. If that means delivering extra capacity or re-routing freight traffic to enhanced alternative routes, so be it. Unless we resolve those problems, we will not create the comprehensive integrated network that we need.

Several hon. Members have mentioned the ways in which regeneration interacts with an integrated public transport system. In 1992, north Kensington city challenge identified the area's poor transport infrastructure, congestion and unreliable bus services as a major barrier to employment. Public transport links remain extremely poor, particularly to the south of the borough and the employment opportunities of west London.

In particular, links are poor to the Park Royal industrial estate, which has been assisted with European money, and which provides many employment opportunities. Although north Kensington is close to that estate as the crow flies across Wormwood Scrubs, the community has no means of reaching it by public transport. If there were a station at North Pole road, people would be able to change at Willesden junction to get to jobs on that estate.

The single regeneration budget scheme that is tackling unemployment in north Kensington has illustrated the fact that the physical isolation of the major estates affects the social exclusion of residents. It also contributes to the 13 per cent. unemployment in the St. Charles ward—40 per cent. more than the inner London average. Local surveys confirm that there is extreme dissatisfaction with public transport in north Kensington, not only for employment reasons but because of the isolation of young parents and young people's inability to get to entertainment venues in the evenings.

I believe that there is an overwhelming case for services that link us to the orbital network. Kensington and Chelsea council would welcome proposals to release capacity for local services and new stations, and so would I. North Kensington is not alone. Similar cases have been made for Hackney and south London. Labour Members share an enthusiasm for what the orbital network can deliver in the context of wider investment in the surface and underground networks. Will Railtrack help to deliver extra capacity to make the links work and to take us towards a 21st century network that will leave no socially excluded islands abandoned at its centre?

12.4 pm

Mr. Bernard Jenkin (North Essex): I congratulate the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) on obtaining today's debate and on its timing. His prescience must be valued by his constituents, as the debate comes just one day after the Government's major statement on the subject. I would not dream of suggesting that his success was due to anything other than heavenly inspiration.

I share the hon. Gentleman's enthusiasm for national bike week, and I was at the front of the queue with him at this morning's successful event. Some of those who

attended are more regular bikers than others who turned up for the photo opportunity. I do not include the hon. Gentleman in that remark. I got there on my own bike and so did he, but one or two hon. Members were there just for today, and were looking forward to slipping back into their ministerial cars.

I enjoyed the hon. Gentleman's tour d'horizon around the integration projects that are expected to flow from the ideas currently in play. He was enthusiastic about spending the proceeds of new taxes that will be imposed on Londoners with cars and businesses that have car parks. That did not sound very new Labour. He dreamt of spending revenues before a single penny has been collected. We remain opposed to those taxes because it is unfair to withdraw Government grants from local authorities for public transport in London while making Londoners pay extra.

Ms Glenda Jackson: Is that another U-turn in Conservative policy? The hon. Gentleman knows that road charging and a workplace levy would be an empowerment for local authorities that chose to use them rather than a statutory requirement. During the Committee stage of the Greater London Authority Bill, the hon. Member for Croydon, South (Mr. Ottaway) said that the Conservative party supported congestion charging in principle and supported a private non-parking levy for everywhere in the United Kingdom except London.

Mr. Jenkin: Once again, the Minister has misunderstood Conservative policy, but we are not discussing that point this morning. The Government are fond of claiming that the taxes raised would be hypothecated, but hypothecation means nothing unless it provides additional money. If the Government are withdrawing grant and replacing the shortfall with the taxes—

Ms Jackson: We are not.

Mr. Jenkin: The Minister is doing that.

We have heard valuable speeches from the hon. Members for Lewes (Mr. Baker), for Battersea (Mr. Linton), for Hackney, South and Shoreditch (Mr. Sedgemore), for Lewisham, Deptford (Joan Ruddock) and for Regent's Park and Kensington, North (Ms Buck). We all want more investment in infrastructure, and we share the dream of integration. The previous Conservative Government did not have a bad record on either. We oversaw completion of the Victoria line, began the Jubilee line extension, and opened Thameslink and the docklands light railway. I sat on the Committee that dealt with the Croydon tramlink, another Conservative project. The much acclaimed Heathrow Express was opened by the Prime Minister with a great fanfare, and the Minister herself gave it a prize at the Railway Forum dinner earlier this year.

Ms Jackson: The Railway Forum gave the prize.

Mr. Jenkin: I saw the hon. Lady there, and I saw her present the prize.

Ms Jackson: The Railway Forum gave the prize.

Mr. Jenkin: If the hon. Lady is suggesting that she did not believe in the prize that she handed over, far be it from me to allow any unparliamentary expression to cross my lips.

Where will the money come from for the further integration that we all want?

The black cloud that looms over London Underground is the dreadful public-private partnership, with which the Government have replaced the investment plans that they inherited from the Conservatives. The Government cancelled those plans as soon as they came into office, in the name of a publicly owned and publicly accountable service. That has been followed by two years of absolute stalemate. The morale of the tube's staff and management has plummeted. It is a bit rich for the hon. Member for Deptford to say that old Labour's promises are being fulfilled, the day after the Government announced that the privatised Railtrack will provide the capital and investment for which the tube has been crying out.

According to the Labour party, Railtrack was public enemy No. 1 because it made profits and doubled annual investment in the railways. It has been transformed into the rescuer of the public-private partnership for the tube. We must welcome the fact that the Government are at last talking sense, but there are many questions to be answered about the PPP.

It is envisaged that three infrastructure companies will be involved in the PPP. Why is one of those companies, the sub-surface tube, being let to one bidder on a privileged basis, with no competition? How are we to know whether Railtrack is being forced to strike a good deal for the taxpayer? We shall never know, because there will be no competition. A deal has been sewn up between the Government and Railtrack.

There will be proper competition for the deep tube, and we welcome that. We understand why the Government made that decision; their original plans for the PPP were paralysed by the fact that Railtrack was by far the most credible bidder for all the tube, so it was difficult to get any competition in bids for any of the infrastructure companies. By giving Railtrack privileged access to the strategic part of the tube in which it is interested, the Government will ensure that there is better competition for the other parts of the tube.

That prompts the question of when the proposals will be implemented. The Government originally promised that the contracts would be tendered last autumn, but yesterday's statement was little more than a declaration of intent; there is no agreement between any of the parties and the Government say that only pre-qualification will be completed by this autumn.

The greatest irony is that we are expected to take the Government seriously when they have been complaining for two years that Railtrack is not investing enough, but they are now placing the future investment in the sub-surface tube in Railtrack's hands. How are we to have any confidence that Railtrack will invest enough if the Government do not have confidence that Railtrack has invested enough in its existing responsibilities? How will the Government ensure that Railtrack will invest in the tube? The lesson is that two years of paralysis, no decisions and no policy have left the Government in urgent need of taking the best available opportunity as the clock ticks on.

The Government need to learn that there is no point in briefing against Railtrack, damaging its credibility in the City and undermining its share price and its ability to raise the funds that the Minister wants it to invest. She needs to understand and explain to people that Railtrack profits

[Mr. Jenkin]

are good for investment because they will strengthen its balance sheet and enable it to borrow and to finance the investment that the Government want it to make in the surface railway as well as in the tube.

What rates of return will Railtrack be allowed to earn? Will there be track access charges for tube trains running on Railtrack-maintained track or will there be a simple rate of return contract? What would be a fair rate of return? What profit will Railtrack make on this deal? Who will provide the ultimate financial guarantees? Will there be a repeat of the channel tunnel rail link financing, in which Railtrack rode to the rescue of the deal, backed by £3.5 billion of Treasury guarantees? Much to the satisfaction of the Minister and her colleagues, Railtrack's profits on the channel tunnel rail link will be made on the back of those Treasury guarantees. Is that what is meant by a public-private partnership? At least our privatisation proposals for the tube would have put the risk entirely on the private sector so that it earned its profits rather than having them backed by the Government and the taxpayer.

The fundamental problem is the financial illiteracy of the PPP. A report published by Professor Stephen Glaister and others said:

"The PPP threatens to impose burdensome long term pressures on Underground operating revenues, including the prospect of continually rising fairs, in order to pay back up front investment by private contractors."

In a public-private partnership, private sector investment does not come free; it has to be paid for. If one increases the capital in the business, one must increase the revenue to service the capital to provide the return. Where will that revenue come from? Will it come from higher fares, or from further subsidy to which the Treasury has yet to agree?

There are two underlying factors. First, the £7 billion that has been promised for investment in the tube does not compare favourably with the £7 billion invested in the tube during the last 10 years of Conservative Government. The proposals will not transform management attitudes or increase the efficiency of the operation of the tube, as privatisation is doing in the railways and other industries. The situation will stay the same, without a great bonanza of new finance.

The second factor is the deadline. In response to a parliamentary question on the comprehensive spending review, the Government made it clear that the Treasury will completely stop financing the tube in 2000–01. The deadline is therefore next April. The Minister and her colleagues say that they are not negotiating the PPP against a deadline, but I say to them, "Pull the other one." The Treasury is holding a gun to her head because the Government know that if they end up having to finance the tube out of her Department's expenditure, cuts will have to be made elsewhere to make up that shortfall, as the Government had to do as a result of cancelling our privatisation proposals.

I emphasise again that yesterday's statement was no more than a statement of intent, and there is no agreement. Ultimately, we must place our faith in Railtrack. It rescued the channel tunnel rail link and it will rescue part of the tube, but the Government need to promise themselves that they will have better relations with Railtrack than in the past to enable the company to raise the finance to do the job that the Government want it to do.

12.17 pm

The Minister for Transport in London (Ms Glenda Jackson): I join other hon. Members who have contributed to this debate in congratulating my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on securing the debate. If timing is all, my hon. Friend has everything. It is entirely typical of the contributions of the hon. Member for North Essex (Mr. Jenkin) that in his opening remarks he impugned the impartiality of the Speaker's Office in the selection of Adjournment debates.

With the exception of the hon. Member for North Essex, the other speakers in the debate, including my hon. Friends the Members for Battersea (Mr. Linton) and for Hackney, South and Shoreditch (Mr. Sedgemore), the hon. Member for Lewes (Mr. Baker) and my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck), have all warmly welcomed the innovative proposals launched by my right hon. Friend the Deputy Prime Minister in his statement yesterday.

We propose to link up surface and underground rail to create, in a telling phrase, a joined-up London. Speaker after speaker referred to the benefits that those proposals will bring to their constituents and the importance of transport infrastructure for regeneration, job creation and tourism. My hon. Friend the Member for Lewisham, Deptford (Joan Ruddock), who has had no small hand in the groundwork for our innovative approach, spoke of the improvements to the environment that will result from the creation of a joined-up London.

Ms Harriet Harman (Camberwell and Peckham): While my hon. Friend is on the subject of joining up London, may I make a plea for Peckham to be joined up? A railway line, which shakes people's windows, runs past Camberwell Station road, but there is no station on that road, so can we please have a station there again? Also, could Peckham be put on the tube map, otherwise people will think that it is a place to which one never goes or leaves? We want to share in the regeneration through the underground coming to Peckham.

Ms Jackson: I shall certainly pass on my right hon. Friend's concerns about the absence of Peckham from the tube map.

Speaker after speaker has not simply settled for the proposals on a joined-up London and a London orbital rail link, but used them to trigger their powers of imagination, creation, energy and innovation. They see the enormous potential in taking such an approach.

The only person who has significantly failed to see the benefits of the proposals is the hon. Member for North Essex, who expressed concerns about them. At the moment, London Transport and Railtrack are only exploring the details of the proposed public-private partnership, yet the hon. Gentleman worried whether the taxpayer would be getting a good deal—that comes from a member of a party which, in government prior to 1997, was responsible for selling our railway infrastructure to Railtrack for a fraction of its worth. His party spent hundreds of millions of taxpayers' pounds on the privatisation of our railways. It proposed privatisation of the tube—with only a reduced network and the requirement for public funding for at least four years following privatisation. Had such a privatisation gone

ahead, it would itself have taken more than four years to achieve. The contract for the channel tunnel rail link that his party signed collapsed almost a year after the ink had dried on it.

Railtrack indeed has had a major part to play in saving the channel tunnel rail link, as my right hon. Friend the Deputy Prime Minister said. Everything is on time and on budget, and central and essential to that is the deal that he cut. Not one additional penny of public money was put into that restructured deal, which has ensured that the rail link can be saved. That deal means that, in an infinitely shorter period than the previous Administration envisaged, the channel tunnel rail link will revert to the private sector. There is only a 99-year lease on the line, and not a 999-year one, which the previous Administration signed away.

We have made it abundantly clear that not only the proposals launched yesterday but the overarching PPP, which will attract to the underground money that the lamentable stewardship of the previous Administration significantly failed to secure, will be approved only when we are assured that they will truly produce the best cost benefit for the taxpayer and provide the kind of service that both London and Londoners need.

Others who welcomed yesterday's announcement included those in the private sector, which is extremely interested in submitting—I trust—competitive bids for the PPP. Indeed, one senior source from the relevant part of private sector which will be bidding was quoted in yesterday's *Evening Standard* as saying:

"This is good news . . . The private sector is confident it can provide dramatic improvements for the Tube."

In a somewhat schizophrenic approach to what has been proposed, the hon. Member for Lewes on one hand argued that there should be no restraint whatever on public spending, but on the other became much exercised over the costs of the PPP. We have made it abundantly clear that of course public sector comparators are part and parcel of ensuring that, once the decision is taken, it will be rooted in Government confidence that we have got the best possible value for the taxpayer, and that the service created will be the kind of 21st century public underground system that this capital city and the people who live in it so desperately need.

The proposals are part and parcel of an overarching approach to public transport in this great capital city and, as my right hon. Friend the Deputy Prime Minister said yesterday, of ensuring that this great city retains its competitiveness and becomes even greater globally. The proposals for the linking of surface and underground rail, which, as my hon. Friends have said, will also connect London's five airports to the channel tunnel rail link, are part of creating a truly global city for the people who live in it for the 21st century.

As all my hon. Friends have said, the proposals are to be greatly welcomed; they offer enormous benefits. Clearly, many details will have to be worked through. Labour Member after Labour Member has pointed to the importance of integrating not only the lines but other transport modes and timetabling, providing better and much more accessible information. My hon. Friend the Member for Poplar and Canning Town made a most telling point on accessible transport. The Government have made it clear that we believe that public transport must be accessible to all our citizens. Indeed, we are pleased that public transport providers are working towards that end.

Our proposals are aimed at righting the wrongs of the previous Administration's neglect and disinterest in funding London Underground by integrating public transport and providing the benefits of such transport over a range of areas. I have touched on some of them, as have all my hon. Friends. Regeneration, the potential for job creation and improvement in our environment are all part and parcel of improving the quality of life in this great city, ensuring that we leave for future generations a city not worse but infinitely better than that which we know.

Once again, I congratulate my hon. Friend the Member for Poplar and Canning Town and all my hon. Friends on their positive contributions and welcome of the proposals announced to the House yesterday by my right hon. Friend the Deputy Prime Minister.

Mr. Jenkin: Will the hon. Lady acknowledge that Railtrack is bailing the Government out on these projects and that it is therefore pointless for the Government to brief against it, because that would undermine its financial viability and credibility in the City, thus preventing it from raising the money required? Will she give an assurance that the Government's adversarial relationship with Railtrack is now at an end and that the questions between Railtrack and the regulator will be resolved as quickly as possible, so that confidence in Railtrack can be restored?

Ms Jackson: I realise that the hon. Gentleman is new to his elevated position, but I thought that even he would have been aware of the rail summit that was launched by my right hon. Friend the Prime Minister and convened by my right hon. Friend the Deputy Prime Minister. Every aspect of the railway industry was represented at it. The message from that summit, which was endorsed by all in the railway industry, was that the culture of blame is over and that the industry should work together.

Mr. Jenkin: It was a stunt.

Ms Jackson: Stunts are the only matter on which the hon. Gentleman could claim primacy over other hon. Members.

I am grateful to all my hon. Friends for endorsing the statement made by my right hon. Friend the Deputy Prime Minister; it is indeed a vision. Under the proposals, the future for London is infinitely brighter.

Adoption (Children in Care)

12.30 pm

Mr. Julian Brazier (Canterbury): I am most grateful for the opportunity to initiate this debate. I am especially grateful to have support in the Chamber today from the chairman of the all-party children group, the hon. Member for Newcastle-under-Lyme (Mrs. Golding), who has so much knowledge on this issue and is greatly respected in the House; from the Chairman of the Public Accounts Committee, my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis); and from the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), who is a former family lawyer.

Children are in care because they have been abused or neglected by their family or, in some cases, have no family. They are the most deprived children in Britain, and we, the state, are responsible for them. We owe them a special interest. We are failing them miserably.

The many foster parents and care workers in children's homes work very hard to care for the children for whom they are responsible, but the results of our so-called care system are extremely bleak. On average—and typically—children are moved from place to place once a year. They are far more likely than their contemporaries to become involved in child prostitution or drug dealing. Incredibly, boys leaving care are 50 times as likely as their contemporaries to end up in an adult prison and—perhaps saddest of all—a quarter of the girls who go through care become pregnant under age during the process.

Yet there is a tried and tested solution, supported by evidence of studies undertaken in the United Kingdom and many other countries. There is a really effective way to deal with these damaged children—adoption by a loving family. Adoption is not only much more successful than leaving children in care but far more successful—especially in the case of children who have been in care for a year or more—than sending them back to their original home. Some are sent back prematurely and unsuccessfully to their home, to be neglected and to be abused again. There are extreme cases, such as that of little Ricki Neave, who was returned to be tortured to death by his mother.

For a decade now, successive Ministers responsible for social services have spoken out strongly in favour of adoption. My right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) made it a personal crusade. John Bowis, a former Member of the House, felt especially strongly about it and issued an excellent guidance circular. The hon. Member for Brent, South (Mr. Boateng) made it a personal crusade, and issued another excellent guidance circular, backed by some very strong words. I especially welcome the Under-Secretary of State for Health, the hon. Member for Barrow and Furness (Mr. Hutton), who has kindly come into the Chamber to reply to the debate. He has shown how strongly he feels about the issue.

All these years on, there has been no progress. On a five-year figures basis, things are have actually got fractionally worse. A fortnight ago, figures were published showing that the number of children in care has just increased again, from 51,000 in April 1997 to 53,000 in April 1998. Nearly half those children have been in care for more than two years and, incredibly, almost a quarter have been in care for five years or more. Five years, moving from place to place; what sort of childhood is that? Yet the number of children adopted from care during that year was a miserable 2,000, barely covering the increase, and 4 per cent. of the total.

I have no doubt that those who want to defend the social services establishment will produce excuses. Some will say that there is a desperate shortage of adoptive parents—especially for older children—in some areas. Others will argue, as they did last year and the year before, that the figures are slightly out of date and that the trend has turned up just recently.

Mr. David Davis (Haltemprice and Howden): I apologise to my hon. Friend; I must leave the Chamber shortly. I have asked the Audit Commission whether it will investigate the issue that he has raised. It has told me that the social services inspectorate will examine the implementation of the circulars that he mentioned, and I shall meet representatives of the inspectorate shortly to ensure that the points that my hon. Friend has raised are treated properly in a new inspection this winter.

Mr. Brazier: I am most grateful to my right hon. Friend for that firm pledge of support. I am very grateful that so many Members of the House, from all parties, have expressed support on this issue.

Among the many dire conclusions of a study completed as recently as last month at Cardiff university by Murch and Lowe is the following:

"some agencies rigidly opposed adoptions by foster carers even where the child was well-settled and had a good relationship with the carers."

Of course there are legal and administrative problems with adoption. I thank the director of social services in Durham for giving details of a case of which the Minister is aware, showing how, in certain cases, the Children Act 1989 can work against potential adoptive parents. None the less, the evidence points to the overriding need to break the anti-adoption culture among social workers in many local authorities, and the failure of elected members to supervise them.

The most striking evidence of negative attitudes emerges from studying variations between local authorities. Why do Hackney and Islington, both of which have a terrible record in some of their children's homes, score among the worst for adoptions of children in care? In a whole year, in each of those authorities, only 2 per cent. of children in care were adopted. That is barely a dozen children between them, of the hundreds that each of them have in care, yet nearby Camden and Greenwich are near the top of the league. Similarly, why does Bournemouth have quite a good rate—9 per cent.—when next-door Dorset has a miserable 3 per cent.? I receive many letters from adoptive parents, telling me that they were rejected for the flimsiest of reasons by one local authority, only to be accepted by a neighbouring one and carry out a successful adoption. We have a special duty to children in care, and we are failing to discharge it.

In spite of the excellent intention of Minister after Minister in the slot currently so well occupied by the hon. Member for Barrow and Furness, it is time for an end to exhortation and voluntary programmes. If the "Quality Protects" programme is to mean anything for these children, it must be given teeth. I should like to end with three short suggestions.

First, the current figures are voluntarily compiled, inconsistent and global. Instead, we need a central database of the name and outline details of every child in care. That would enable us to compile genuine league tables showing which local authorities—

Mr. Hilton Dawson (Lancaster and Wyre): Will the hon. Gentleman give way?

Mr. Brazier: I am afraid that I will not, because other hon. Members have arranged to speak.

A database would show, much better than the current figures, which local authorities are obviously dragging their feet, and it would prevent children from falling through the cracks.

Secondly, post-adoption support for parents should become the norm in all parts of the country and, in the case of the most damaged children, they should also have post-adoption allowances. Those parents are taking an enormous financial and administrative burden off our shoulders—off the state's shoulders—and into their homes.

Finally, these arrangements require some stick. The Secretary of State should give himself the power, or Parliament should give the Secretary of State the power, to remove adoption decisions from the worst local authorities and give them to a neighbouring authority or, if one is not available, to a voluntary organisation. We owe that to our most deprived children. If we continue to fail them, they will fail us and themselves, and the consequences for the future of our country will be dreadful.

12.39 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I congratulate the hon. Member for Canterbury (Mr. Brazier) on his success in the ballot. His interest in adoption and the welfare of children generally is well known and respected in the House.

The Government believe in adoption. It is an important way of ensuring a better future for vulnerable children. It gives them stable, caring, loving families. We are determined to transform services for children and outcomes for children. We are determined that there will be a radical improvement in adoption services. The House should be in no doubt about that.

We want to make sure that rigid or fixed ideologies, which often relegate adoption to the bottom of the list of options, are effectively challenged at every opportunity. I shall spell out how the Government will take forward this transformation in adoption services, but first we should be clear about the statistics.

The basic facts are these: at any given time, about 53,000 children are being looked after by local authorities in England; a total of about 78,000 children are looked after by those authorities in the course of a year; approximately 2,000 looked-after children are adopted each year. The hon. Member for Canterbury mentioned that figure.

In the great majority of cases, children being looked after by local authorities do not need new families. Most will return home after a short period in care. Those children, therefore, do not represent a potential harvest for prospective adopters. We need to be very clear about that point.

Work carried out recently within the Department revealed some interesting data concerning the statistical returns on adoption from local authorities. Again, the hon. Member for Canterbury referred to those. The study shows that although the number of children in care has fallen substantially over the past 20 years, the number adopted out of care has risen from about 2 per cent. to about 4 per cent.

Twenty years ago, there were about 90,000 children in care, and about 1,500 were adopted each year. Now there are just over 50,000 children in care at any time. About 2,000 children a year are adopted out of the care system. Last year saw the first rise for many years in the number of children in care being adopted. Although the rise was modest—about 100—it should be seen as a positive sign.

However, I am not complacent. I believe that some local authorities could and should be more proactive in their adoption work, and that can be achieved without its quality being compromised. Services should be better managed, and children should be adopted more quickly.

In this context the Department issued guidance to local authorities last August. The objective was to focus the attention of directors of social services and their senior managers on getting a better grip on planning for and monitoring the progress of children in their care. Since then, the Government's "Quality Protects" programme has been introduced.

The programme brings a new and challenging dimension to the overall improvement of children's services. To that end, the Government have made £375 million available to local authorities over three years in the form of a children's services special grant to assist them in implementing specific "Quality Protects" projects. The general aim of "Quality Protects" is the systematic transformation of the management of social services for children and the outcomes that they achieve.

Adoption is a key element of "Quality Protects". Its objectives include reducing the number of changes of main carers for children being looked after—the hon. Member for Canterbury referred to that chronic problem, which we are determined to address. Further objectives are to maximise the contribution that adoption can make to providing a permanent family for children in appropriate cases, and to reduce the period during which children are looked after before being placed for adoption or other suitable long-term care.

The "Quality Protects" programme was a key element in the Government's response to the children's safeguards review and will be the main focus for guiding and monitoring the improvements. It aims to maximise the use of adoption and to reduce delays, while making the right decisions for individual children by bringing adoption back into the mainstream of options available for children.

Mr. Dawson: Does my hon. Friend agree that the prime factor that must always be considered is the best interests of the child? For children who remain in

[Mr. Dawson]

long-term care, we need a continuum—a range of good-quality provision, including foster care, residential care and adoption.

Mr. Hutton: Of course I agree with my hon. Friend, as everyone in the House probably would. Our concern is that there has been evidence in the past that adoption has not been given the priority that it should have been.

The aim of "Quality Protects" is to maximise adoption and to reduce delays. The performance of local authorities will be measured against performance indicators and targets, which include addressing the delay in placing children with new families. We will in future measure the performance of each local authority through indicators that will show the percentage of looked-after children being adopted each year, the average time that children are looked after before placed for adoption and the breakdown of adoption placements.

Mr. Mark Oaten (Winchester): Can the Minister confirm that the indicators will be made public? Will they be independently monitored—for example, by the Audit Commission as part of its systems charter work?

Mr. Hutton: The indicators certainly will be public information, and the Audit Commission will have an important role to play in the initiative.

I can announce today that targets will be set for the maximum time between entry into care and adoption. Those will be monitored by the social services inspectorate and the Audit Commission as part of the new performance assessment framework. Poor performance will not be tolerated.

The "Quality Protects" grant follows the production and evaluation of plans whose objectives include reducing delay and avoiding children drifting in the care system. Management action plans produced as part of the "Quality Protects" programme to deal with those issues are encouraging. Many authorities are making improvements to their management information systems, which will enable them to tackle more effectively the key indicators of delay and monitoring of children in care.

The development of placement choice is the largest single component attracting "Quality Protects" funding. With that money, local authorities intend to appoint specialist social work staff to recruit more adopters and foster carers, including families from ethnic minority communities, which will make available a wider choice of suitable placements. Other specialist staff will be appointed to progress children through the administrative and legal procedures to secure placements without undue delay.

I can tell the House today that under the "Quality Protects" initiative, £30 million will be spent this year on developing better placement choice, which will include adoption. We expect significant further additional expenditure in this area in the next two years.

Hon. Members will be aware that the Government's White Paper entitled "Modernising Social Services," which was published last November, included a proposal to establish commissions for care standards, which will have responsibility, for example, for regulating and inspecting foster care services and residential homes.

I am pleased to have this opportunity of announcing to the House that we intend that the new commissions should have responsibility for the inspection and regulation of all adoption services, including those operated by local authorities. In this way, adoption will be aligned with foster care services. It will also provide the basis for improving standards generally within the adoption service. We hope to introduce legislation to establish these new care commissions at the earliest possible opportunity.

In addition, through "Quality Protects", we will work with local authorities and the voluntary sector to improve the adoption service. We will monitor performance, improve statistics, promote new consortiums that can help to deal with the problem of inter-agency fees, improve planning, commission research and develop training. Through the social services inspectorate we shall examine closely the progress being made.

This summer, the social services inspectorate will launch a survey of every local authority, beginning in July, to establish progress in implementing the action recommended in the circular to which the hon. Member for Canterbury referred. That inspection will be followed by a supplementary data collection exercise and an inspection of some local authorities. The exercise will provide us with a general picture of the progress that local authorities are making in taking action on the circular and turning their "Quality Protects" action plans into reality.

Mr. Brazier: I am grateful to the Minister. All the announcements that he has made are extremely welcome. As he will need legislation to introduce such a broad range of clear performance criteria, will he consider incorporating in that legislation a reserve power to enforce it in the case of recalcitrant local authorities that do not respond voluntarily?

Mr. Hutton: The performance indicators that I described do not require primary legislation. We are already developing a performance assessment framework for social services. We are also developing the objectives of the "Quality Protects" programme as we go along. The hon. Gentleman's point about adoption services and a reserve power on the part of the Secretary of State will be addressed at some time in the future in legislation on the best value agenda. The best value programme will apply to local social services, and through that process there will be opportunities to explore issues such as those that the hon. Gentleman raises.

Gillian Merron (Lincoln): I am sure that the House will welcome the tremendous improvements that will become apparent in the quality of adoption services. However, can we look forward to greater openness about the criteria that are used to find the right adoptive parents for children and about how decisions are reached? Decisions must be made in the best interests of children, using the pool of would-be adoptive parents to the best advantage.

Mr. Hutton: Yes, there should be openness at all stages of the process. None of the criteria that are currently used are hidden or obscured from vision. We want people who are willing to adopt children to come forward. We do not want the system to deter or

inhibit good prospective adopters from offering their services to help better the interests of looked-after children.

Mrs. Llin Golding (Newcastle-under-Lyme): This is a very important debate. Will my hon. Friend also look at the initial cost of applying and registering for adoption? It seems to vary from circumstance to circumstance, and I know that it deters people from putting themselves forward as adoptive parents even when there is a big cry for people to adopt.

Mr. Hutton: I am grateful to my hon. Friend. I pay tribute to her role in all these matters. I am happy to look at the issue that she has raised, and if she or any other hon. Members have any specific proposals, I shall be happy to discuss them at any point in the future, either individually or with the all-party group on adoption.

The hon. Member for Canterbury also raised one important specific point: he called for work to be done to establish a national adoption register of children who might be available for adoption. I am not sure how the details would look, but I am happy to discuss the issue with the hon. Gentleman in more detail. We shall look forward to having that discussion with him.

I congratulate all hon. Members who have spoken in this debate today because it is clear that we all share a desire to see adoption brought back into the mainstream of children's services. That is certainly the Government's view. In that way, we can help to make sure that more children in the public care system than at present benefit from the security and protection that family life can bring.

I want to make it clear to the House that we shall continue the drive to improve access to adoption. I am sure that a lot remains to be done, but we have made a positive start in the right direction. We shall keep both the practice and the law under constant review, and shall not hesitate to take the necessary action in the future to ensure that looked-after children do not become the innocent victims of misplaced theory or ideology.

Adoption will often provide the best solution for a child being looked after by a local authority. We shall work with everyone of good will who shares our ambition to achieve better outcomes for those vulnerable children. Adoption can play a hugely beneficial role in that process, which is why we are absolutely determined to ensure that adoption practices are improved quickly throughout the country.

Third-world Debt

12.53 pm

Mr. Tony Worthington (Clydebank and Milngavie): I hope that this debate will be welcomed in the context of the G7 summit, which will take place this weekend when the world leaders will meet. I am pleased that towards the top of their agenda will be a subject that should concern them greatly—the financial relationship between the richest and the poorest nations.

In previous years, that has been characterised in terms of aid—the rich giving to the poor. However, that is an inadequate picture of the interrelationship, because debt repayments or terms of trade have frequently been heavily skewed against the poorer countries. In the period from 1980 to 1994, the rich north paid Africa $278 billion less for its coffee, copper and other commodities than it would have paid had prices remained stable. In the same period, Africa's debt increased from $84 billion to $217 billion. Thus the rich north paid the poor south less and then lent it money to pay for those losses.

Also during that period, we saw a pattern of falling aid contributions—that certainly applied to this country—so that the United Nations target of 0.7 per cent. of gross domestic product became increasingly distant. We need to aim at what the Chancellor calls "the virtuous circle"—not just the reduction of debt, but increased aid flows and fairer trade policies.

It is gratifying to see that the British Government are now leading the way. Over the years, charities such as Oxfam have been critical of the British Government, and it gave me great joy recently to read in one of its publications that the best proposal on the table for relief of debt was from Britain. That is a change from the past.

The creation of the Department for International Development and the concerted action by the development and finance arms of the Government are making a real impact. Two Cabinet Ministers now work together on the issue and it is really making a difference. The work of the Select Committee on International Development in providing a focus on development issues in the House is also important. Our latest report is on the issue of debt. I commend it to the House and hope that it will influence the decisions that come out of the Cologne summit. I also hope that in future there will be a much greater concerted action between the Treasury, DFID and the Department of Trade and Industry to ensure that the debt, aid and trade aspects of government are linked.

I approve of much that has occurred. I applaud the proposal to sell off International Monetary Fund gold to finance debt cancellation. I applaud the proposals to review and improve the extremely inadequate HIPC—heavily indebted poor countries—scheme, which I shall discuss in more detail later. I applaud the Chancellor's drive to create $50 billion in debt relief and, as part of that commitment, to use unspent parts of the European development fund to finance debt relief. The Chancellor's proposal for a new millennium trust fund to finance additional aspects of HIPC are welcome. His drive to set up a millennium giving scheme so that the whole nation can be involved in debt relief is another good measure.

The growing movement by countries such as Canada and Norway to cancel debt bilaterally is welcome. Third-world debt as a political issue has grown in

[Mr. Tony Worthington]

importance. I pay tribute to the Jubilee 2000 campaign, which is helping politicians throughout the developed world to raise the issue of third-world debt.

A few years ago, it would have been unthinkable to see an article such as that which appeared in *The Guardian* on Monday, written jointly by the President of the World Bank, James Wolfensohn, and the Archbishop of Canterbury—the world of mammon and God joining together in an unprecedented way.

Mr. Brian Cotter (Weston-super-Mare): The thought occurred to me that, as politicians, it is important that we get the message over that many of us are concerned about this issue on humanitarian rather than political grounds. Other groups with whom we try to work on this matter sometimes feel that politicians are there only for political gain. I simply wanted to mark that card. Many of us are genuinely concerned about the issue and feel that we should link with Churches and take the same approach.

Mr. Worthington: I agree with the hon. Gentleman. We are human beings and this issue has captured our imagination. Several weeks ago, I went to St. Albans cathedral, which is not where I normally strut my stuff. Some 600 people had turned out to say that this issue brings together the political world and the world of the Churches in a way that allows them to play a shared role.

All those moves are welcome, but we are still in the foothills. A large number of poor countries are still being crippled by debt that they cannot possibly afford to pay back. The HIPC initiative, which was much heralded a few years ago, has been sadly inadequate. Only three countries have received help and even they were only marginally assisted. For example, Uganda's gains were wiped out by a collapse in coffee prices, which again rendered its debt unsustainable because the calculation of sustainable debt is based on the value of exports. I hope that that formula will at least be modified; calculating sustainable debt on the basis of export prices is a deeply flawed procedure and I hope that the G7 will look at that again.

It takes six years for debt relief to come through, which is hardly urgent action in the face of mass poverty, health services that do not exist and widespread illiteracy. Above all, the countries that have been through the HIPC process have gained little, because debt that was not being paid, and which could not have been paid anyway, has been cancelled. The people of those countries have received no tangible benefit from the relief of a purely notional debt.

The situation has been much worse since debt relief has had to be linked to IMF structural adjustment programmes. If one follows IMF programmes, one may receive debt relief; however, those programmes are geared not to immediate poverty relief, but to financial rectitude by bankers' standards. IMF programmes have been linked with mass unemployment as, for example, inefficient parastatals have been privatised.

The requirement for cuts in state spending on health and education has been particularly damaging, so IMF programmes have caused cuts in literacy programmes. According to the World Development Movement, the introduction of school-user fees in Ghana led to primary school drop-out rates of up to 40 per cent. How on earth does one increase prosperity by increasing illiteracy? In Mozambique, health charges introduced under structural adjustment have meant that patients visiting hospital have to pay user charges, which simply means that people do not go to hospital. That is scorched-earth economics, which creates the stability of the desert.

One of the aims of the IMF is to increase per capita earning in those poor countries, but how does one achieve that by withdrawing reproductive health facilities? How on earth can a country whose population is doubling every 25 years increase its per capita earnings when family planning services are being withdrawn? That is doomed to failure. Mercifully, there seems to be a realisation that debt relief does not help poor countries unless it is linked with joined-up policies to lessen poverty. James Wolfensohn of the World Bank is recognising the importance of investment in health and education, good governance, social institutions and a worldwide drive against corruption.

If we want those countries to thrive economically, human rights issues have to come first. We have set targets, as has the world community, such as the reduction by half by 2015 of the proportion of people living in extreme poverty. Other targets, such as universal primary education by 2015, the elimination of gender difference in education, access to reproductive health services and reductions in maternal mortality, have also been set. Those targets must be at the centre of our debt relief and aid programmes.

The way to achieve prosperity and reduction of poverty is through ensuring that health and education services are expanded. In particular, we cannot have debt relief policies that do not leave countries and Governments the freedom to spend at least 20 per cent. of their revenue on health and education.

The African countries that have grown quickest are those, such as Botswana, with a good record on democracy and a relative lack of corruption. The ones that have sunk like a stone are those such as Nigeria, which have corrupt military rule and where corruption is the byword. If hon. Members want to see total privatisation, market rule and capitalism unrestricted by regulation and taken to their ultimate, they should go to Nigeria and see misery and the ultimate failure of trickle-down economics.

By separating debt relief from our aid and economic policies that support the poor we have made our debt relief policies ineffective—they have been countermanded by IMF structural adjustment programmes—so let me ask my hon. Friend the Financial Secretary what the Government are hoping for as they go into the Cologne summit. Will there be, alongside debt relief measures, proposals that will ensure that investment in human capital is increased? We cannot have structural adjustment programmes that increase poverty in the name of financial rectitude. How can we justify a country such as Mozambique having to pay 25 per cent. of its budget on debt servicing?

What action will the Government and their partners be taking to shorten the period in which countries qualify for debt relief? Six years is a ludicrously long time for a country to wait when it is drowning. Will the G7 change the definition of debt sustainability, as the principle of basing it on export sales seems to be seriously flawed?

I should be most grateful if my hon. Friend would tell me what action the Government are taking in respect of the cancellation of bilateral debt. I applaud my right hon. Friend the Chancellor for seeking to achieve movement among the whole G7 towards concerted action. We can tackle this problem only on a worldwide basis, but some countries, for the best of reasons, are going their own way. Canada and Norway are saying that they will cancel all their bilateral debt. We have a policy of cancelling debt that has been accrued on concessionary terms, but it would be interesting to know whether the Government intend to make any change in that and whether we will follow the path taken by Norway and Canada. I suspect that other countries will do so.

What will happen to increase the number of countries that will qualify for debt relief? There are many countries which we would all recognise as poor that do not qualify for debt relief. It would be interesting to know some of the detail of what is happening to my right hon. Friend the Chancellor's proposals for selling off IMF gold. Have they been generally accepted in the IMF? There have been positive moves recently; the change in the position of the German Government, for example, is very welcome. Is there still an ambition to sell off IMF gold, and how much will be sold?

What response are we receiving to the proposal that unused European Development Fund money, which has not been spent and is clogged up in the morass that is development in Europe, could be used to achieve debt relief? What has happened in respect of the imaginative proposal of my right hon. Friend the Chancellor for a millennium fund to aid debt relief?

The world is looking for boldness from Cologne. The biggest issue facing the world has to be the abject poverty of many of its citizens. The cost of many of those proposals is nil in effective terms. Many debts will not be paid because they cannot credibly be paid. The EDF money is budgeted anyway and the sale of IMF gold would inconvenience no one. Many of the other costs would be spread over many years. The benefits that we would gain through the increased prosperity of the developing world would far outweigh any cost.

I know that Treasury Ministers met last weekend to work out their response on third-world debt. I applaud the lead taken by the Chancellor, but he may be dragged back by other G7 participants. I hope that this weekend the Prime Minister will exercise real leadership, and will make our G7 partners see that they can make history by taking this issue forward and by building on the momentum in the world for the relief of third-world debt.

I look forward to hearing what my hon. Friend the Minister has to say about our intentions and about what we have achieved as we are poised for the meeting of the Finance Ministers of the G7 countries and the leaders of the world in Cologne this weekend.

1.10 pm

The Financial Secretary to the Treasury (Mrs. Barbara Roche): I congratulate my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) on securing this Adjournment debate, especially given the context in which he has made his remarks. It is well known that he has been interested in these matters for many years, and he has considerable expertise. I am delighted to respond to him.

It is particularly pertinent to discuss this issue in the lead up to the Cologne summit. My hon. Friend rightly mentioned the work of Jubilee 2000, which has involved many people, including the Churches and voluntary groups in our constituencies. Its campaigning work has highlighted this problem. I was pleased to be in Edinburgh on Saturday to participate in the well attended proceedings there.

The debate is timely because last Friday the Select Committee on International Development published a welcome and useful report on international debt. It strongly endorses the Government's action and proposals, and acknowledges that the United Kingdom is at the forefront of debt relief. As is normal practice, the Government will respond to the report in due course.

As I said, the debate is timely because of the discussions in Cologne. I shall address that issue in more detail, but first I want to dwell on the question of why debt is an issue. We all know why it is important to move forward on debt and poverty relief for the poorest countries of the world. We all know of countries that are weighed down by the burdens of being forced to spend more on their debt interest payments than they are able to invest in the young, the sick, the undernourished and the poor.

Debt relief is an economic issue, because a mountain of inherited and immovable debt stands in the way of economic development in Africa and elsewhere. That is why it is entirely appropriate for the Treasury and the Chancellor of Exchequer to be heavily involved in this issue, as they have been. Debt relief is also a moral issue, and I make no bones about it. The debt is a burden imposed from the past on the present. A third of the world's children go to bed hungry: 30,000 children die every day from preventable diseases and 1.3 billion people live in poverty.

What does the debt burden do? It deprives millions of people of their chance of a future. It prevents them from breaking out of the vicious circle of poverty, and it prevents investment in what really counts—health, education, and the advancement of economic opportunity. My hon. Friend was right to dwell on that.

I shall outline how the Government are constructively engaging and leading our international partners in the efforts to tackle this most important issue. I agree with my hon. Friend that the 1996 HIPC—heavily indebted poor countries—initiative is delivering too little, too late for the poorest countries. It is not helping the poorest countries to tackle their chronic poverty, and it is not helping them to invest in a foundation for sustainable long-term growth—in particular, investment in primary education and health care. That is why we have been campaigning for faster, deeper and wider debt relief.

In September 1997, we launched the Mauritius mandate, which is aimed at speeding up the process, so that three quarters of those countries should have reached firm decisions on the amounts and terms of debt relief by 2000.

At the annual meetings of the International Monetary Fund and the World Bank last October, we secured a fundamental review of the HIPC initiative. Equally important, we secured the recognition of the developed countries—in particular our G7 partners—that the current scheme required major changes to deliver its key objectives of debt sustainability and, more importantly, alleviation of poverty.

[Mrs. Barbara Roche]

Last weekend, the Chancellor secured the agreement of his G7 Finance Minister colleagues to a package that will lead to the cancellation of $50 billion of debt by 2000. Subject to minor details, final agreement is expected at the summit this Cologne weekend.

We are committed to the agreed international target of halving the proportion of people living in abject poverty. On 3 March, my right hon. Friends the Chancellor of the Exchequer and the Secretary of State for International Development set out a comprehensive four-point plan to deliver a new contract with the poorest countries.

The plan proposed, first, that by the end of 2000 we move from only a couple of billions of debt relief, achieved in the last few years, to a cut in the debt of $50 billion. Secondly, it proposed that we increase aid—in the form of grants, not loans—flowing from the developed world to the developing world to a total of $60 billion.

Thirdly, our plan proposed that we sell the gold—$1 billion to $2 billion of IMF gold—and establish a new millennium trust fund to pay for this enhanced initiative. Fourthly, we challenged the British public to join us and to double their charitable giving to $1 billion through millennium gift aid. We know how generous people in this country are, and that they are conscious of the problem. I am sure that all hon. Members will have received representations on this matter. There is a willingness among the British public to move forward on this issue.

Last week, my right hon. Friends the Chancellor and the Secretary of State for International Development set out our proposals to translate debt relief quickly into real financial improvements for the countries concerned, and to make debt relief an essential part of poverty alleviation. We also proposed last week to shorten the timetable to ensure that the countries that have been involved in the HIPC initiative feel the benefits of debt relief after three years rather than the current maximum of six years. My hon. Friend made that point well in his speech.

We need to make real headway in regard to the large amount of aid debt that is outstanding to HIPCs. We also need to increase the amount of aid given by developed countries to poor countries and to refocus future aid, providing it in the form of grants rather than loans.

We have taken the lead on the international stage in trying to unshackle the poorest countries from their unsustainable debt burdens. We have written off, unilaterally, $5 billion of Overseas Development Agency debt; we have increased the aid budget by 28 per cent. in real terms, which means £1.6 billion over the next three years; and we have guaranteed that all future aid will take the form of grants rather than loans.

It is clear that, over time, an enhanced HIPC initiative will cost more. It is impossible to estimate the size and timing of the costs precisely, but if an enhanced initiative is to become a reality, we need a credible and robust approach to tackling them. I have already mentioned our call for the sale of gold to meet the extra costs that fall to the fund.

Last month, my right hon. Friends the Chancellor of the Exchequer and the Secretary of State for International Development announced the establishment of a new trust fund, which will finance the setting up of a more ambitious framework for faster, wider and deeper debt relief. The new fund will consist of the resources of the existing HIPC trust fund, to which Britain has already pledged $71 million. We have called on the world's richest countries to increase their contribution. It is within their power to provide a better deal for poor countries, and for the world's poorest people.

Last week, in a further demonstration of our commitment, my right hon. Friends pledged another $100 million to the millennium trust fund. That took our total pledge to $171 million, which is more than any other country has committed. We now encourage our international colleagues, and possibly the private sector here, to make their donations. We have called on the European Commission to contribute resources from the European Development Fund to the millennium trust fund, and we have called for the EDF to contribute 1 billion euro, over time, to the costs of debt relief. In the coming weeks, we will press our partners in Europe to support that call.

We are convinced that such resources could make a major contribution to debt relief, and therefore to the alleviation of poverty in the poorest countries, enabling them to tackle the greatest problem of our generation: the lack of primary education and health care for the poorest and most deprived to which my hon. Friend referred. Those resources can provide the key that will unlock the door to escape from chronic poverty.

Ms Julia Drown (South Swindon): The Government have a very good record on both debt reduction and the alleviation of poverty, but will my hon. Friend assure us that their determination to tackle those problems will not cease until millions of children no longer die unnecessarily every year because their countries have no basic health or education services?

Yesterday I hosted a very successful meeting with Christian Aid. There was a huge response from Members of Parliament, all of whom were very concerned about the Cologne summit. They were keen to back the Government—to urge them to go to Cologne and ensure that achievements were made, and the determination maintained, until real improvements were brought about for the benefit of the millions of people throughout the world who depend on the attaining of the goals outlined by my hon. Friend.

Mrs. Roche: I thank my hon. Friend for making that point; I know that she takes a great interest in these matters.

We want to establish a new dialogue between debtors and institutions. Our commitment is essential. The IMF programmes clearly protect spending on health and education, and my hon. Friend need not doubt that we shall use our best endeavours in this regard.

Our actions have had a galvanising effect. Over the past few months, many developed countries—and all the G7 countries—have set their own proposals for reform of the HIPC arrangements. Although the emphases are different, the initiatives have a common theme: the need for a more ambitious framework that will provide faster, wider, deeper debt relief, remove unsustainable debt burdens and allow resources to be reallocated to

In achieving those aims, we must work together. The days of unilateral action are gone. The best way forward is now through collective international effort, which means new co-operation and partnerships between donors and recipient countries. Working together, we can achieve much more than we can when working alone.

We also want debtor countries themselves to be involved in the debate on debt relief. That brings me back to a point that I made to my hon. Friend the Member for Clydebank and Milngavie. The HIPC capacity building programme that we are helping to finance is working with 21 countries to improve their debt management, so that they can understand their debt position, take control of it, and adopt the right policies on new borrowing. It is important for poor countries to take the opportunities open to them to press their own agendas.

Although debt relief is important, it is not an end in itself. The United Kingdom's bilateral aid programme for HIPCs is eight times as large as the receipts of interest payments. Debt reduction must be accompanied by appropriate aid programmes and economic management. The billions saved in debt-servicing payments must not be wasted on weapons or lost to corruption; they must be invested in health, education and economic development.

The international community is placing more emphasis on the assessment of the impact of policies and programmes on the poor. Greater efforts are being made to attend to their priorities, and to build consensus by means of consultation with civil society. However, much remains to be done. That applies to all development programmes, not just those that are funded through debt relief.

Mr. Cotter: May I take up a point made by the hon. Member for Clydebank and Milngavie (Mr. Worthington)? Is it not important to ensure that, after the provision of debt relief, democracy is delivered and Governments use the money wisely?

Mrs. Roche: That is a good point. We are certainly committed to achieving that end.

Mrs. Cheryl Gillan (Chesham and Amersham): Will the Minister give way?

Mrs. Roche: Yes, very briefly. I have only a couple of minutes.

Mrs. Gillan *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. This is a half-hour Adjournment debate, and Opposition Front Benchers do not normally participate in such debates.

Mrs. Roche: With your permission, Mr. Deputy Speaker, I will give way briefly.

Mrs. Gillan: I thank the Minister. I merely wish to express the Opposition's support, to congratulate the hon. Member for Clydebank and Milngavie (Mr. Worthington) on raising such an important matter, and to ask the Minister to undertake to place in the Library, immediately after the summit, a report relating specifically to this part of the negotiations at Cologne.

Mrs. Roche: We make sure that all our reports are disseminated in the normal way after a summit.

I am very pleased to have been able to reply to the debate. We must ensure that this item is placed at the top of our agenda, and that is what the Government are doing.

Asthma

1.29 pm

Mr. Mark Oaten (Winchester): It is often dangerous to draw too many conclusions from statistics, but I start the debate by drawing to the House's attention a few alarming statistics. In the past 10 years in this country, the number of children with asthma has doubled. In the United Kingdom, 1.5 million children now have asthma. What is deeply concerning is that that is one of the worst rates in Europe. More troubling than that is the fact that the trend appears to be rising.

Those are harsh facts. I want to look in a little more detail at some of the reasons behind the increase in asthma and to give the Minister a chance to set out the Government's response to those alarming figures.

Earlier this year, I carried out a survey of schools and general practitioner practices in the Winchester constituency to try to establish whether what individuals were saying to me in surgery and in writing was true. There was clearly a perception in Winchester that the number of children seeing GPs about asthma had increased.

I would not for a minute try to claim that my constituency office, with all its volunteers, is anything like MORI, the opinion survey organisation, or Government scientific advisers, although these days one is never quite sure, but we carried out a survey of schools and doctor practices in the constituency. Thirty-three schools and seven GP practices responded. Two thirds of the practices stated that, in just the past couple of years, there had been an increase in the number of children with asthma coming to their practice. Similar results came from schools. Over half the teachers involved claimed that there was a much bigger increase in children coming to school with asthmatic problems.

As I say, the findings in Winchester are certainly not scientific, but they appear to be backed by national research work, particularly by the National Asthma Campaign. I am sure that hon. Members on both sides of the House will know that, last week, the campaign revealed the results of its most recent audit; it audits asthma trends annually. It announced that a study in Leicester had found that asthma and wheezing in children under five had doubled in that location in less than a decade. In 1990, only 12 per cent. of children had been diagnosed with asthma. By 1998, the figure had risen to 21 per cent. Wheezing attacks within a 12-month period had doubled from 12 per cent. in 1990 to 23 per cent. in 1998.

The National Asthma Campaign concludes that approximately one in seven children aged between two and 15 have asthma symptoms that require treatment; that is where we draw the figure of 1.5 million children from. Although I want to concentrate purely on the effects of asthma on children, we should not forget that more than 1.9 million adults—those over 16—suffer from asthma.

All those figures and findings suggest that we have a major problem with asthma among children. I conclude that it will be in danger of getting seriously out of control if the trend goes upwards.

As well as the obvious distress and suffering that asthma causes children and their parents, the increases have other severe implications, not least the cost and burden to the national health service. The total cost of asthma to the health service is estimated to be about £709 million, at today's figures. In addition, we should consider the cost involved in providing inhalers and asthma prescriptions, which is estimated to be about £500 million.

The National Asthma Campaign says that, if we go beyond child asthma and take into consideration the number of days lost and the burden on society that asthma brings, the figures increase dramatically and society has a major problem in relation to the costs involved in the health service. That, in itself, should be an argument for some urgent action to tackle the problem.

There are other hidden costs, particularly the cost to a child's education. The rising number of children with asthma means a rising number are off sick, missing school days. Having asthma is one of the most common reasons for children missing school or pre-school nursery.

In 1995, "Blue Peter" carried out an asthma survey. More than 10,000 children responded. Eight per cent. said that they had missed at least a month of school as a result of problems with asthma. A recent large study of school children aged between 12 and 14 found that a substantial proportion of adolescents had asthma symptoms that interfered with their schooling and day-to-day lives. Another concern was that many of them were not receiving treatment for that asthma. One third of the children who took part in the survey and had experienced asthma symptoms said that they were not receiving some form of medical support to back them up. That under-diagnosis of asthma and the consequential missed school days cannot be good for the children's education, or their social relationships

The most worrying factor is that we do not really know, or we do not appear to know, why all that is taking place. After we carried out the survey in Winchester, I was surprised at the findings and asked to see a Dr. Roberts, who is the asthma specialist at the Royal Hampshire county hospital in Winchester. Politicians always seek a simple answer. I just asked, "Why is it happening? What are the reasons? There must be a simple explanation."

In addition, we were involved in a battle to try to persuade the public that it would be sensible to build a park-and-ride facility in Winchester. I wanted to be able to use the asthma results to support the case for the park-and-ride facility to keep cars out of the city centre, but clearly it is not as simple as that.

The doctor explained—and my research since explains—that there are endless theories as to the cause of the big increase in asthma. Pollution and traffic are obviously the simplest arguments that people can advance, but one of the most compelling arguments that I have heard is that living in a cleaner society has an impact. In the past 10 or 15 years, facilities in homes have meant that they are cleaner. Whereas before, in a dirtier house, children had a chance to build resistance to viruses, in a cleaner society, individuals and children do not build up resistance and then are more vulnerable and susceptible to asthma.

Other theories have been put forward. Only yesterday, the World Health Organisation announced details of a study that it had undertaken in Europe, which led it to claim in the press:

"Car fumes kill more than crashes."

Again, it had clear evidence that there was a link between pollution from cars and increased cases of asthma.

I have heard the other argument—particularly in a rural constituency such as Winchester—that changing farming patterns are one of the causes. Of course, the most obvious link that people are making at the moment is with genetically modified crops. They are asking whether those crops will have an impact. Letters from constituencies following publicity about the survey suggested that oil-seed rape was an increasing concern.

We know that, recently, farmers have turned much more to growing oil-seed rape. Indeed, one of ways in which to decrease transport pollution is to have transport run on oil-seed rape, but by growing more of the crop we could create asthmatic problems. An organisation representing hyperactive children, which has concerns about food additives, has raised concerns to the effect that changing diets, and the things that we are adding to food and giving to children, may be a cause.

The only conclusion that I can draw from all that information is that the only thing individuals agree on is that no one really knows what the causes of the increases in asthma are. That needs to be the starting point for Government action. We need to be able to have more research to establish what exactly the cause is.

I am aware that the Government are active on the issue. I make it clear that I did not secure the debate to criticise the Government for any inaction. Rather, I should like to press the Minister for some more information about the research that is taking place.

In a written answer to me last Friday, the Minister was helpful in explaining what the Government were doing in relation to research. He said that they were supporting a major initiative on the relationship between air pollution and respiratory diseases. Will the Minister use the debate to confirm when that report and the conclusions will be made available, and if they will be made available publicly? Will he go further and explain why the link is being made between air pollution and respiratory diseases? Are the Government planning any research to look at the connection between respiratory problems such as asthma and other issues apart from air pollution, some of which I have touched on; or is it the Government's conclusion that air pollution must be the main reason—which is why they are putting energy into research in that particular area?

I should be grateful if the Minister let me know whether the Government had plans specifically to examine the number of children who have asthma. I have quoted some data and a figure, but judging by a written reply that the Minister gave me, which looked at the number of children going into accident and emergency departments and having in-patient care in hospitals, it appeared—unless I misread the data—that there had been a decline in the number of children going into hospital with asthmatic problems. There seems to be a contradiction between research done by campaign groups and some of the Government's data. Is it perhaps worth while investing additional resources in detailed research to discover whether the increases that I have described are indeed occurring?

The Government commission an annual health survey for England. According to the 1997 survey, 29 per cent. of boys and 18 per cent. of girls aged between two and 15 have been diagnosed with asthma at some time. I should be fascinated to know—perhaps the Minister will write to me on it—why boys feature so much higher than girls in those figures, and how those figures compare with previous studies done by the Government on the matter.

We should certainly be reassured that the Government are taking the issue seriously, and that their programme to address it includes much research. For me, however, the critical issue is whether the scope of the research is sufficiently wide. If it is not, the research will raise more questions than it provides answers.

I should like also to consider ways in which the Government might assist those working in the public health field, and particularly in education, in dealing with some of the consequences of childhood asthma. Currently, the response of various local education authorities to the growing problems of asthma in schools is very mixed. A recent study examined specifically how LEAs were tackling the problem, by sending, in late 1998, a questionnaire to more than 200 LEAs. Although only preliminary research has been done, and the results of the study have not yet been made public, those results are a matter of concern.

One third of LEAs said that they do not have a policy on how to deal with asthma in schools, and less than half of LEAs and schools said that they had in place a protocol on what to do if a child has an asthma attack in school. To my surprise and horror, almost half the LEAs said that they did not have a commitment to a no-smoking policy in school—which is surely one of the causes of asthma attacks.

I hope that, when the study is complete, the organisation involved will send the findings to the Government for consideration. Today, however, I should like to press the Minister to have a word with his colleagues in the Department for Education and Employment, to ascertain what advice the Government are giving to LEAs. Perhaps he will also use his reply to clarify who is responsible and accountable for securing health in schools. Although I know that there have recently been Government announcements on that issue, it would be tremendously helpful if he could say who has responsibility as the lead organisation in addressing it.

I hope too that the Government, when they are considering good health in schools, will consider also the issue of asthma, and good practice across England. Some local authorities have been working with local asthma groups to establish very good practice.

Something is wrong—and it is always very troubling when one does not know the cause of a problem. Moreover, recent trends seem to be going in entirely the wrong direction. The problem has to be tackled, not only because of the uncomfortable and unpleasant nature of asthma both for children and for parents seeing their children suffering from asthma attacks, but because it is becoming an increasing burden on the health service. The problem has to be tackled also because it is affecting children's ability to have an enjoyable childhood and to play their full part in the education system.

I hope that the Government are taking the issue seriously, and that, in a few moments, the Minister will be able to assure us that the research being done is sufficiently broad to ensure that, perhaps in a year's time, we shall better understand the problem, so that we are able to reassure parents who have children with asthma.

[Mr. Mark Oaten]

Once we have a greater understanding, perhaps the Government will be able to implement policies to tackle the causes of that growing problem.

1.44 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): I congratulate the hon. Member for Winchester (Mr. Oaten) on his good fortune in the ballot, and particularly on dealing with this subject today. He has done the House a good service in drawing attention to some of the concerns that he has expressed. I am also delighted that he found my parliamentary answers helpful. It is the first time that anyone has said that to me, and I am deeply grateful to him for doing so. Perhaps we shall have to go back to the Department and re-examine how we answer questions, but I am grateful to him for those comments.

The hon. Gentleman raised some specific issues on research and on the direction of the Government's research programme, and I shall try to address them later in the debate. He also raised some technical issues, on which he said that he would be happy for me to write to him. I shall certainly take him up on that, and am sure that we shall correspond on some of those technical issues.

I reassure the hon. Gentleman, and the House, that the Government share the widespread concern that he has articulated so well today on the burden resulting from asthma, particularly among children. Asthma is the most common chronic disease in the United Kingdom. It is also the most frequently reported cause of longstanding illness among children.

Children are much more likely than adults to be treated as hospital in-patients for asthma: children under 15 currently account for almost one half of the ordinary admissions and day cases for asthma. Only 2 per cent. of the approximately 1,300 asthma deaths a year in England are among children. Although each of those deaths is a tragedy, research suggests that many of them could have been prevented by better adherence to treatment.

Asthma has a considerable financial cost—to which the hon. Gentleman referred—in addition to its human cost. The national health service spends about £600 million annually in treating asthma, including £466 million on general practitioner prescriptions in the most recent year for which data are available. We should also not forget the indirect costs of asthma, including, for children, days off from school. The hon. Gentleman was quite right to mention those other costs in his speech.

The hon. Gentleman was correct also to say that there are no comprehensive data on the number of people, of any age, with asthma. However, on the basis of all the available information, it has been estimated that

"the prevalence of asthma sufficiently severe to require regular medical supervision"—

in hospital or other settings—

"is from 4 to 6 per cent. in children."

That estimate was quoted in "Asthma: An Epidemiological Overview", which was produced, in 1995, by the Department of Health's central health monitoring unit.

According to the health survey for England 1997, 23 per cent. of boys and 18 per cent. of girls aged two to 15 had been diagnosed at some time in the past as suffering from asthma. Similarly, in the international study of asthma and allergies in childhood which was published last year in the *British Medical Journal*, 20 per cent. of surveyed children aged between 12 and 14 had had a diagnosis of asthma at some time.

The prevalence of asthma was, therefore, apparently rising for three decades, up to the late 1980s or early 1990s. Since then, hospital admissions, GP consultations and mortality rates have all been levelling off, perhaps reflecting more effective treatment and higher quality medical care. However, local studies—such as the one conducted in Leicester, to which both the hon. Gentleman and the National Asthma Campaign, in its "National Asthma Audit 1999/2000", referred—suggest that, in children at least, the prevalence of asthma may still be on the increase.

We do not know for certain what causes asthma, but it is likely that an interplay between genetic and environmental factors is an important factor. It is a commonly held belief that the rise in the prevalence of asthma must be the result of air pollution, particularly from motor vehicles. However, increasing levels of asthma have been recorded in countries such as Sweden, Fiji and New Zealand, which do not suffer from high levels of air pollutants.

The Department of Health's committee on the medical effects of air pollutants, in its 1995 report on "Asthma and Outdoor Air Pollution", concluded:

"with regard to the initiation of asthma (that is, causing the disease in the first place), most of the available evidence does not support a causative role for outdoor air pollution".

Therefore, although exposure to air pollutants can produce a worsening of symptoms in those suffering from asthma, factors other than air pollution—allergens and the role of infections, for example—are likely to have had more of an impact on the number of people suffering from asthma.

Nevertheless, air pollution is associated with asthma attacks and with other diseases of the lung and heart. We remain concerned to investigate those issues further, and also to improve air quality in the United Kingdom. In 1997, the Government published a national air quality strategy, which provides health-based standards and objectives for eight of the main air pollutants that can affect human health, including carbon monoxide, lead, nitrogen dioxide, ozone, sulphur dioxide and other chemicals. The strategy brought together existing systems for controlling pollution and introduced a new system of local air-quality management.

We have reviewed the national air quality strategy to examine how further improvements in air quality could be made more effectively and more rapidly. In January 1999, we issued the report of the review for consultation. The consultation period closed in April, and the outcome will be published later in the year.

Advice to the general public about air quality is available through Teletext and Ceefax and through the air quality helpline. The Department of Health and the Department of the Environment, Transport and the Regions work together to determine how simple messages about the health effects of air pollutants can best be communicated to the public. A leaflet, "Air pollution—what it means for your health", was published last year.

The hon. Gentleman repeatedly raised the question of research. The Government continue to sponsor research on both asthma in general and possible links between

outdoor and indoor air pollution and asthma. A major £3 million research programme on outdoor air, jointly funded by the Department of Health, the Department of the Environment, Transport and the Regions and the Medical Research Council, has recently come to an end, and it will be fully evaluated toward the end of this year. The Department of Health intends to issue a further call for research proposals shortly, predominantly on the health effects of outdoor air pollution. A joint Department of Health/Department of the Environment, Transport and the Regions £1 million three-year research programme on indoor air is currently under way, and a number of studies are examining the effects of air pollutants on people with asthma.

The Medical Research Council spends about £2 million a year on research into prevention and treatment of asthma and related matters. The National Asthma Campaign is managing, on behalf of the NHS Executive, the NHS national research and development programme on asthma management. We welcome the participation of, and the close relations we have with, the National Asthma Campaign. The hon. Gentleman expressed concern about the future direction of asthma research, but perhaps he will draw comfort from the fact that the NAC plays a leading role in determining the course and conduct of the research effort. He also asked about the publication and review of research data: we always publish that information.

In the NHS, management of asthma, in children as in adults, mainly takes place in primary care. The Department of Health has provided a national framework for the provision of general medical services for asthma in the chronic disease management programme. In that programme, GPs set up and oversee organised programmes of care, with clearly understood arrangements for any care shared with the secondary sector; 94 per cent. of GPs now participate in the CDMP for asthma.

We recognise that proper management of asthma during school hours is a very real issue for children, their parents and their teachers, and the hon. Gentleman is right to draw attention to that problem. That is why we have ensured that information about asthma has been provided on the "Wired for Health" website, which was launched in March as part of the national grid for learning and which provides teachers with health information on a range of conditions. "Wired for Health" is the Government's main communication tool for our healthy schools initiative, which is jointly funded by Department of Health and the Department for Education and Employment and is a key part of our strategy for "Our Healthier Nation".

The "Our Healthier Nation" Green Paper set out the Government's philosophy on improving health in England. We proposed that our health strategy should have twin overarching aims: to improve the health of everyone, and to reduce health inequality—to narrow the gap between those with the best health and those with the worst. We proposed to achieve those aims by introducing the concept of a contract for health, whereby Government, local organisations and individuals all recognise and act on their share of responsibility for improving health.

At Government level, we recognise that we have a responsibility to tackle the underlying causes of ill health: poverty, poor housing, unemployment and pollution. Government must take the action which only they can so that local organisations can play their part and individuals can make the decisions that allow them to take control of improving their own health. The "Our Healthier Nation" White Paper, which is due shortly, will set out the detail of how we envisage that happening and developing.

Returning to the subject of the "Wired for Health" website, I believe that it demonstrates the commitment to partnership which is a fundamental part of the Government's approach to health issues. It gives access to the National Asthma Campaign's own material on asthma. In respect of asthma in school, the website builds on work previously undertaken with the National Asthma Campaign on the guidance entitled "Supporting pupils with medical needs", which was issued jointly by the Department for Education and Employment and the Department of Health under the previous Administration, in 1996.

The NHS is making increasing use of the internet and NHSnet for posting reference material. Over the next couple of years, a number of developments should help to improve both access to and the quality of information available to the public on health and health services. For example, work is taking place to develop a national electronic library for health, to provide patients, public and clinicians with access to accredited health and health care information. The national electronic library for health will include information on healthy life styles, medical conditions, diseases and treatments, and about the effectiveness of different treatments; it will also provide a reference guide to who does what in the NHS. The library project is working in conjunction with a range of other related initiatives, including NHS Direct, which has an important contribution to make in this respect and which will be available in all parts of England by the end of next year.

I have referred several times to the National Asthma Campaign. In recent years, the Department of Health has been able to give that organisation a project grant to create a childhood asthma education officer post, as well as grants towards the costs of its asthma helpline. We also assisted the introduction of a new personal asthma card—the "Control your asthma" card—to help sufferers to manage their condition. I should like to take this opportunity to pay tribute to the sterling work that the National Asthma Campaign does to provide support and information for children and all people with asthma and their carers. We greatly value the good working relationship that we have with the National Asthma Campaign.

Let me assure the hon. Gentleman that the Government take asthma, not least as it affects children, very seriously indeed. We shall continue to do all we can to improve knowledge of the causes of asthma and to make life as normal as possible for all those who suffer from it—perhaps I should have declared an interest earlier, for I too am an asthmatic. The Government will continue to work with medical and other health professionals, the National Asthma Campaign and all those with an interest in the field, so as to ensure that our commitment to and ambition for a first-class NHS for all the people of our country applies as much to those who suffer from asthma as to those who suffer from any other condition.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), until half-past Two o'clock.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

HIPC Initiative

1. **Mr. John Heppell** (Nottingham, East): What plans she has to propose amendments to the heavily indebted poor countries initiative. [85973]

9. **Mrs. Maria Fyfe** (Glasgow, Maryhill): What assessment she has made of the likely progress at the G7 summit in ensuring recognition that debt repayment conditions should not entail less money being available for basic health and education programmes. [85982]

11. **Mr. Chris Mullin** (Sunderland, South): What recent progress has been made on debt relief for the poorest countries; and if she will make a statement. [85984]

The Secretary of State for International Development (Clare Short): We are pressing for a revised heavily indebted poor countries—HIPC—initiative to provide at least twice as much debt relief twice as fast and for the provision of debt relief to be more tightly linked to policies that help reduce poverty.

We are pleased that at their meeting in Frankfurt on 12 June, G7 Finance Ministers were able to agree that a substantial improvement to HIPC was required. G7 leaders will be discussing that further this week and we look forward to the announcement of a package on debt relief at the weekend. The final details of the new HIPC package will be settled at the annual meetings of the World Bank and International Monetary Fund in September. My right hon. Friend the Chancellor and I also announced last week that we will be contributing a further $100 million to the trust fund to help the multilateral development banks meet their share of the cost of debt relief.

Mr. Heppell: I thank my right hon. Friend for her response. Will she join me in congratulating all the non-governmental organisations and Churches that have campaigned so magnificently to ensure that world debt is high on the agenda? Will she also join me in asking them to continue their campaign in Japan, France and the United States, which do not take the same view as this country on the subject? Will she assure me that our right hon. Friend the Prime Minister will use the same determination, leadership and drive to push for the best deal for the world's poorest people as he has shown over Kosovo?

Clare Short: I am grateful to my hon. Friend for that question. I am pleased to join him in congratulating the Churches and the NGOs on their debt campaign. We have never seen anything like it—an international civil society movement that has moved the policy of the most powerful countries in the world. Soon after we formed our Government and my right hon. Friend the Chancellor made his Mauritius mandate speech, saying that we wanted to speed up debt relief, he and I went to the annual meetings of the World Bank and the IMF and could not get support. By the time that the leaders of the G7 got to Birmingham, with all those people on the streets, we had made some advances. It has been a wonderful campaign. I assure my hon. Friend that our right hon. Friend the Prime Minister will take further the efforts that my right hon. Friend the Chancellor has made at the G7 finance meetings. The campaign must continue, because the programmes that will really help the poor will not be finalised until the annual meetings of the bank and the fund in September.

Madam Speaker: I call Mrs. Fyfe. She is not here. I call Mr. Mullin. He is not here.

Rev. Martin Smyth (Belfast, South): I appreciate the Secretary of State's response and I encourage others to back her position. She will be aware that banks do not normally lend money unless there is collateral. Are any steps being taken to support the other banks that are giving low interest rates to the world's poorest, so that they might become self-supporting and help to relieve poverty?

Clare Short: I apologise to the hon. Gentleman for standing throughout his question. I got out of synch because two hon. Members were missing. The hon. Gentleman must be referring to micro credit schemes, which offer small credits to the world's poorest. I agree that that is a fantastically important movement. It is important that the banks should not always depend on aid contributions, but should become self-sustaining small people's banks. We are trying to work with others in the international system to achieve that.

Mr. Derek Wyatt (Sittingbourne and Sheppey): First, I congratulate everyone on what they are doing on the issue. I am nervous about the prospect of coming back here in 2010, if I am re-elected, and having the same conversation because we have not moved the poorest countries forward. I wonder whether my right hon. Friend is confident that the World Bank and all the other agencies are really so bothered about substantial poverty. If we do not get rid of the poverty, what will we do as a nation?

Clare Short: I agree that if we come back in 2010 and we have made no progress on the fact that one in four of our fellow human beings live in abject poverty, the world will be in considerable trouble. The population will be growing, the environment will be more degraded and we will have more war and more refugees. There is untreatable tuberculosis in Russia and forms of malaria are emerging for which we have no drugs. It would be a moral disaster as well as being very dangerous for the next generation that is growing up.

I am confident that the World Bank and the International Monetary Fund are increasingly focusing on assistance to programmes that will help to reduce poverty, but that cannot be done unless the Governments of developing countries want that. In the next phase of the movement in civil society, we need the movements in the industrialised countries to link up with people in the developing world so that they can hold their Governments more firmly to account. We need good policy not only

from donors and international institutions, but from Governments in developing countries, who often serve their elite and not their poor.

Dr. Jenny Tonge (Richmond Park): I congratulate the Government on their debt relief initiative in the run-up to the summit this weekend, and especially on their plan to donate £100 million to the millennium fund to replace the HIPC fund. Will the Secretary of State confirm that the Government are not giving with one hand and taking away with the other and that the money will come out of Treasury reserves and not her Department's development budget? Will she also clarify whether the £50 million of aid to Kosovo will come from the Treasury or from her Department?

Clare Short: Hon. Members have no idea how grateful I am to the hon. Lady for the interest that she has taken in this subject. On the £100 million that we announced, a great deal of the contributions go well beyond the period of the current comprehensive spending review, as countries qualify for debt relief year on year, so I had to reach an understanding with the Treasury that went beyond my current budget. The probably quite small commitments under current plans would come from my Department's budget, but beyond that I have an agreement in writing from the Treasury that we will both contribute. That has to be part of the next comprehensive spending review settlement.

Of the extra £50 million for Kosovo, the first £10 million came partly from my contingency reserve and partly from money committed to the region; the second £10 million and a further £20 million came from the Treasury central reserve; and we have now agreed, because the commitment will go considerably beyond the further £50 million so far declared, that our contingency reserve, which, from memory, is about £36 million, will be put in the pot and we can then go to the central reserve, as has already happened with the extra £50 million, if there are unpredictable emergencies elsewhere in the world. That is a pretty good deal and I am pleased to have reached it.

Mr. Andrew Reed (Loughborough): I join the thousands of people throughout the country who would like to congratulate the Government on their actions and the lead that they have taken on aid, and in particular on the civil action mentioned by my right hon. Friend, which has convinced other nations, such as Germany and the United States, to get on board.

Unfortunately, the HIPC initiative falls far short of an ideal solution. Will my right hon. Friend and the Prime Minister push for changes in the Paris Club agreement to allow some greater flexibility and ensure that speedier and deeper debt reduction can be achieved by 2000, in line with the Mauritius mandate proposed by the Government early in 1997?

Clare Short: Yes, indeed. There is no doubt that we will get an improvement in the current HIPC initiative. There has been a big movement, especially with the change of Government in Germany. Japan has agreed to the sale of IMF gold and to do something about its own aid debt, and France has made a similar move. Those are big advances but we do not yet have an ideal solution.

My right hon. Friend the Chancellor pushed very hard at the Finance Ministers meeting, and my right hon. Friend the Prime Minister will press for even more at the leaders' meeting in Cologne this weekend. The final stage of the improvement of the HIPC initiative is the annual meetings of the bank and the fund. We need a more generous formula and more money on the table. The pressure will have to be kept up on everyone to ensure that we have a generous enough package.

Mr. Gary Streeter (South-West Devon): I add my congratulations to the Jubilee 2000 campaigners who have done a terrific job in raising the profile of this issue throughout the country this year. I also congratulate the Government on building on the solid foundation laid by the Conservative Government in the past five years on the issue of debt relief. We are delighted by that.

Is the Secretary of State aware that, when the Prime Minister walks into the summit in Cologne at the weekend to tackle debt relief, he will carry with him the hopes and prayers of thousands of British people who care passionately about the issue? Does she agree that the key thing about debt relief is to free up funds for health care and education in the countries in question, because they are the real exit routes from poverty that we want more and more people to enjoy?

Clare Short: I am grateful to the hon. Gentleman for his generosity—it is slightly unusual and therefore all the more welcome. There is no doubt that the previous Conservative Government took a strong position on debt relief, but most countries say that they always argued for good formulas but never put any money on the table. We argue for good formulas and put money on the table, so that is an improvement. I agree that the Prime Minister will be pressing hard at Cologne and that the worldwide movement that has been encouraged by the British movement, which includes our Churches and faiths, is impressive and powerful. It should not be disappointed.

I also agree that the key issue is debt relief that helps the poor. Therefore, how it is done is important. Having to wait years and then having a big stock of debt relief creates an incentive for a big new contract. A flow of debt relief that will ease Government budgets and, therefore, encourage spending on basic health care and education is what we really want, and we are arguing for that kind of change. I am pleased that there is cross-party agreement on that.

Balkan Reconstruction

2. **Mr. Tom Brake** (Carshalton and Wallington): What assessment she has made of the long-term reconstruction needs of *(a)* Albania, *(b)* Montenegro and *(c)* Macedonia. [85974]

The Secretary of State for International Development (Clare Short): We are working closely with the international community to determine the development needs of the Balkan region. The major costs of reconstruction will be met by the EU and the international financial institutions.

Mr. Brake: I thank the Secretary of State for her response. How much of the £50 million of humanitarian aid announced on Monday will be spent on health

facilities? Does she believe that the Albanian Government are playing a supportive role in encouraging refugees who are with host families to remain in Albania until the situation in Kosovo is stabilised, and how much aid will those host families receive?

Clare Short: I am afraid that I cannot say precisely how much of the extra £50 million that we have just announced to help the refugees to return to Kosovo will be spent on health. We are dealing with a fairly chaotic situation. Currently, we are funding convoys which are taking in food and emergency medical supplies and blankets—which is a little odd because it is hot, but people have been sleeping in the open and do not have proper beds, and so on. Quite a lot of basic medical care is being supplied, so we are considering whether we can help to restore the hospitals. Sadly, dreadfully, I gather two accidents have already been caused by mines, and there will be many others, so decent hospital facilities will be required and we expect to make that a priority. I shall keep the House informed on the situation and the decisions that we make.

It is not for us to tell Kosovan refugees when to go home; it is our job to give them as much accurate information as possible so that they can make their own decisions. Therefore, the Albanian Government should not tell them when to go. It is important that the frail and vulnerable be looked after until the fitter and younger have returned and made their homes ready. They can then send for the women, children and the elderly. The process of return will take some months. If it is like Bosnia, the young and fit will go first, repair the roof and get the homes ready, and then send for the others. Therefore, the refugees will be in Albania and Macedonia for quite some time.

Mr. Tony Benn (Chesterfield): What funds has my right hon. Friend earmarked for Serb families who are now becoming refugees for fear of the KLA, who have not been disarmed and who said this morning that they had no intention of giving up their weapons until the Russians submitted themselves to the American command in Kosovo?

Clare Short: First, the agreement that has been reached internationally, the agreement that has been negotiated with the KLA, and the assurances given by General Jackson, all say very clearly to the Serbs of Kosovo that they are welcome to stay, that they have the absolute right to stay, and that every effort will be made to protect them. I want to make it clear that they are not being terrorised out of the country as the Kosovar Albanians were. We have also made it clear that provision will be made if there is any humanitarian need or disaster in Serbia. However, there will be no assistance to Serbia for reconstruction as long as Milosevic and his regime remain.

Mr. Bowen Wells (Hertford and Stortford): Is not it true that much of the money given by the Secretary of State for the relief of refugees in Kosovo will have to be channelled through the United Nations High Commissioner for Refugees? Is the Secretary of State satisfied that the UNHCR is properly organised to handle that? Is she aware that the Select Committee on International Development wrote Mrs. Ogata a letter nearly three weeks ago—to which she has not even replied—asking her to come and give evidence and tell us how she is organising the UNHCR to give the assistance that the refugees desperately need?

Clare Short: I am very well aware of the Select Committee's report, and I respect it greatly. I have said before to the hon. Gentleman that some things in this crisis have not been well organised, but our priority is to keep the systems with which we have to work operating. When the crisis is over, we will have to try to correct the deficiencies that have emerged during the crisis.

We have published a full list, which is available from the Library, of exactly how all the money that we have made available has been spent. Some of it has gone through the UNHCR, but a lot has gone through other agencies. We are using the most effective agencies, whichever they may be, but much of our support to the UNHCR has been in kind. We were able to book aeroplanes and move stuff around faster than the agency, so we booked and paid for that instead of handing over resources. Therefore, it has been more efficient to make a lot of our contributions in kind, not in cash.

Mr. Harry Barnes (North-East Derbyshire): Massive financial problems face the international community in dealing with the refugee crisis. Is consideration being given to the way in which funds can be raised on an international basis? If that is not possible now, will it be possible when similar problems arise in the future? One possibility is to tax international currency speculators by means of the so-called Tobin tax. Could not such an initiative, which has already been taken in relation to international debt, have a great impact in the future?

Clare Short: I share my hon. Friend's view that the Tobin tax suggestion is interesting, but it could not be implemented until all the world agreed to it. That might take a bit longer than securing enough funding for the reconstruction of the Balkans. A campaign of ideas would have to be put in hand before we could get anywhere near to achieving what I agree is an interesting possibility.

The reconstruction of the Balkans region will incur costs. Many of the surrounding countries suffered some disruption during the war but were not damaged. Funding was made available to cover their transition from communism. Its sources included the World Bank and the European Bank for Reconstruction and Development, and the European Union also set aside funds for that purpose—so funds exist that are ready to be spent. However, additional funding has to be found for Kosovo and we have to make sure that it is not at the expense of other very poor countries.

Mrs. Cheryl Gillan (Chesham and Amersham): I welcome the £50 million that the Secretary of State has announced, and I agree that long-term reconstruction is important for the peace, stability and prosperity of the whole region. How will she ensure that goods and materials are sourced locally, rather than more expensively elsewhere? That would help to rebuild the economies of the region's countries. What methods will she use to ensure that the dispersal of funds is closely

monitored? I am sure that she appreciates that large infrastructure projects always carry the possibility of fraud.

Clare Short: The £50 million will be spent on humanitarian and emergency help to return people to their homes and on assisting with the reconstruction of bridges and infrastructure that require immediate attention. We will disburse that money using our tight systems for ensuring that it is well spent. Matters are difficult in a disruptive region, but we are trying to do as much as possible.

The much larger spending on reconstruction that will occur across the Balkans will not, of course, take place under our management. The European Commission will lead it and there will be a great deal of welcome analytical input from the World Bank. I agree with the hon. Lady that local sourcing should be encouraged, but we will not have complete control over that. We are doing everything in our power to improve European Commission systems as we all know that there has been much waste and that there is much room for improvement.

East Timor

3. **Mr. David Rendel** (Newbury): If she will make a statement about the humanitarian situation and the provision of aid in East Timor. [85975]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): There is an increasing number of internally displaced people in East Timor as a result of the deteriorating security situation in the lead-up to the consultation on autonomy due on 8 August. We have contributed $1 million towards the costs of running the consultation. We are supporting a programme to strengthen the capacity of civil society organisations in East Timor, and we provided £300,000 to last year's Red Cross emergency appeal. We are continuing to monitor the humanitarian situation.

Mr. Rendel: Is the Minister aware of reports that more than 100 people have been killed in East Timor since April by militia trained by the Indonesian police? Given the recent changes in the security sector, what contribution is his Department making to the international police force in East Timor? Will he support an increase in UN security personnel in East Timor in order to guarantee proper arrangements for the registration of voters and for the independence poll?

Mr. Foulkes: I assure the hon. Gentleman that the Government are concerned about the situation. Security is of course the responsibility of the Government of Indonesia, but following the killing of some pro-autonomy workers by factions in Indonesia, the Prime Minister wrote to President Habibie in April expressing our concern and urging that the armed forces should provide security for everyone. The presence of the UN mission is helping the security situation. Some 280 civil police will take part, seven of them from the United Kingdom. I am sure that the hon. Gentleman will join me in welcoming the fact that the head of the mission is Ian Martin, a well respected former head of Amnesty International in the UK.

EU Aid Expenditure

4. **Mr. William Cash** (Stone): If she will make a statement on her Department's plans to reform the European Union's aid expenditure. [85976]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): In December 1998, we published our 18-point strategy to improve European Union development spending. This makes clear our concern that aid spending is skewed against the poorest countries and often of poor quality. We are pursuing implementation of this strategy very vigorously with the Commission and with member states, pressing particularly for more development assistance for poorer countries. The Secretary of State agreed a joint declaration on improving the EU's contribution to international development with our French and German opposite numbers in February. The Development Council approved conclusions on 21 May endorsing many of our specific recommendations. I should say—especially to this particular hon. Member—that the Government are pleased that our proposals for a single Commissioner, a single programme and a single budget for development have been adopted by President Prodi.

Mr. Cash: Will the Minister congratulate the Conservative party on its victory in the European elections? Now, there will be greater scrutiny over fraud and corruption in the programmes referred to in my question. Will the hon. Gentleman confirm that while we would welcome any improvement, the way in which to achieve it is to seek real accountability so that real questions can receive real answers?

Mr. Foulkes: If I did as the hon. Gentleman asks, I might not answer many more questions from the Dispatch Box. [HON. MEMBERS: "You don't answer them."] No, indeed. I can assure the hon. Gentleman that we are concerned about fraud. The report of the Committee of Independent Experts highlighted a lack of accountability and responsibility, which has resulted in a radical shake-up of the Commission.

If the hon. Gentleman is satisfied with and draws comfort from some 30 per cent. of the votes, on a turnout of 25 per cent., he is clutching at straws.

Mr. Robin Corbett (Birmingham, Erdington): All hon. Members who are interested in international development will welcome the proposal for a single European Commissioner to focus the Commission's attention on this important area. How soon is that proposal likely to be implemented?

Mr. Foulkes: I understand that it will be implemented as soon as the new Commission is appointed next month. We are not satisfied only with a single Commissioner; we are now pressing for more money to go to the poorest countries. We have a target of 70 per cent., because at the moment only 50 per cent. of development money goes to the poorest countries. We shall press also for greater efficiency in delivering the budget. We are only just starting the shake-up that is needed in EU development spending.

Kosovar Refugees

5. **Mr. Dominic Grieve** (Beaconsfield): What actions she is taking to ensure that the humanitarian assistance to Kosovar refugees is of the highest standards, and if she will make a statement. [85977]

6. **Mr. Nigel Griffiths** (Edinburgh, South): What estimate she has made of expenditure to date on aid and supplies to assist the Kosovar refugees. [85979]

8. **Mr. Bill Rammell** (Harlow): If she will make a statement on the progress of plans to support Kosovar refugees in the region around Kosovo. [85981]

The Secretary of State for International Development (Clare Short): The United Nations High Commissioner for Refugees is the internationally designated lead agency responsible for co-ordinating provision for the refugees from Kosovo and for their return to Kosovo. We have worked since the beginning of the crisis to try to support and improve its efforts. We have provided £40 million of assistance to date, and on Monday we announced a further £50 million to support the process of return to Kosovo. Details of our spending, which has been channelled through the most effective agencies, are available in the Library. Provision is being made to cater for winter conditions from October onwards.

Mr. Grieve: Will the Minister expand a little on the answer that she gave to an earlier question on the European Union's role in channelling funds? In what areas is she concerned about whether that is an efficient method of ensuring that the aid is provided?

Clare Short: The hon. Gentleman will know that the European Union's efficiency in that area is very poor, so we have published a plan to try to achieve improvements and the Select Committee on International Development has published a very good report. As my hon. Friend the Under-Secretary just said, our criticism is being accepted and we will achieve a major reorganisation. That will not guarantee greatly improved efficiency, but it represents an opportunity to achieve it.

The European Community Humanitarian Office—ECHO—has worked hard, under Emma Bonino, to make improvements, and has worked well to disburse funds during the Kosovo crisis. The EU will be a lead spender in the reconstruction of the Balkans, and we shall have to work hard to make sure that the money is well spent. The link with the World Bank should improve matters.

Mr. Griffiths: We know how much work my right hon. Friend's Department has done to help the refugees during the crisis. Will she ensure that having worked round the clock, her staff will continue to get the resources that they need until the refugees have gone home?

Clare Short: I am grateful to my hon. Friend for his praise. I have enormously dedicated staff in my Department, particularly in the conflict and humanitarian affairs department where staff deal with crises. They are under strict instructions to take some leave and not to work all hours, otherwise, they will be unable to sustain their work for as long as they are needed to help with the reconstruction of Kosovo. As my hon. Friend said, more resources will be needed. Getting people home will be much harder than helping them to leave Kosovo. It will be a much more welcome task, but it will take time and a lot of resources. As my hon. Friend knows, we have just committed an extra £50 million to that task, but more will probably be needed.

Mr. Rammell: I welcome the additional resources that have just been announced. They demonstrate that not only were we justified in taking military action, but we are now prepared to back up that action with much needed money to support the refugees. What will be the immediate priorities on the ground for the spending of that additional money? How quickly can we begin to spend it? How will the programme be managed on the ground by the Department?

Clare Short: I am grateful to my hon. Friend for his comments. This has been a new kind of conflict in which humanitarian disaster and military action have been absolutely entangled, rather than separate, so we have been disbursing resources from the beginning. There has been repression of people in Kosovo and refugees. Our priorities are demining and mine education. There will be terrible accidents. Families who have been driven out are returning and their children are being blown up or losing limbs. We are doing all that we can to remove mines, to survey mines and to educate refugees about the problems of mines. Beyond that, they need food, medical supplies and equipment to enable them to rebuild their houses. They will then need longer-term help with reconstruction.

Mr. Gary Streeter (South-West Devon): The Secretary of State will be aware of the UNHCR plan to help the refugees to go home, which appears to anticipate refugees beginning to return after three weeks of NATO going into Kosovo, with the main return following three or four months of liberation. Although I understand the need for caution and safety, is that not hopelessly out of touch with reality? Many people are already going home and, understandably, many more will wish to go home following the withdrawal of the Serb forces this weekend. Is there anything that the right hon. Lady can do to encourage the UNHCR to be more realistic and flexible, and to come up with a better plan?

Clare Short: I agree completely—this must be an historic first—with every word that the hon. Gentleman has just said. The UNHCR has appealed to refugees not to return home for a month, but people who can see their villages across the border and who get word that things are now safe are choosing when to go home. We owe full information to the refugees so that they may make their own decisions. We expect waves of movement, as we saw in Bosnia. The fit and young are first to find out what their home is like and to start to repair it. When they have put things in place, they send for children and the elderly. People are already moving and making their own decisions, but we must educate them, especially the children, about mines because there will be terrible accidents.

PRIME MINISTER

The Prime Minister was asked

Engagements

Q1 [86002] **Mr. Nigel Griffiths** (Edinburgh, South): If he will list his official engagements for Wednesday 16 June.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. I also sent a message to Nelson Mandela, who steps down as South African President today. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Griffiths: An hour ago, I spoke to Bestan Krasniqi—a Kosovar refugee who is in Germany with his family—whom I met on 9 April in a Macedonian camp. He praises Britain's resolution and endurance, which gave him and every other refugee hope. He knows that he will not be going home next week or next month, but will the Prime Minister ensure that every refugee is enabled to go home as quickly and as safely as possible, irrespective of ethnic background?

The Prime Minister: I first pay tribute to my hon. Friend for his work as chairman of the Scottish Charities Kosovo Appeal and his steadfast support of the cause of the refugees over the past few months. We are well on course for getting the refugees back. More than 26,000 Serb troops have already left; only 15,000 remain in Kosovo. There are 14,500 NATO troops now in Kosovo, including more than 6,000 British troops. However, the full horrors of what has happened to the refugees are only just coming to light. Our troops have been speaking just in the past few hours of what they have seen: attempted rapes, assassinations, shootings and, of course, the uncovering of mass graves. Thank goodness we intervened in Kosovo, thank goodness for the courage and professionalism of our troops and thank goodness for the support of the British people.

Mr. William Hague (Richmond, Yorks): Now that we have all had the experience of a nationwide election under proportional representation, is the Prime Minister going to stick to his manifesto commitment to hold a referendum on changing the voting system for Westminster in this Parliament?

The Prime Minister: I would have thought that, after the campaign, the right hon. Gentleman would have been rather more keen on such a system than I am. Our position on the Jenkins commission has not changed, and will not change. We have already explained our position on the referendum.

Mr. Hague: Perhaps the position is so simple that the Prime Minister can explain it again. Why cannot he give a straight answer to a question about honouring a manifesto commitment? We have just had an election under a voting system that he insisted would not allow people to choose an individual candidate, which people did not like. He justified that system last year by saying

> Under the system that we are proposing, we will give away seats … to the Tories … it is an act of generosity on our part. (*Official Report*, 18 November 1998, Vol. 320, c. 933.)

What we did not know is that he would put the Leader of the House in charge and she would be an expert at giving away seats. If he still thinks that proportional representation is a good idea, why does he not stick to his manifesto and give people the chance to reject further destruction of this country's tried and tested voting systems?

The Prime Minister: For the reason that we gave at the time, which is that the new system proposed by the Jenkins commission could not be introduced in time for the next general election.

Mr. Hague: Is it not fast becoming a hallmark of this Prime Minister that he is afraid to argue the case for the few things that he actually believes in? Almost every Member of the House says where they stand on this issue—the Foreign Secretary is in favour of it, the Home Secretary is against it—except him. Why does not he have the courage either to argue the case for it or to abandon the whole crazy idea?

The Prime Minister: For the reasons that I have given on many occasions. If we are talking about the European elections, we have set out our position on Europe, and on the single currency, very clearly, and I believe it to be the right position for the country.

Mr. Hague: If the right hon. Gentleman cannot remember the reasons for his policy, how can he expect everybody else to remember? But if last week's elections have told him nothing about proportional representation, have they made any difference to his plans for a referendum on joining the euro?

The Prime Minister: No, they have not, because I believe that our position on the euro, which is that the test is the national economic interest—is it good for British jobs, British industry, British investment?—is the right position, and that that is the right test. I believe that the right hon. Gentleman's policy, which is to rule it out for 10 years, arbitrarily, is the wrong policy. As I said to him last week, he may well get a short-term gain, but it will be at the expense of the long-term interests of the country.

I thought that one of the most significant moments yesterday was when the previous hon. Member for Stafford (Mr. Cash), who was one of the people who had the Whip withdrawn from him under the last Conservative Government—[HON. MEMBERS: "No. Withdraw."] Well, let us say that he certainly was not hugely in favour of the last Government's European policy. I apologise if I mistook his protestations of loyalty to the last Prime Minister. That Member now says that he is in the main stream of Conservative policy.

The truth is that the Leader of the Opposition has sold the pass to the Euro-sceptics; they are now in charge of his party and his policy. Whatever the short-term gain, it is a long-term disaster for him and for the country.

Mr. Hague: Instead of saying that elections make no difference to him, should not the Prime Minister be

listening to the people of this country? They do not want their Government to be committed in principle to abolishing their currency. Should not he, on that issue as on proportional representation, either have the courage to make the case for the euro or drop his commitment to abolishing our currency?

The Prime Minister: First, if the right hon. Gentleman asks about listening to the British people, of course we should listen to the British people. Indeed, it is unfortunate that over 75 per cent. did not vote in these elections. However, on the single currency, we have a position that is very sensible, surely—to say that the test is the national economic interest, and that what is wrong is to rule the single currency out in the next Parliament, even if it should be in the interests of British jobs, British industry and British investment to join.

The right hon. Gentleman has made his position—*[Interruption.]* I am told by people shouting that his position is now to rule it out for ever. I had thought that his position was to rule it out for 10 years. What a great point of principle that is. For 10 years it is entirely wrong, but in year 11 it becomes right. That is an absurd position. The true principled position for his party actually is to rule it out—for ever, which is what a majority of his party now want—yes. But I believe that, in the British national interest, we should join if it is in the interests of British jobs, British industry and British investment, and that is the right position for the country.

Mr. Hague: If he was listening to the British people, the right hon. Gentleman would discover that they do not want the Government to be committed to abolishing the pound. They want to be in Europe, not run by Europe. Has it not become evident in recent weeks that, on these vital issues, the Prime Minister is too scared to make his case and too arrogant to listen?

The Prime Minister: No, for the reasons that I have given. When more than 50 per cent. of our trade is with Europe and millions of British jobs depend on Europe, to leave Europe, as a large part of the right hon. Gentleman's party wants to do, or to go so far to the margins of influence that we have no strength or power in Europe, would be a mistake. He may gain some short-term benefit, but in the long term it would be a mistake for Britain. I will not follow him down that path.

Look at this country's position in Europe when we came into office. It had no influence, no strength and no power at all in Europe. This Government have had the beef ban lifted and the rebate preserved. We have ended up with the best deal on structural funds that the country has ever had. The true question is: in or out of Europe? The right hon. Gentleman and his party are increasingly taking Britain out of it.

Ms Helen Southworth (Warrington, South): Will my right hon. Friend commend Francis Wheeler, a former constituent of mine and a National Bus Company pensioner, who took the previous Tory Government before the ombudsman for pickpocketing £122 million from his company pension fund? Does my right hon. Friend agree that now, under this Government, justice is being done?

The Prime Minister: Of course it is. The 50,000 National Bus Company pensioners will receive a massive £355 million boost to their pensions. We said that we were determined to settle the issue, and we have done so. We will do the just thing by those pensioners, who were let down year after year by the previous Conservative Government.

Mr. A. J. Beith (Berwick-upon-Tweed): As the Prime Minister pointed out—*[Interruption.]* We Deputy Leaders should stick together. The Tories have got rid of one already this week. It is a bit like the lilies of the field—he toils not, neither does he spin any more.

Does the Prime Minister recognise that with three quarters of the electorate not voting last Thursday, when it comes to a real test in a referendum about a single currency, those in all three parties who recognise how important that is for Britain must give a lead and make it clear that, by staying permanently out of the currency, we give ourselves a lethal cocktail of a high pound, high interest rates, high job losses and a loss of influence in the world?

The Prime Minister: For a moment I thought that that was a late leadership bid.

The sensible position is to keep the option open and to say, as we have said, that the referendum will decide the issue finally. However, we have made it clear why we believe that it is right for Britain to be part of a successful single currency, provided our economic conditions are met. That is the sensible position. The Conservative position, which is to rule out joining the single currency for 10 years or for ever, is not sensible. If it is correct that Conservative MEPs will not join the Conservative party group in the European Parliament—*[Interruption.]* It would be a disaster for the country if they did not do that.

Mr. Beith: As there is something of the holding answer about that reply, I promise the Prime Minister that we will return to it.

Will he give further thought to today's business—the Immigration and Asylum Bill? If that Bill will reduce the backlog and quickly weed out applications that are not genuine, why on earth do we need to use poverty and a voucher system as a means of deterring genuine refugees who are fleeing from torture and oppression?

The Prime Minister: We are not consigning asylum seekers to poverty. Indeed, a voucher system already exists. However, it is important that we clean up the system. Many bogus claims are being made. It is not right that we carry on with the present system. As the right hon. Gentleman knows, we inherited a mess, with a backlog of tens of thousands of claims. The new system will be fairer and faster and will deter the bogus asylum seeker.

Mr. Christopher Leslie (Shipley): What would be the effect on the British economy if Bank of England independence were scrapped, interest rates were returned to the levels under the previous Administration, and the £40 billion for schools and hospitals were also scrapped? Would not those Tory policies represent a significant threat to the well-being of everyone in the country if that lot were ever re-elected?

The Prime Minister: The wisdom of our economic policies has been criticised at every stage by the

Conservative party, which wants to reverse Bank of England independence, reverse the new deal and reverse the national minimum wage. It also opposes the extra spending on schools and hospitals. As today's unemployment figures show, this Government have delivered higher employment. We have halved youth unemployment, we have the lowest interest rates, we have inflation under control and we have got the public finances sorted out. That is a new Labour Government in action.

Q2. [86003] **Mrs. Ray Michie** (Argyll and Bute): Does the Prime Minister agree that many of the advantages of decentralising power to Scotland and Wales should now be available to the regions and counties of England, and that we should then move towards a federal system of government? Is not that the only answer to the West Lothian question and to fears about the possible break-up of the United Kingdom?

The Prime Minister: I am afraid that I cannot agree. We have made it clear that it is important that there is greater decentralisation in the regions. The reason why we have established in the north-east the Northern development agency is precisely to decentralise Government services. However, we must proceed with care and in accordance with the wishes of local people.

Mr. Steve McCabe (Birmingham, Hall Green): May I welcome the news that the Government are seeking United Nations support for an initiative to ease sanctions on Iraq and relieve the suffering of innocent people, especially the problems of malnutrition and infant mortality? Can the Prime Minister give any further details on that initiative and say when he hopes to see real progress?

The Prime Minister: I hope that we can make progress soon, because it is important that we distinguish carefully between the sanctions that have been placed on Iraq to ensure that it cannot develop weapons of mass destruction, for example, and the humanitarian aid that we are giving to the Iraqi people. As I have emphasised here before, Saddam Hussein has the ability to help the Iraqi people by selling as much oil as he wants to buy food and medicine for them. He is choosing not to do so. We shall support any moves that allow more help to get through to the Iraqi people. We have no wish to increase their suffering. The ultimate cause of their suffering, however, is Saddam Hussein.

Q3. [86004] **Mr. Andrew Tyrie** (Chichester): Why does not the Prime Minister simply tell the House what the overwhelming majority of hon. Members and the country wants to hear, which is that he no longer supports proportional representation as a means of electing people to this House?

The Prime Minister: For the reason that I have just given: because I believe that the Jenkins commission deserves serious consideration, and we should give it. I do not see why the Tory party is so against a debate on it.

Mr. Mohammad Sarwar (Glasgow, Govan): Is my right hon. Friend aware of the rising tensions between India and Pakistan, which could lead to a full-scale war and possibly a nuclear confrontation? What steps are the Government taking to diffuse the situation and to resolve the dispute over Kashmir, which is the root cause of the deteriorating relations between the two countries?

The Prime Minister: We are urging both India and Pakistan to calm the situation down and resolve their differences. We know that the source of those differences is Kashmir, but it is important that they work out a solution in the interests of everybody. That is what we are doing, and we are also using what influence we have in international institutions like the UN to put pressure on them to do so.

Q4. [86005] **Mr. William Ross** (East Londonderry): Given that the IRA is clearly engaged in a programme of street confrontation, intimidation and murder, such as that of Mr. Downey last weekend, has it not clearly placed itself outside the terms of the agreement? Given, therefore, that the people of Northern Ireland always expected the Prime Minister to honour the commitment that he gave them on weapons last year, may I welcome his statement yesterday that we will now have to find another way forward?

The Prime Minister: We shall have to find another way forward only if the agreement fails, and I hope that it does not fail because I believe it to be the best chance that Northern Ireland has. There are still acts of violence, although I am surprised that the hon. Gentleman did not mention that there are loyalist acts of violence as well. Those acts of violence are totally unacceptable.

As the hon. Gentleman knows, we have a statutory procedure for assessing what happens in the event that violence takes place, but I still urge him and others to give their help and support to make the agreement work. It has resolved the big constitutional issues of the day and, in particular, it has given the Unionists what they have been arguing for for more than 70 years since partition: the acceptance of the principle of consent, north and south.

I believe, even at this late hour, that, when people go back to the agreement, analyse its terms and really understand what it gives to the people of Northern Ireland—a good constitutional settlement for the future—they will support it.

Q5. [86006] **Mr. Barry Sheerman** (Huddersfield): Does my right hon. Friend agree that, although there has been excellent co-operation between this country and Europe and the United States in the action in Kosovo, we seem to be slipping dangerously towards an international trade war that could impoverish all the advanced nations—indeed all the nations of the world? Will he take urgent steps, not only to discuss the trade situation between the US and Europe, but to urge a radical look at the World Trade Organisation?

The Prime Minister: I agree. The recent difficulties between the European Union and the United States are a serious problem and we have to work hard to ensure that it is resolved. Our position as a country has always been against protectionism and in favour of reform, in the WTO and elsewhere. Europe of course has to understand that,

as a result of the WTO negotiations, we will have substantially to reform the way that parts of the EU work, so we are as well to begin on that now.

Q6. [86007] **Mr. David Rendel** (Newbury): As the Prime Minister knows, the Government have accepted in the High Court that the previous Conservative Government acted illegally when they failed to implement properly European directive 77/187 on employment protection. What efforts are he and his Government making to introduce a compensation package for the 2,000 people who have taken out writs against the Government and the several others—including my constituent, Mr. David Atkins—with similar cases? When will that compensation package be finalised and when will the people concerned get their money?

The Prime Minister: This matter affects thousands of workers up and down the country and we are consulting widely with companies, unions and others on the revisions that have to be made to the Transfer of Undertakings (Protection of Employment) Regulations 1981. Those will be implemented in July 2001 and will ensure proper protection for companies and employees. I will of course ask my right hon. Friend the Secretary of State to respond to the particular points that the hon. Gentleman has made when he writes to him later today.

Jacqui Smith (Redditch): On the day on which Thabo Mbeki takes over the presidency of South Africa, will my right hon. Friend outline what our Government can do to work with the new South African Government to ensure continued economic and social development in that country? Will he join Labour Members in wishing Nelson Mandela a long and healthy retirement? Does not he think that it is about time that Opposition Members, who called for Nelson Mandela's prolonged imprisonment and execution, made a public apology?

The Prime Minister: One reason why I sent the letter of congratulation to Nelson Mandela today is that he has been an inspiration to the whole world, for his principles and his conviction during the long years of apartheid. We wish Thabo Mbeki well; I believe that he will do an excellent job for South Africa. As for our own help to South Africa, we have a substantial bilateral aid programme. In particular, we have begun to do an awful lot of work with the South African Government and the South African people in relation to AIDS, which is a huge problem for South Africa. I believe that, with the right mix of policies and the right help from the world community, South Africa has a bright future.

Q7. [86008] **Sir Peter Tapsell** (Louth and Horncastle): What does the Prime Minister think are the implications of the recent application by the European central bank to the Council of Ministers for permission to double its reserves of gold and currencies?

The Prime Minister: I do not believe that there are any implications in relation to the strength of the euro. The European central bank, like other central banks, is perfectly entitled to make whatever dispositions it wants. Indeed, as the hon. Gentleman knows, the Bank of England has given us advice about gold and gold sales. All central banks will have a mixture of currency portfolios. That is sensible, and it is only the Conservative party that sees some great conspiracy behind it.

Q8. [86010] **Laura Moffatt** (Crawley): Will my right hon. Friend join me in congratulating the staff and the support services at Tinsley detention centre in my constituency, who work with ministers of all faiths to create a humane atmosphere in difficult and painful circumstances? Will he assure me that, as good as those facilities are, the stay of detainees will be as short as possible and detainees will be dealt with as quickly as possible to ensure that they go through the system, and that they are not held so that they feel that no one cares?

The Prime Minister: I know of my hon. Friend's long-standing interest in Tinsley house and the wider issue of asylum. Tinsley house is generally acknowledged for the excellence of the quality of its care and of the relationship between staff and detainees. The asylum arrangements that we inherited were a complete and total shambles, with a backlog of many years: tens of thousands of people are waiting for their cases to be dealt with. Our aim is, by April 2000, to deliver initial decisions on new asylum applications from families with children in an average of two months. I am satisfied that the changes we have recently made will allow that to happen.

Q9. [86011] **Mr. Dominic Grieve** (Beaconsfield): The Prime Minister will be aware that he and his Northern Ireland Ministers have repeatedly stated that Sinn Fein and the IRA are one organisation. In those circumstances, will he explain to the House what is meant by the suggestion that has been reported in the press that Sinn Fein might obtain its seats on the Executive by dissociating itself from its own action—with their other hat on as members of the IRA—of not decommissioning, and by expressing some regret? What is the Government's strategy on that issue?

The Prime Minister: I do not know what press reports the hon. Gentleman refers to, but they are wrong. There is no question of that happening. Indeed, my speech yesterday made it very clear that decommissioning is part of the agreement. What I actually said was that, since it is an obligation under the agreement for people to use their best faith to ensure decommissioning, and as nobody will believe that groups associated with paramilitary groups, if they are acting in good faith, cannot achieve decommissioning, people will expect decommissioning to happen. That is the position that we have set out, and I urge the hon. Gentleman and other Conservative Members like him to support us. We have a critical time in Northern Ireland over the next two weeks, and whatever bits of nonsense there are in parts of the press that are, frankly, hostile to this agreement, it is the only chance of a peaceful future that Northern Ireland will get.

Mr. Tony Benn (Chesterfield): On Europe, quite apart from what the Conservative party does—which is a matter for that party—is the Prime Minister aware that millions of people in this country are passionately in favour of European co-operation and have no desire to separate themselves from the continent, but believe that the democratic control of our own economy is a national interest? They are, therefore, of the view that that applies

not only to Britain, but to Germany, France and everywhere else. Would my right hon. Friend take this argument seriously, because for democrats to be insulted as if they hated Europe and to be described as Euro-sceptics is offensive and wholly inaccurate?

The Prime Minister: That is an interesting new alliance. I take my right hon. Friend's point seriously. The position that he has adopted is entirely principled: it is opposition to a single currency, full stop, for good, for ever. That is not the Conservative party's position: its position is to be principled for 10 years and to be unprincipled thereafter. My view is that, in the modern world as we move closer together, there will be a pooling of national sovereignty. However, I do not suggest that we join the single currency unless I believe that it is in Britain's interest—in the interests of our jobs, our industry and our investment. For me, that national economic interest is the test. That is a principled position; the other principled position is that of my right hon. Friend, which is to say never. Those are the two clear positions. What is nonsense, is what we have heard from the Conservative party.

Q10. [86012] **Mr. John Greenway** (Ryedale): Is the Prime Minister aware that, following reports of cross-contamination of animal feeds in France leading to further cases of BSE, the French Government are reported to be seeking a Europe-wide ban on the use of meat and bonemeal in animal rations? When will his Government give British consumers and farmers the protection and support that they deserve, by seeking—*[Interruption.]*

The Prime Minister: I am afraid that I did not hear the last sentence. *[Interruption.]*

Madam Speaker: Order. Let us be quite clear. I call the hon. Member for Ryedale (Mr. Greenway) to repeat the last sentence of his question.

Mr. Greenway: I asked the Prime Minister when he and this Government would give British consumers and farmers the protection and support that they need by seeking what he knows the British agriculture industry has been requesting for two years: a ban on the use of meat and bonemeal throughout Europe, and a ban on imports of meat and poultry produced by that method in other parts of the European Union.

The Prime Minister: First, let me say that the industry has been seeking such a ban for much longer than two years. This has been going on for a very long time. Of course we are trying to do something about it, but, as the hon. Gentleman knows perfectly well, we have been having our own difficulties as a result of BSE. Once we sort the problem out—which we are: as the hon. Gentleman will know, the Standing Veterinary Committee is meeting today to discuss the matter—we can ensure that we deal with the other issues as well. The course that he is urging on us is one of complete—well, I will not accuse him of hypocrisy, because that would be unparliamentary; but it does not lie in the mouths of Conservative Members to attack us over BSE.

Mr. Chris Mullin (Sunderland, South): On a point of order, Madam Speaker. *[Interruption.]*

Madam Speaker: I ask hon. Members to leave the Chamber quietly. This is an important point of order, which I want to hear.

Mr. Mullin: Thank you, Madam Speaker. As you know, I tabled question 11 to the Secretary of State for International Development. I arrived in the Chamber in good time to ask my question, only to discover that it had been grouped with question 1. I had not been informed of that. I subsequently checked to find out whether a letter had been put on the board, and it had not, although I understand that one is on its way.

May I ask you gently, Madam Speaker, to point out to Departments that, when they group questions together, the onus is on them to advise Members accordingly? Putting a letter in the internal mail and hoping that it will arrive in time is not good enough.

Madam Speaker: I entirely sympathise with the hon. Gentleman, who certainly arrived in the Chamber in good time for his question. I believe that it is incumbent on Departments to deal directly with Members when they seek to link questions. The hon. Gentleman is quite right: it is insufficient for Departments to put a note on the board in the hope that Members will pick it up. They may enter the Chamber through other doors.

I hope that all Departments will note what I have said.

The Secretary of State for International Development (Clare Short): Further to that point of order, Madam Speaker. I entirely accept your reprimand. I am very sorry, I apologise to my hon. Friend the Member for Sunderland, South (Mr. Mullin), and I shall ensure that this never happens again.

Madam Speaker: I shall ensure that the hon. Gentleman catches my eye and gets a little favour.

House of Commons Disqualification (Amendment)

3.33 pm

Siobhain McDonagh (Mitcham and Morden): I beg to move,

That leave be given to bring in a Bill to allow persons ordained and ministers of any religious denomination to be Members of the House of Commons.

The Bill would bring about a small and modest reform of Britain's electoral law. It would both modernise our constitution and reduce, albeit slightly, the power of the state. As such, it has the support of members of the three main parties, and I hope that it will enjoy that of the whole House—especially as it has no financial implications.

Why is the Bill necessary? The leading constitutional expert Professor Robert Blackburn has described this part of electoral law as

"incoherent, illogical and virtually impossible for anyone except a legal expert to discover".

For an answer to the simple and reasonable question, "Can a priest stand for Parliament?", we need to examine nine separate Acts, stretching back to the 16th century. Indeed, when the Select Committee on Home Affairs examined the matter 18 months ago, even very experienced and knowledgeable members were surprised at the extent of the inconsistencies in the law as it currently stands.

I shall highlight the arbitrary nature of the present position. I must warn those people who are not aware of the position that it gets incredibly complicated. Some religious officials are disqualified, but others are not. Some priests can relinquish their ministry to become a Member of Parliament, but others are unable to do so. Only certain Christian priests are disqualified, whereas ministers of all other religious faiths, such as Judaism, Islam and Buddhism, are all eligible. All episcopally ordained priests of the Anglican Church are disqualified, but not in Wales. All Roman Catholic priests are disqualified. Non-conformist clergy are not disqualified. Indeed, several Protestant clerics have served and continue to serve with distinction in the House.

It has taken a long line of statutory anachronisms since the middle ages to achieve that absurd position. That is why the legislation for the Scottish Parliament and Welsh Assembly rightly swept aside all such disqualifications.

The Bill will not make it compulsory, or, for that matter, desirable, for priests to stand for Parliament. I am sure many hon. Members will have their own views about that. My view is that it would be difficult for a parish minister to be too publicly identified with any one party. However, it is none of my business if he or she then wishes to stand for election, and it is clearly no business of the state to decide which variety of Christian minister is eligible and which not. That decision is best left to the Churches themselves. It should be up to them whether their clergy can stand. As it happens, the Church of England may agree and the Roman Catholic Church may disagree. My Bill would afford the Churches the autonomy to come to their own decisions. It is not the business of the state to allow one clerical variety, but not another.

If anyone is thinking to themselves, not unreasonably, "If those people want to be Members of Parliament, can they not just give up the ministry and stand?", the answer is that some can, but others cannot. Anglican clergy are able to resign their orders and stand for Parliament thanks to the clergy disqualification Act of 1870, but that does not apply to Roman Catholic clergy. Even if a Catholic priest leaves the priesthood and ceases to work or function as a priest, he still cannot stand for Parliament; British law currently does not recognise the status of ex-Catholic priests. So, although civil servants and Anglican clergy can resign their post and stand for Parliament, former Catholic priests are legally disqualified for life.

Had Bruce Kent been elected in 1992, he would not have been allowed to take up his seat, even though he had left the priesthood and married some years earlier, because the law at present allows him to stand for Parliament, but not to take up his seat should he win. If people are properly selected by their party and win a valid mandate from the voters, it is simply undemocratic that our ancient law can prevent those elected members from taking their place in the House.

It is clear that we cannot continue to draw religious distinctions in eligibility for election to Parliament. We could be found in breach of the European convention on human rights if we continue to do so. I am advised that the present position is in breach of the convention, which has three separate provisions dealing with freedom of religion, prohibition of religious discrimination and free elections.

If the Government do not tidy up blatantly discriminatory measures in ancient law, doing so could take up both time and money in the courts after the Human Rights Act 1998 is implemented. If my Bill fails, the issue may prove to be the basis of the first legal action seeking a declaration of incompatibility in United Kingdom courts, brought by individuals who have suffered and continue to suffer a sense of grievance because of those measures. I very much hope that it does not come to that.

As I said, this issue of electoral law was investigated by the Select Committee on Home Affairs. In its report entitled "Electoral Law and Administration", which was published in 1998, the Committee said:

"We therefore recommend that, with one exception, all restrictions on ministers of religion standing for, and serving as, Members of Parliament be removed".

The one exception was bishops in the other place.

The Select Committee recognised the clear need for reform, as the House did when we framed the legislation establishing the Parliament in Scotland and the Assembly in Wales, where no such discrimination applies. It is time that we ourselves left behind the arbitrary disqualifications from membership of this place imposed by current law.

Fundamentally, the rationale behind those antique statutes passed away a very long time ago, and those statutes have no place in the parliamentary electoral law of our multicultural society, with its community of religious faiths, as we prepare to enter the 21st century.

Question put and agreed to.

Bill ordered to be brought in by Siobhain McDonagh, Mr. Ben Bradshaw, Mr. Tom Clarke, Mr. Paul Goggins, Mr. Simon Hughes, Mrs. Joan Humble, Mr. Edward Leigh, Mr. Martin Linton, Mr. Robert Maclennan, Mr. Gordon Marsden, Ms Bridget Prentice and Mr. Bob Russell.

HOUSE OF COMMONS DISQUALIFICATION (AMENDMENT)

Siobhain McDonagh accordingly presented a Bill to allow persons ordained and ministers of any religious denomination to be Members of the House of Commons: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 120].

Orders of the Day

Immigration and Asylum Bill

[2ND ALLOTTED DAY]

As amended in the Special Standing Committee, further considered, pursuant to Order [15 June].

New Clause 2

REMOVAL OF ASYLUM CLAIMANTS UNDER STANDING ARRANGEMENTS WITH MEMBER STATES

'.—(1) A member State is to be regarded for the purposes of subsection (2) as—

(a) a place where a person's life and liberty is not threatened by reason of his race, religion, nationality, membership of a particular social group, or political opinion; and

(b) a place from which a person will not be sent to another country otherwise than in accordance with the Refugee Convention.

(2) Nothing in section 6 of the Asylum and Immigration Appeals Act 1993 (protection of claimants from deportation etc.) prevents a person who has made a claim for asylum ("the claimant") from being removed from the United Kingdom to a member State if—

(a) the Secretary of State has certified that—

(i) the member State has accepted that, under standing arrangements, it is the responsible State in relation to the claimant's claim for asylum; and

(ii) in his opinion, the claimant is not a national or citizen of the member State to which he is to be sent;

(b) the certificate has not been set aside on an appeal under section 51; and

(c) the time for giving notice of such an appeal has expired and no appeal is pending.

(3) For the purposes of subsection (2)(c), an appeal is not to be regarded as pending if the Secretary of State has issued a certificate under section 58(2)(a) in relation to the allegation on which it is founded.

(4) "Standing arrangements" means arrangements in force as between member States for determining which state is responsible for considering applications for asylum.'.—*[Mr. Straw.]*

Brought up, and read the First time.

Question proposed [15 June], That the clause be read a Second time.

3.42 pm

Question again proposed.

Madam Speaker: I remind the House that with this we are discussing the following: Government new clause 3—*Removal of asylum claimants in other circumstances.*

Government amendments Nos. 56 and 58 to 60.

The Home Secretary has the Floor.

The Secretary of State for the Home Department (Mr. Jack Straw): Last night, just before midnight, I began to deal with the points made in the debate by my hon. Friends and by Opposition Members. As I had been on my feet for only about 30 seconds, it may be convenient for the House if I were to start again.

[Mr. Jack Straw]

The hon. Members for Hertsmere (Mr. Clappison) and for Sheffield, Hallam (Mr. Allan), and some of my hon. Friends, had asked why it had not been possible to table new clause 2 earlier in the Bill's passage. As the House will be aware, sometimes, with the best will in the world, policy issues cannot be settled when a Bill is published, but have to be settled later.

I should make it clear that there should have been no surprise that the Government have proposed the policy in new clause 2. First, we flagged up the issue in the White Paper, which was published at the end of July 1998. Secondly, and perhaps more pertinently, on 22 March, when I gave my oral evidence to the Special Standing Committee, I referred specifically to the matter dealt with in the new clause.

I refer the House to the *Official Report* of that Special Standing Committee sitting, where I was asked about operation of the Dublin convention. I said:

"The convention is causing problems and raises a very substantial issue—that of the more effective transfer of asylum seekers who have come to this country and who, if they have travelled by land and sea will almost always have travelled through other EU countries".

3.45 pm

I said that I was exploring the question of return with several EU Interior Ministers. I added, and this answers another point that was raised yesterday:

"I discussed that subject with Jean-Pierre Chevenement, the Minister of the Interior in France".

I continued, and this goes directly to the gravamen of new clause 2:

"The associated issue is whether to adopt interpretations of our obligations under the 1951 convention that are similar to those adopted by, for example, Germany and France. We are examining such interpretations with care, because it does not make a huge amount of sense to use different, and in some cases, wider, definitions than those that apply in France and Germany."—[*Official Report, Special Standing Committee*, 22 March 1999; c. 468.]

The matter that I flagged up on that occasion is wider than that which is contained within new clause 2. The new clause, by our statute, would concede to France, Germany and other member states in a similar position what we all know to be the margin of appreciation—their interpretation of the convention. To be frank, their interpretation of the convention is safe, and so too are the signatories and adherents to the 1951 convention on human rights. I hope that answer helps to deal with the points raised yesterday.

Mr. Richard Allan (Sheffield, Hallam): For the record, the Home Secretary should be aware that, for the oral evidence-taking sittings and the written-evidence section of the Special Standing Committee, we asked all those giving evidence to stick to material that was contained within the Bill. We thought that that was sensible. It is obviously a learning exercise, and I have already told the Home Secretary that I think that the Special Standing Committee was a useful exercise. However, if we are to ask people to stick to the contents of the Bill, it is important that all matters are included within the Bill, rather than it being left to us to assume that people know about issues that have been mentioned in a White Paper.

Mr. Straw: That is a fair point. We established the Special Standing Committee because we are genuinely committed to wider scrutiny of Bills whenever possible, and I have put on the record my belief, which the hon. Member for Hertsmere has acknowledged, that the process has worked well until now.

Mr. James Clappison (Hertsmere): Guilty.

Mr. Straw: I acquit the hon. Gentleman of all responsibility for the mess up in the Opposition Whips' Office. He can no more be held accountable for the forces of darkness that inhabit that office than we can, and I have never laid that charge against him. He is reasonable; it is those in the shadows at the other end of the Opposition Front Bench and their inability to control some of their Back Benchers who are the cause of the chaos on the Opposition Benches. However, that is another story, and I shall not detain the House by elaborating on it.

I accept the comment made by hon. Member for Hallam about the Special Standing Committee process being a learning process. I flagged up the issues as best I could, but I accept that, when we have another Special Standing Committee, we should as far as possible give advance notice of all the issues that are being considered by the Government and that might emerge in amendments tabled at a later date.

Yesterday, my hon. Friend the Member for Walthamstow (Mr. Gerrard) asked for confirmation of the purpose of the new clause. Let me make it clear that the only change introduced by the new clause is in respect of transfers to member states under the Dublin convention. I propose that, in those cases, it should no longer be a requirement that I should certify that the receiving state will comply with its obligations under the 1951 convention; instead, the clause provides that that requirement shall be regarded as having been fulfilled. As I explained yesterday, the purpose of the change is to reduce the scope for unnecessary dispute over the safety of member states' asylum procedures in Dublin convention cases. There are no changes in respect of other returns, and it will continue to be a requirement in those cases that I certify that the receiving state will comply with the 1951 convention.

My hon. Friend also asked how many appeals there had been in cases where the applicant did not have an in-country right of appeal under the Asylum and Immigration Act 1996, but had instead what is known as a non-suspensive right of appeal. I understand that more than 100 such appeals have been lodged since the 1996 Act came into force. I have not had time to assemble detailed information on their outcomes. Several were withdrawn before they were heard. I am aware of two appeals in which the certificate was overturned.

My hon. Friend also asked about the enlargement of the European Union and whether the arrangements and the Dublin convention would apply to any applicant state admitted. The answer is yes. Applicant states cannot pick and choose which parts of the treaties they adhere to. It is fundamental to the process under which they accede to membership of the EU that they accede to all extant treaties and conventions, which includes the Dublin convention and any replacement of it that may come about under the Amsterdam treaty.

Applicant states must adhere not just to the texts, but to the practice. We are heavily involved in a huge amount of work, monitoring not just the economic performance

of applicant states but their performance in terms of justice and human rights. That process receives no publicity in this country, despite the best efforts of those of us who go to Brussels to sit on the Justice and Home Affairs Council. The country is aware that there are economic criteria. They are relatively easy to monitor because they relate to statistics. It is more difficult to monitor adherence to human rights, although I think that it is more important.

We are strongly committed to checking and analysing the state of the justice system in an applicant country and its subscription in practice to human rights. All the states concerned have signed up to the Council of Europe and the European convention on human rights, but we have to ensure that they follow it through in practice. We have had to go back to one applicant state—I shall not mention which—and tell it that its police service is not properly separated from its court service. Until it has a track record of an independent judiciary and a police service that is separated from the executive arm of the state, it cannot expect its application to be considered.

Alongside the monitoring process, we are promoting the twinning of member states with applicant states to support and help the applicants. That should be examined in great detail in Committee and on the Floor of the House from time to time. Such examination would assist us, the Governments of the applicant countries and many non-governmental organisations that are pushing to raise the level of human rights in those countries.

My final point—I say that in case any hon. Members want to raise any further points with me before I sit down—relates to the suggestion from the hon. Member for Hallam that the differences of approach in France and Germany might lead to people being returned to face serious harm, or what he called the wrong kind of persecution. The margin of appreciation—the fact that a person to whom we might grant asylum might not qualify in another member state, or the reverse, which has been true in the past—does not mean that the applicant will be returned to their country of origin to face serious human rights abuses. The argument relates principally to France and Germany, which have subsidiary provisions in their laws—which they observe—that prevent the removal of people who do not qualify for asylum but who face other threats to their life and liberty. Last year, France introduced a new concept of territorial asylum, which is designed to apply to those who do not qualify for asylum under the 1951 convention, but who qualify for protection under article 3 of the European convention on human rights.

Mr. Charles Wardle (Bexhill and Battle): Just to clarify the point, is the Home Secretary saying that France and Germany have provisions that roughly parallel our exceptional leave to remain?

Mr. Straw: I think that in practice the answer is yes. I do not for a moment have knowledge of what they call their permission, but both countries have provisions under which, even though a case is not accepted on convention grounds, the applicant is none the less given a right to reside on other grounds, typically relating to article 3 of the ECHR.

I know that the House has been waiting to hear what the acronym OFPRA stands for. That is the office in France that deals with asylum seekers, and does it very well. It stands for Office Français de Protection des Refugiés et Apatrides. For those whose French is not as good as mine, apatrides means stateless persons.

Mr. Clappison: D'Hondt?

Mr. Straw: I am glad that we have got on to d'Hondt. I could go on at great length about d'Hondt. [HON. MEMBERS: "No."] I am sure that many people would have fled and claimed asylum had Victor d'Hondt been alive. The important thing to remember about him is that he was Belgian. On that note, I commend the new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 3

REMOVAL OF ASYLUM CLAIMANTS IN OTHER CIRCUMSTANCES

'.—(1) Subsection (2) applies if the Secretary of State intends to remove a person who has made a claim for asylum ("the claimant") from the United Kingdom to—

(a) a member State, or a territory which forms part of a member State, otherwise than under standing arrangements; or

(b) a country other than a member State which is designated by order made by the Secretary of State for the purposes of this section.

(2) Nothing in section 6 of the Immigration and Asylum Appeals Act 1993 (protection of claimants from deportation etc.) prevents the claimant's removal if—

(a) the Secretary of State has certified that, in his opinion, the conditions set out in subsection (6) are fulfilled;

(b) the certificate has not been set aside on an appeal under section 51; and

(c) the time for giving notice of such an appeal has expired and no such appeal is pending.

(3) Subsection (4) applies if the Secretary of State intends to remove a person who has made a claim for asylum ("the claimant") from the United Kingdom to a country which is not—

(a) a member State; or

(b) a country designated under subsection (1)(b).

(4) Nothing in section 6 of the Immigration and Asylum Appeals Act 1993 (protection of claimants from deportation etc.) prevents the claimant's removal if—

(a) the Secretary of State has certified that, in his opinion, the conditions set out in subsection (6) are fulfilled;

(b) the certificate has not been set aside on an appeal under section 51 or 57; and

(c) the time for giving notice of such an appeal has expired and no such appeal is pending.

(5) For the purposes of subsections (2)(c) and (4)(c), an appeal under section 51 is not to be regarded as pending if the Secretary of State has issued a certificate under section 58(2)(a) in relation to the allegation on which it is founded.

(6) The conditions are that—

(a) he is not a national or citizen of the country to which he is to be sent;

(b) his life and liberty would not be threatened there by reason of his race, religion, nationality, membership of a particular social group, or political opinion; and

(c) the government of that country would not send him to another country otherwise than in accordance with the Refugee Convention.

(5) "Standing arrangements" has the same meaning as in section (*Removal of asylum claimants under standing arrangements with member States*).'.—*[Mr. Straw.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 4

FACILITATION OF ENTRY

'.—(1) Section 25 of the 1971 Act (assisting illegal entry) is amended as follows.

(2) In subsection (1), for "seven" substitute "ten".

(3) For subsection (1A) substitute—

"(1A) Nothing in subsection (1)(b) applies to anything done in relation to a person who—

(a) has been detained under paragraph 16 of Schedule 2 to this Act;

(b) has been granted temporary admission under paragraph 21 of that Schedule.

(1B) Nothing in subsection (1)(b) applies to anything done by a person otherwise than for gain.

(1C) Nothing in subsection (1)(b) applies to anything done to assist an asylum claimant by a person in the course of his employment by a bona fide organisation, if the purposes of that organisation include assistance to persons in the position of the asylum claimant.

(1D) "Asylum claimant" means a person who intends to make a claim that it would be contrary to the United Kingdom's obligations under the Refugee Convention or the Human Rights Convention for him to be removed from, or required to leave, the United Kingdom.

(1E) "Refugee Convention" and "Human Rights Convention" have the meanings respectively given to them in the Immigration and Asylum Act 1999."

(4) In subsection (5), for "Subsection (1)(a)" substitute "Paragraphs (a) and (b) of subsection (1)".'.—*[Mr. Mike O'Brien.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I beg to move, That the clause be read a Second time.

The new clause amends section 25 of the Immigration Act 1971 and sends a clear and tough message to the racketeers engaged in encouraging illegal entry—they will go to prison for longer on conviction. It increases from seven years to 10 the maximum custodial sentence that can be imposed following conviction on indictment for certain offences. The offences are: knowingly facilitating the entry of illegal entrants; knowingly facilitating for profit the entry of asylum seekers; and knowingly facilitating the obtaining of leave by deception.

The decision to increase the maximum sentence follows comments from the Court of Appeal earlier this year. It was suggested that an increase was needed to allow an appropriate sentence in the growing number of cases in which someone is convicted in a single act of facilitation relating to the entry of a large number of people. We believe that 10 years' imprisonment is the appropriate maximum penalty.

The offence of facilitating the entry of asylum seekers was created by the previous Government. It is not an offence to facilitate the entry of someone who intends to claim asylum when that is not done for gain or is done by someone employed by a bona fide refugee organisation acting in the course of employment. It is an offence to facilitate the entry of an asylum applicant when it is done for gain. The offence is aimed at racketeers, not refugee groups.

Mr. Peter Bottomley (Worthing, West): How is intent to be established? A commercial airline may bring people in for money—they paid for their tickets—who are discovered to be coming here unlawfully. Where is the distinction to be drawn?

4 pm

Mr. O'Brien: Clearly, an airline that is lawfully bringing someone in is acting lawfully. A racketeer who is bringing in large numbers of people without consent, without information being given to the immigration authorities and without permission to be here is clearly acting unlawfully. I am not quite sure why that should be a problem, but I hope that that clarifies the matter.

Secondly, the new clause amends the definition of an asylum seeker to include someone who intends to claim asylum under the European convention on human rights as well as someone who intends to claim asylum under the 1951 refugee convention. That is to reflect the fact that, once the Human Rights Act 1998 comes into force, people will be able to claim under the ECHR as well as under the refugee convention. The offence of facilitating the entry of an asylum seeker would be rendered meaningless without the amendment, as someone who was prosecuted for the offence would always be able to argue that he believed that the asylum seeker in question had been going to claim under the ECHR, not the refugee convention.

The new clause, therefore, closes that loophole and ensures that the position of those claiming asylum under the ECHR and refugee status is put on a broadly equal footing in respect of these offences. The offence does not currently apply to things done in the course of employment by a bona fide refugee organisation.

Finally, the new clause amends section 25(5) of the 1971 Act. Section 25(5) makes it an offence for a British citizen, or a British dependent territories citizen, British overseas citizen, British subject or British protected person, who is acting outside the UK, to facilitate the entry of an illegal entrant. Subsection (4) of the new clause extends that extra-territorial jurisdiction to acts committed outside the UK by British citizens in order to facilitate the entry of asylum applicants where that is done for profit.

It is in the nature of the offence that, in some cases, the offending actions take place outside the UK. Successive Administrations have taken the view that, where the offence is committed by a British citizen, we should have jurisdiction to prosecute the offender.

Where the offence is one of facilitating the entry of someone who intends to claim asylum or protection under the ECHR, there will be more occasions where the offending behaviour occurs outside the UK. That is because, in most cases, the claim will be made as soon as the person concerned arrives in Britain. If we are to have the offence—I stress that it is aimed squarely at racketeers who are prepared to make a profit from trading in human misery—it makes little sense to exclude things that are done outside the UK. To do otherwise would allow,

for example, a British citizen to escape prosecution for loading people into a lorry in France or Belgium as long as he did not help to unload them in Dover.

Taken together, the measures, particularly the first that I described—increasing the prison sentence—are a small but significant reinforcement of the present penalties available to deal with the offence of facilitation. I therefore commend the new clause to the House.

Mr. Clappison: We support the new clause which, as the Minister acknowledges, builds on legislation passed by the previous Government. The important point is that it deals with those involved in the criminal offence of facilitating illegal entry. The point made by my hon. Friend the Member for Worthing, West (Mr. Bottomley) is germane. We are talking about criminal racketeers who knowingly bring people into Britain for gain. That is a serious matter. If the courts feel that it needs to be visited by a higher sentence than is currently available, it is right that we should legislate for a higher sentence of 10 years. It is worth bearing in mind that, in many cases, such criminal racketeering is on a highly organised basis.

There is a suspicion that the scale of this activity is much greater than the number of convictions recorded for this type of activity would suggest. It can be no more than a suspicion because there are no statistics, but there is certainly suspicion that the number of convictions is relatively low in relation to the scale of activity which is probably going on. It is good to have a higher maximum sentence, but that should be accompanied by vigorous enforcement of the law by all agencies concerned, including the police.

In Committee, the Minister said that he was engaged in co-operation with the European authorities and Europol in an effort to counter such matters. We urge the Government to take the matter seriously. We shall be looking for results from that co-operation in the form of more convictions for this type of serious offence which is very much against the public interest.

Mr. Allan: I support the new clause. Human trafficking is disgusting, but it often gets lost because drug trafficking or illegal smuggling attract more attention. Human trafficking inflicts misery and even death on the people who suffer it. For example, people brought in on lorries have been found to be in a dangerous condition and some have perished in transit, so it is legitimate for the Government to target the problem.

There is a difference, however, between offences under section 25 of the Immigration Act 1971 and those under some of the other forms of prevention of entry. Those forms include the Immigration (Carriers' Liability) Act 1987 and section 8 of the Asylum and Immigration Act 1996, which offers a strict liability way to deal with people working illegally after they arrive in the United Kingdom. Both those measures share similar aims, such as to prevent gang masters bringing in gangs of illegal labourers. Strict liability offences do not require the demonstration of intent, whereas offences under section 25 of the 1971 Act do. We believe that that is often a better route to follow.

I hope that the Government will remember that we strongly support action under section 25 of the 1971 Act to deal with people proven to be traffickers with intent and that, when we criticise some of the other strict liability offences, they are not tempted to claim that we are soft on illegal entrants and illegal working. We want the provisions to be strengthened and used more thoroughly in the context of an intelligence-led approach to dealing with gang masters who bring people into the country illegally to work in sweatshops.

We are worried that some of the other strict liability offences may lead to a diminution in the penalties levied against such people. The prosecuting authorities may go for strict liability offences, such as are available under section 8 of the 1996 Act or the Immigration (Carriers' Liability) Act 1987—which this Bill broadens to include lorry drivers—because they are easier to prove, rather than opting for prosecution of acts of intent as defined in section 25 of the 1971 Act and which we hope the new clause will make even more effective.

I hope that the Minister will respect the distinction that we draw between offences committed with intent and those committed under strict liability. We support the greater use of an intelligence-led approach to hitting the real target—the human traffickers who breach not only immigration controls but risk the lives of people in desperate circumstance who are drawn into a web of pain to secure illegal entry.

Dr. Stephen Ladyman (South Thanet): Human trafficking is evil, and the new clause expresses the Government's attempt to deal with the exploitation of refugees. That is to be welcomed, but I hope that my hon. Friend the Minister will clarify an element of the proposals that has been much discussed in the media. It has been suggested that a humanitarian who brings into this country a person escaping from oppression or torture might be found guilty of a criminal offence under the Bill. Will my hon. Friend confirm that, if refugees declare themselves to be such at a port of entry and apply for asylum there, they will not be considered clandestine and that no humanitarian in such circumstances will be committing an offence?

Mr. Wardle: I am sure that the House supports the new clause and I do not intend to detain hon. Members for more than a moment. However, will the Minister say whether the seven-year sentence has applied since the 1971 Act was introduced, or has it been amended subsequently? If my hon. Friend the Member for Hertsmere (Mr. Clappison) is correct in suspecting that there has been a great increase in racketeering—that is my impression, and I believe that it may be the Minister's also—is an uplift in the sentence from seven to 10 years a sufficient deterrent to the professional racketeers that we are trying to warn off?

Also, can the Minister give the House an idea of the number of convictions for this offence which have been secured in the past couple of years? If he cannot do so now, I hope that he will be able to in due course.

Mr. Bottomley: Like my hon. Friend the Member for Bexhill and Battle (Mr. Wardle), I seek information on the pattern of sentencing and the number of convictions. That would allow us to see whether raising the sentence from seven years to 10 is a demonstration change made in Parliament or a real change on the ground.

Secondly, is there any kind of bounty system? If some people undertake illegal commerce for gain, it is likely that others might wish to gain small amounts of money

[Mr. Bottomley]

for information that would lead to detection. It seems odd to pay large amounts for trials and to keep people in jail but not to use some imagination and some small sums of money to make people suspicious of those around them who may be involved in illegal activi .

Mr. O'Brien: I am grateful to the various Members who have welcomed the increase in sentence. Racketeering and trade in human misery is increasing, as the hon. Member for Hertsmere (Mr. Clappison) said, and we need to ensure that the law against racketeering is vigorously enforced. We need an intelligence-led approach, and, since entering government, we have encouraged the security services to co-operate with their contacts in other European and eastern European countries so that we can increase our information from those countries. Our co-operation with various countries is improving and we continue to work hard on it. Members of the immigration service and the Immigration and Nationality Directorate have made various visits to build on contacts as well as maintaining contacts with Europol and other Governments.

I have met Ministers from various countries and have visited countries in central Europe and I have encouraged them to take the initiative and to build on the gathering of intelligence about facilitation that takes place through their countries. In particular, much of the trade is directed through central Europe. Much co-operation is occurring, and convictions are being achieved in other European countries as a result of the exchange of information that we have generated.

We are also trying to disrupt and discredit traffickers. It is sometimes difficult to achieve a conviction because of lack of evidence. However, we may be able to disrupt the trade, and trade is falling off in several places, although I cannot go into detail on that.

I am grateful to the hon. Member for Sheffield, Hallam (Mr. Allan) for his welcome for the new clause. Traffickers and gang masters are a serious problem, and we need an array of laws in order to deal with them. My hon. Friend the hon. Member for South Thanet (Dr. Ladyman) asked about those who bring in refugees for humanitarian reasons, perhaps those who are fleeing for their lives. The only offence is to facilitate the entry of an asylum seeker or someone seeking refuge under the European convention on human rights if it is done for gain. It is not an offence to do so for humanitarian purposes. Provided that the asylum seeker makes a proper and honest claim as soon as he or she arrives, the person would not be prosecuted.

The hon. Member for Bexhill and Battle (Mr. Wardle) asked whether seven to 10 years was enough. We are advised that it is. The courts have asked for an increase because of the increasing sophistication of racketeers coming before the courts. We will monitor the sentence and, if it proves to be insufficient, we will consider increasing it further.

4.15 pm

There is clear evidence that because people trafficking can be very profitable, criminal gangs are moving away from dealing in drugs to dealing in people. The people concerned want to be part of the exercise, so it is easy to get money out of them. The organisation of those trips across Europe to Britain and other European countries is very sophisticated, and large operations often involve contacts between different gangs in different countries who all take a share of the profits. We are monitoring closely the extent to which contacts are developing between those criminal gangs. I cannot give the hon. Gentleman the figures for last year's convictions, but I shall obtain that information and write to him.

The hon. Member for Worthing, West (Mr. Bottomley) asked whether bounties were offered in return for information. I suspect that that happens on a small scale. He is right to say that there may be grounds for developing that practice, and I shall further consider that idea.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 5

EEA NATIONALS

'.—(1) The Secretary of State may by regulations make provision for appeals against any decision taken in relation to an EEA national concerning his entitlement—

(a) to be admitted to the United Kingdom;

(b) to reside, or to continue to reside, in the United Kingdom; and

(c) to be issued with, or not to have withdrawn, a residence permit.

(2) The regulations may also make provision for appeals against any decision concerning the matters mentioned in subsection (1) taken in relation to a citizen of any other State on whom any such entitlement has been conferred by an agreement to which the United Kingdom is a party.

(3) An appeal under the regulations lies to an adjudicator or, in such circumstances as may be prescribed, to the Commission.

(4) The regulations may provide for appeals from the adjudicator or the Commission.

(5) The regulations may prescribe cases, or classes of case, in which a person is not entitled to appeal while he is in the United Kingdom.

(6) The regulations may make provision under which an appellant may be required to state, in such manner as may be prescribed, any grounds he has or may have for wishing to be admitted to, or to remain in, the United Kingdom additional to those on which he is appealing and for the consequences of such a requirement.

(7) Part IV has effect subject to any regulations made under this section.

(8) "EEA national" means a person who—

(a) is, or claims to be, a national of an EEA State (other than the United Kingdom); or

(b) enjoys, or claims to enjoy, an entitlement mentioned in subsection (1) because he is a member of the family of a national of an EEA State (other than the United Kingdom).

(9) "Member of the family" has such meaning as may be prescribed.

(10) "Residence permit" means any permit or other document issued by the Secretary of State as proof of the holder's right of residence in the United Kingdom.

(11) "The Commission" means the Special Immigration Appeals Commission.'—*[Mr. Mike O'Brien.]*

Brought up, and read the First time.

Mr. Mike O'Brien: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss Government amendments Nos. 31, 68, 71, 72 and 93.

Mr. O'Brien: EU law regulates the admission and stay of European Economic Area nationals and their family

members. I point out, for those who are not immediately familiar with the concept of the EEA, that it consists essentially of EU member states, as well as Norway, Iceland, Andorra and Liechtenstein.

In certain circumstances, an appeal right is required against a decision to refuse admission to EEA nationals or to withdraw a residence permit. Those rights are set out in the Immigration (European Economic Area) Order 1994, where they cross-refer to appeals under the Immigration Act 1971. We are repealing that Act's appeal provisions, and therefore need to amend the EEA provisions.

In the consultation paper on appeals that we published last July, we pointed out that the relationship between the 1971 Act appeals and the EEA appeals was confusing and needed to be addressed. The responses supported our proposal to separate EEA appeals. We therefore intend to provide clear, stand-alone appeal rights in line with EU law. Procedurally, however, the exercise of those rights will be integrated with any non-EEA rights of appeal to which the person may be entitled, and the one-stop system will be applied to ensure a quick and decisive outcome.

The new clause enables us to make regulations providing for EEA appeals in the circumstances required by EU law; defines necessary terms of reference, and enables the regulations to apply the one-stop procedure and restrict access to non-EEA appeals where appropriate. I invite the House to accept the new clause.

Mr. Clappison: This is another new clause that is being introduced at a late stage and concerns a new matter that was not subject to the Special Standing Committee procedure. The Minister echoed the earlier remarks of the Home Secretary on a similar new clause and said that new clause 5 was foreshadowed by a consultation paper last year, so those who are interested in these subjects were put on notice. I say to the Home Secretary and the Minister that those who gave evidence about the Bill—expert groups, immigration lawyers and so on—were expected to deal only with matters that were included in the Bill. It would have been difficult for them to foresee all the matters that the Bill could possibly have included, so it is a bit much to expect them to have commented on matters that were not included.

The Minister has explained his new clause to the House. He is a fair man, and if he had been on the receiving end of that explanation, he would agree that it was not, on first hearing, clear to all concerned. It involves a certain amount of legal technicality. I think that the gist of the Minister's comments was that this is some tidying-up exercise caused by other changes to the rights of appeal, in order to bring those for EEA citizens into line.

We still wonder why all these matters could not have been foreseen and included in the Bill earlier, so that we could have considered the changes to the rights of appeal alongside the others, and so that those who are interested in these matters, including immigration lawyers, who are far more versed in them than we are, had an opportunity to comment.

I am not a conspiracy theorist, but if I were, I would have been awake for several nights having read the new clause. The Minister told us that the proposal to bring our legislative position on EEA nationals' rights into line with that of the rest of the European Union was included in the Lord Chancellor's consultation paper in July, yet we did not hear any more about it—a conspiracy theorist might deem that a remarkable coincidence—until the new clause was tabled on Thursday. If I were a conspiracy theorist, I could have a field day on speculation arising from that, but I am not, so I shall simply put a question to the Minister. Are the rights of appeal of EEA nationals being dealt with in this way to meet the requirements of European Community law?

Mr. O'Brien: The hon. Member for Hertsmere insists that he is not a conspiracy theorist, yet the great Tory conspiracy theory about Europe and all things European seems to have raised its ugly head in his speech on a fairly innocuous new clause.

Mr. Clappison: I am a subscriber to the cock-up theory, which will come in very useful in later debates.

Mr. O'Brien: Having served in the previous Government, the hon. Gentleman would know a lot about that.

There has not been a conspiracy. All that has happened is that we have issued a consultation paper on the way in which we should deal with the need to bring provisions for EEA nationals into line with European Union requirements. There is no enormous extension of provisions to cause any controversy. The new clause merely tidies up and clarifies matters, providing a stand-alone set of rules to replace the hotch-potch. I do not say that as any criticism of the previous Government; it is just the way in which things have developed. As a result, we shall have a clear set of rules on the procedures, and those who need to access them will be able to do so. The House should support the new clause and the amendments.

The hon. Member for Hertsmere referred to the fact that the terms of the Special Standing Committee did not extend to either the consultation paper or the White Paper. In retrospect, that is regrettable; we live and learn. The process surrounding the Special Standing Committee was new. If I remember rightly, we all considered its terms of reference and decided that they were right. It was always clear during our preparation for the Bill that all it would do was implement the legal part of the policy outlined in the White Paper, so everyone was aware of the Bill's source. There was in no sense an attempt to evade the process.

The hon. Gentleman is right to say that we could consider such issues and, when setting the terms of reference for any Special Standing Committee, take into account the broader context in which policy is developed.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 6

SUPPORT FOR CHILDREN

"—(1) In this section "eligible person" means a person who appears to the Secretary of State to be a person for whom support may be provided under section 80.

(2) Subsections (3) and (4) apply if an application for support under section 80 has been made by an eligible person whose household includes a dependant under the age of 18 ("the child").

(3) If it appears to the Secretary of State that adequate accommodation is not being provided for the child, he must exercise his powers under section 80 by offering, and if his offer is accepted by providing or arranging for the provision of, adequate accommodation for the child as part of the eligible person's household.

(4) If it appears to the Secretary of State that essential living needs of the child are not being met, he must exercise his powers under section 80 by offering, and if his offer is accepted by providing or arranging for the provision of, essential living needs for the child as part of the eligible person's household.

(5) No local authority may provide assistance under section 17 of the Children Act 1989 (local authority support for children and their families) in respect of a dependant under the age of 18, or any member of his family, at any time when—

(a) the Secretary of State is complying with this section in relation to him; or

(b) there are reasonable grounds for believing that—

(i) the person concerned is a person for whom support may be provided under section 80; and

(ii) the Secretary of State would be required to comply with this section if that person had made an application under section 80.

(6) "Assistance" means the provision of accommodation or of any essential living needs.

(7) Subsection (8) applies if accommodation provided in the discharge of the duty imposed by subsection (3) has been withdrawn.

(8) Only the relevant authority may provide assistance under section 17 of the Act of 1989 in respect of the child concerned.

(9) "Relevant authority" means the local authority within whose area the withdrawn accommodation was provided.

(10) In such circumstances as may be prescribed, subsection (5) does not apply.".—*[Mr. Straw.]*

Brought up, and read the First time.

Mr. Straw: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following: Amendment No. 15, in clause 79, page 51, line 2, leave out 'or' and insert—

'( ) is a child who is being looked after by the asylum-seeker, or his spouse, who is under 18 and dependent on him; or'.

Government amendment No. 70.

Amendment No. 1, in clause 101, page 62, line 37, at end insert—

'(2A) Subsection 1(e), (j) and (k) of this section shall not apply to an asylum seeker who has a dependant under the age of 18, but income support shall be paid at the urgent cases rate as prescribed.'.

Government amendment No. 3.

Amendment No. 27, in clause 108, page 66, line 38, leave out 'may be' and insert 'are being'.

Mr. Straw: A good deal of reference has rightly been made in our debates on the Floor of the House to the work of the Special Standing Committee and to the debate outside the House that that work generated. I have never believed in the theory that what Ministers and their officials produce and present to the House at First Reading is perfection and can never be worthy of improvement. Indeed, it would render the work of the House otiose if that were the case. Sometimes the way in which a policy is put into practice has not been dealt with satisfactorily in a Bill; sometimes the policy itself may have to be changed. That is part of the very important work of the House. Sometimes, even if the Minister does not want to change the policy, the House decides that it does. It is for Ministers to propose and for Parliament to dispose.

The work of the Special Standing Committee has enhanced the scrutiny of the Bill. That is very much to the credit of the system as well as to the credit of Members who served on the Committee and those who gave evidence to it.

I hope that my hon. Friends will agree that one of the areas that came within the first category of which I spoke—where the policy, which I hope to justify to my hon. Friends, was clear, but where we accept that the execution of the policy and the words used were not satisfactory—relates to the references in the Bill to the Children Act 1989. Wider issues are associated with that, some of which will be debated now, and some later. Given the original wording of the clause that started as clause 99 and is now clause 108, there has been understandable concern about whether we are seeking to remove from the children of asylum seekers the protection afforded by the 1989 Act.

The Government never intended to remove from asylum seekers the protection afforded by the 1989 Act. Rather, it has been our intention to transfer responsibility for providing accommodation and essential living needs from local authority social service departments to the new Asylum Support Directorate of the Home Office. There was nothing sinister in the wording of what is now clause 108, so I assure the hon. Member for Hertsmere (Mr. Clappison) that there was no conspiracy.

Mr. Allan: Or a cock-up?

Mr. Straw: No, not even a cock-up. Sometimes, first efforts and second efforts do not amount to what is needed, so things need to be changed.

If the House expects Ministers to come to this place and to propose amendments in light of discussion, it is important that there should be some good will on both sides, and a recognition—I make a general, not an ad hominem point—that it is easier for Ministers to do so if they are not accused of a conspiracy or cock-up every time that they make a change in response to criticism in the House. A more accurate accusation would be that we have listened carefully to the arguments and accepted them, as is the case here.

We have decided to replace clause 108 with new provisions which I believe express far better the intentions of Ministers, and which in particular respond to the concerns of hon. Members, especially Labour Members, about the protection that the Bill should provide for children. The new clause places on the Secretary of State a duty in respect of children—defined as dependants under the age of 18—of asylum seekers. Where the Secretary of State considers that adequate accommodation is not being provided for the child in question, or that the child's essential living needs are not being met, the Secretary of State will have a duty—not a discretion, but an obligation—to use the powers under clause 80 to offer to provide that.

4.30 pm

The phrases in new clause 6 are drawn from equivalent phrases in the Children Act 1989. The purpose is to ensure that the assistance provided in such cases is comparable with that provided under section 17 of the Children Act 1989, of which, for these purposes, local authorities are being relieved. Where the Secretary of State's offer is accepted, he falls under an obligation to provide, or to arrange to have provided, the necessary accommodation or other living needs.

That will address the basic needs for accommodation, food and other support of the asylum-seeking family. As at present, local authority social services departments will retain responsibility for addressing the individual needs of children that extend beyond the norm—for example, needs that arise from physical, medical or educational problems.

We recognise the care and expertise with which social services departments have exercised those duties. The House will recognise in turn that it was never Parliament's intention when the Children Act 1989 went through the House that the Act should be used, as it has come to be used, to deal with the day-to-day living needs of asylum seekers.

The local authorities had that duty imposed on them only as a result of a landmark judgment by the Appellate Committee of the House of Lords, following the previous Government's refusal to provide for any support for in-country applicants for asylum. We can debate the matter at greater length on Third Reading.

One of the reasons why we objected so strongly to the Asylum and Immigration Act 1996, which the right hon. Member for Maidstone and The Weald (Miss Widdecombe) mentioned yesterday—I make no apology for our opposition to it—was that we believed that the 1996 Act would neither be fair nor effective. It has certainly not proved effective—which is why, three years later, we are having to introduce a comprehensive reform of asylum and immigration law—and it is also profoundly unfair.

The 1996 Act was so unfair that asylum seekers took a number of local authorities to court on the ground that there must be some duty on someone to support children who would otherwise be destitute. The noble and learned Members of the Appellate Committee stated that, unless Parliament clearly intended to remove all measure of support from statute, in their judgment, the duty fell to local authorities under the provisions of the Children Act 1989 and, in respect of single people, of section 21 of the National Assistance Act 1948.

Members of the Appellate Committee were judicially interpreting parts of those two Acts in a way that had not been anticipated, but they did so to meet a profound social need. As I have explained and will explain again, we seek to meet that need in a different way.

I recognise that hon. Members want to ensure that the children of asylum seekers are not treated significantly differently because of their asylum status. They will not be. Local authorities are being relieved of their support powers. Local authorities—as it happens, many controlled by the Labour party, but some controlled by other parties—in inner London boroughs and in some Kent districts pleaded with us to relieve them of the burden of supporting asylum seekers in their areas because they could not cope.

Anyone who knows the true burden that has fallen on Kent social services department, on Dover district council and on inner London boroughs including Westminster, Camden, Lambeth and Hackney, as well as Waltham Forest and one or two outer London boroughs, will understand why some of those authorities have been at the end of their tether. Fifty per cent. of all asylum-seeker families are being supported by a handful of local authorities. That burden is simply unsustainable, so we propose instead that local authorities be relieved of their support powers and that those be replaced with a duty on the Secretary of State to provide support.

Aside from local authorities' objections about the disproportionate burden that was falling on a handful of authorities, there was also the fact that, in practice, the kind of support that was being provided by local authorities differed considerably from one authority to another.

No authority has the power to pay any cash whatever to singles. Thus our provision for a mixture of vouchers and cash represents a significant improvement, as I pointed out on the radio yesterday. Local authorities have a power to provide some cash and some benefits in kind to families, but their provision has varied considerably. In some areas, all the provision has been made by way of vouchers, whereas in others it has been made by a mixture of cash and vouchers. I do not happen to think that that is a satisfactory arrangement, and neither do the local authorities. There is now a clear duty, which will be exercised consistently across the country.

I understand—although I do not accept—some of the arguments that the level of support is not sufficient, but we can at least now have a proper argument about what the appropriate level of support should be. Moreover, as the regulations to underpin the primary powers in the Bill are introduced, there can be further and more detailed discussion about the precise levels of support.

I shall now deal with some of the other amendments in the group. Amendment No. 15 follows a similar amendment that was tabled in Committee. As we made clear on that occasion, we intend that the family group to be supported under part IV of the Bill should be the same as in the substantive asylum application. I wish to make it clear, particularly to my hon. Friends who are concerned about whether the definition of "family" includes only blood relations, that that is not the case. It may include minors who are not children—blood relatives—of the principal applicant, but who nevertheless live as part of the asylum seeker's family unit, either because they have been separated from their own parents or for some worse reason, for example, because their parents have been killed. That could include children who are totally unrelated to the asylum seeker concerned, as well as those who are more distantly related, such as nephews and nieces.

For that reason, although for the purposes of the support arrangements, a "dependant" is defined in clause 79 as the spouse and minor children of the asylum seeker or of his spouse, there is provision for regulations to be made adding to that definition, and it will be so added to. In the light of the reassurance that I have given that we intend that the family group for the purpose of the support arrangements should be the same as for the asylum application, I hope that those who tabled amendment No. 15 will accept that there is no need for it.

[Mr. Straw]

Amendment No. 1 seeks to exclude asylum seekers with families from the new support arrangements by allowing them access to the social security benefit system throughout their application for asylum. That would affect over 10 per cent. of all asylum seeker households. Last year, for example, some 6,000 applicants—a little more than 10 per cent.—had dependants. Altogether, those 6,000 had 13,000 dependants, so the total number of people, and the burden on the social security system, is significantly greater—it is about three times greater—than the proportion of asylum seekers with dependants to the total number of principal asylum applicants.

To exclude asylum seekers with families from those arrangements would be to drive a coach and horses through a central part of our proposals. We are fully committed to supporting destitute asylum seekers for as long as it takes to consider their applications. We are also committed to that because to do otherwise would be to breach our convention obligations.

Our commitment goes further in the case of families, although that point has sometimes not been understood outside the House. Such families will be supported for as long as they remain in this country. That includes families that may have lost, on their initial application, any appeal and any judicial review, and families awaiting removal or deportation. Families with children will be supported under the arrangements as long as they are here, but the whole purpose of this part of the Bill is to support asylum seekers separately from the mainstream social security system.

There are two reasons for that. First, asylum seekers have distinctive needs which are best addressed through the new support arrangements. They generally arrive with no possessions and need help in acquiring living essentials and adjusting to living in a strange country. Secondly, for some people claiming to seek asylum, the current benefit system is a real attraction. I do not by any means suggest that that applies to every asylum seeker, but we would be naive not to recognise that factor.

It is important in that context to get across again the fact that asylum seekers are people who are in very different circumstances. For example, the asylum seekers who last year came from Somalia, Afghanistan, Iraq and the former Yugoslavia were almost always able to establish a claim for asylum or for exceptional leave to remain in this country. In the case of some countries, 98 per cent. of people—singles as well as those with dependants—are able to establish a claim. Applicants from those four countries account for 70 per cent. of all acceptances of refugees or people given exceptional leave to remain.

A group of about 14 countries—such as Turkey, Nigeria, Algeria, Iran, the Democratic Republic of Congo and Sierra Leone—contributes almost all the other acceptances. The proportion of acceptances ranges from 6 per cent. for applicants from Turkey up to 82 per cent. for applicants from Rwanda. There is a mixed picture and I concede that some of those who are rejected, either for refugee status or for exceptional leave to remain, have none the less made their claims genuinely and in good faith, although they cannot establish them.

Another 16 countries accounted last year for 14,000 applications, almost every single one of which was abusive and neither genuine nor well founded. They include Eritrea, Pakistan, China, Poland, Lithuania, India, Romania, Kenya, Slovakia, Albania, Latvia, the Czech Republic, Bangladesh, Ukraine, Ecuador and Indonesia. In some cases, virtually none of the applicants have ever been able to establish a claim that their application is well founded.

I turn to the number of applications that have been accepted in the past. The figure for Indonesia, the Czech Republic and Slovakia is nil, and fewer than five applications were accepted from Poland, Albania, Lithuania, Latvia, Bangladesh and a couple of other countries. The numbers are tiny, and applications from those countries are typically facilitated by criminal gangs. Such people come here partly to make use of the benefit system. No Government can readily accept that.

4.45 pm

Mr. Allan: Will the Home Secretary clarify for the record that the largest number of asylum seekers—that is, applicants—come from the top four countries that he named: the former Yugoslavia, Afghanistan, Iraq and Somalia? The largest national groups to whom the support system will apply will be those very groups whose asylum claims are likely to be recognised.

Mr. Straw: I accept what the hon. Gentleman says as a matter of arithmetic, and I defend the system that we are putting in place. As the House knows—I shall put it on the record—we intend to ensure that families are dealt with under the new system within two months. If their cases are genuine and well founded, as we have adjudged them to be in the past, it is highly probable that they will be in the system for only two months, because they will then be granted refugee status or exceptional leave to remain and will not have to make an appeal.

My hon. Friend the Minister has ensured that these cases are dealt with sympathetically and quickly, and that if we accept a case, we do not let it niggle and go to appeal.

Ms Diane Abbott (Hackney, North and Stoke Newington): I have listened with great care to my right hon. Friend's argument, because it is at the heart of his case for the proposed support system. For the avoidance of doubt, will he confirm that the voucher package he proposes is designed to be a disincentive? Is he content for the large number of people who turn out to be genuine Geneva convention refugees to suffer in order for the system to act as a disincentive to others who are merely economic refugees?

Mr. Straw: I am not saying that. The proposed system is designed as a fair and just way of supporting people seeking asylum in this country. The availability of cash benefits—the provision that we are making, but by a different means—is open to abuse and is abused, as, I suggest, my hon. Friend and everyone else knows. There is no question but that there is a small industry of people coming in and seeking cash benefits at port. One of the attractions is the availability of cash benefits.

I am clear that the support we provide will ensure that no asylum seeker remains destitute. We are using the voucher system not to disadvantage existing asylum seekers but to ensure that social security benefits, which were never designed for this purpose, are no longer

available, because that amounts to an incentive to people who have no claim whatever to come to this country and abuse the system. That is a different point.

Ms Abbott: I hate to quibble with a colleague who is both a distinguished Home Secretary and a distinguished lawyer, but if cash benefits are an incentive and if his system is supposed to be superior to cash benefits, it must, of necessity, be a disincentive. One of the problems I have with this system is that it is quite wrong to have a welfare system that is set up on the basis of the old poor law deliberately to be a disincentive.

Mr. Straw: I do not accept that that is what it is, but I also do not think that it is sensible policy making to set up a system that is an open invitation to fraud and abuse, as is the system of cash benefits. I remind my hon. Friend that that system is currently available only to people who apply at port. Many of the people who have more well founded applications do not apply at port, because of the way in which they have come into this country. Many of those with profoundly unfounded claims who come in clandestinely, who know the ropes and who apply at port are able to use the cash benefits system, unlike those with well-founded claims. I do not think that that is sensible.

I also do not think that it is sensible for us to end up with a system under which some asylum applicants enjoy one type of support, whereas others enjoy a quite different one through local authorities.

On the matter of the poor law, we do not have to look into the crystal ball or in history books to see how a system such as that which we propose would work. We know about it from the experience of local authorities, and I have not heard local authorities say that they are providing "poor law" assistance. Those that provide assistance have worked commendably hard, and on the whole the results have been good. Their problem, and ours—it is a problem in my hon. Friend's area, as it is in many other parts of inner London—is that the burden on individual authorities is far too great. That is why we need a national system.

I know that many of my hon. Friends wish to speak, as do Opposition Members. *[Interruption.]* My Parliamentary Private Secretary, who is not supposed to say a word, asks "What Opposition Members?" In any event, it is probably sensible for me to stop speaking now, listen to what my hon. Friends have to say and respond later.

Mr. Jeremy Corbyn (Islington, North): Will my right hon. Friend give way?

Mr. Straw: I was trying to be helpful to my hon. Friends.

Mr. Corbyn: I am trying to be helpful to the Home Secretary.

Mr. Straw: As ever.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I cannot allow two Members to be on their feet at the same time, and I am trying to decide who should have the Floor. I call the hon. Member for Islington, North (Mr. Corbyn).

Mr. Corbyn: Before sitting down, will my right hon. Friend tell us the cost of bringing back a social security benefits system for asylum seekers, and his estimate of the cost of the system that he proposes and the system that local authorities have been operating for the past three years?

Mr. Straw: I shall endeavour to provide those figures when I sum up the debate.

Mr. Clappison: I shall concentrate on the new clause and on amendments Nos. 15 and 27, which I tabled along with other Opposition Members. I should add that amendment No. 27 relates to clause 108, and as clause 108 is to be taken out of the Bill, is probably redundant.

We are dealing with an important subject which has caused considerable concern to all who have commented on the Bill—both in the House and outside—and to the witnesses who gave evidence to the Special Standing Committee. Hon. Members will have become more familiar than ever with the body known as the United Nations High Commissioner for Refugees in recent weeks, because of its activities in the Balkans. It was Hope Hanlon of the UNHCR who described the arrangements for children proposed in the Bill as

"fundamentally unacceptable, and even inhumane"

Serious concern has also been expressed by a wide range of major children's charities, including Barnardos, the Children's Society, UNICEF and the Save the Children Fund, as well as by a number of religious groups and interested organisations.

New clause 6 takes the debate a stage further. As the Home Secretary has said, it replaces clause 99, which sought to deprive the children of asylum seekers of some of the important protection afforded by the Children Act 1989. The Home Secretary says that the Government have listened to views that have been expressed. I think that they could scarcely have done otherwise, given the volume of concern expressed to them. We shall see in a moment just how much of what the Government have heard they have implemented, but new clause 6—the modified version of the Government's original intentions—is still the subject of serious concern in children's charities and other organisations, on the grounds that formerly applied to clause 99.

The Government, however, have now retreated from clause 99. Indeed, there seems to be a wide consensus that it was a bad clause. I could say that a political spectrum is opposed to clause 99—now clause 108. Amendment No. 3 removes the clause from the Bill. It is signed by, among others, me, my right hon. Friends, the Secretary of State and the hon. Member for Islington, North (Mr. Corbyn).

Mr. Straw: The new politics.

Mr. Clappison: We could hardly get a wider spectrum than that. I will leave it to hon. Members to guess who stands where in the spectrum.

Clause 99 has now become clause 108, which is to be taken out of the Bill. The key question that we need to deal with is: does new clause 6, replacing clause 108, meet the concerns that generated such widespread opposition to the original clause?

[Mr. Clappison]

As the Home Secretary said, the Government's intention is that the needs of children of asylum seekers should be met through the new asylum support system, rather than through section 17 of the Children Act 1989, or indeed any other provisions. Quite a number of statutory responsibilities have been stripped away from various agencies by the Bill, but it is section 17 that is the most important. The Home Secretary said that the Government's intention was to transfer the responsibilities under section 17 from local authorities to the new asylum support organisation. That may be the Government's intention, but we have to ask: do new clause 6 and the transfer protect children in as comprehensive and assured a way as section 17 does and was intended to do?

Clause 108 asserted that, if the families concerned were eligible for support under the asylum support system, their children could not be given protection under section 17. That created a problem for families who were entitled to receive support under the asylum support system, but did not, in fact, receive such support for one reason or another, which was all too possible because of the rigidities and inadequacies of the way in which the Government's asylum support apparatus is designed.

We were concerned—and so were many others—that children could slip through the safety net that the Government were seeking to put in place and that, as a result, children and families could suffer hardship, especially children who were taken into care and separated from their families—which is undesirable and should be avoided if possible—or even worse. If children slip through the asylum support system because of its inadequacies, local authorities will not have section 17 powers to step in and to provide protection for those children and to keep them with their families.

The Home Secretary has asserted that it was not the intention of the framers of the Children Act to cater for situations such as the one that he has outlined. That may be so, but he is wrong in one respect. The framers of the Act, which received all-party support, intended to provide comprehensive protection for children, covering all contingencies; going back to the spirit of the Act, I think that that was its intention.

Indeed, the Opposition of the day—which was, of course, the right hon. Gentleman's party—sought and received assurances from the then Government that the Act would provide a safety net to protect children and to keep families together, even when homelessness legislation or possibly—although they did not contemplate it at the time—immigration and asylum legislation failed children. Their intention was that all children should receive comprehensive protection.

That was the assurance that was sought by the then Opposition. That was the assurance that was given by the then Government. I give way to the hon. Member for Walthamstow (Mr. Gerrard) on that point. *[Interruption.]* I am sorry; I thought that he wanted to intervene. I may have brought some twinges of recollection to his mind. He will perhaps remember the amendment that was moved by the right hon. Member for Coatbridge and Chryston (Mr. Clarke)—then the Member for Monklands, West—who sought to include that very assurance in the Bill.

5 pm

Such an assurance was the basis of the Children Act 1989, which Barnardos described as

"a landmark piece of legislation implemented with all-party support establishing the principle of acting in the best interests of the child and providing a framework for protecting and safeguarding the welfare of all children who were on British support."

Barnardos goes on to say:

"We are aware that the Government's intention in clause 108 is to only remove families, whose needs arise out of their being destitute, from section 17 of the Children Act. This introduces a discriminatory element into the working of the Act and violates its overarching principle that the child's welfare shall be the court's paramount consideration."

Back in 1989, the right hon. Member for Coatbridge and Chryston, speaking for the then Opposition, said:

"It is to assert the paramountcy of the child's interest that we have tabled the amendment."—[*Official Report, Standing Committee B*, 18 May 1989; c. 137.]

Today, however, the roles have been reversed. We still support the principle of the 1989 Act—that all children on British soil should be given the same protection—and are now seeking an assurance from the Government that that principle shall continue in legislation. We want there to be a safety net for all children, because no child should go without protection. Labour Members may care to reflect on the fact that the previous Government were prepared to give such an assurance.

Mr. Straw: I have sought to give the assurances that the hon. Gentleman is seeking. However, is he saying that he believes that the current arrangements—in which the burden falls disproportionately on a handful of local authorities—should continue?

Mr. Clappison: The first part of the Home Secretary's intervention seemed to contradict the second part. He has been attempting to tell us that the Bill is as good as the 1989 Act and that it will provide the same protection, and we are questioning whether that is so. The matter requires examination. The Home Secretary seemed also to be saying that the Bill will not offer the same protection.

Mr. Straw: The whole purpose of new clause 6 is to transfer the duty for asylum-seeker families that arises under the 1989 Act to the Secretary of State; but it amounts to the same duty. The hon. Gentleman seems to be saying that he believes that that duty should be undertaken only by individual social services departments, and that he therefore disagrees with many Conservative-controlled local authorities, such as Westminster, which say that the burden is falling intolerably on them and should not continue. Will he clarify the point?

Mr. Clappison: The Home Secretary is meandering on to an entirely different path. The issue at stake is whether the provisions of the Children Act—which has been in force since 1989, through much of the life of the previous Government—will continue. Will future arrangements for children preserve the same duty?

Mr. Straw: I am grateful to the hon. Gentleman for giving way again, but I need to press him on this point. We—but also Conservative-controlled local authorities—need to know whether he is saying that current

arrangements should continue, or whether he accepts the comments of local authorities—such as Westminster, but also many others—that the current burden is intolerable.

There is common ground on the issue of the duties imposed by the 1989 Act, although who should bear those duties is a separate issue. However, the hon. Gentleman has been dodging the question that I have asked him three times. Is he saying that the current system—in which individual local authorities support asylum seekers without national arrangements—should continue?

Mr. Clappison: It is a separate point. However, if the Home Secretary wants to move on to the matter of dispersal—*[Interruption.]* That is the issue exciting his colleagues from Kent—the hon. Members for South Thanet (Dr. Ladyman) and for Erith and Thamesmead (Mr. Austin)—and perhaps other Labour Members. The Home Secretary may be aware that, in Committee, the Opposition—unlike all his colleagues in Committee—made it clear that, in principle, we did not oppose, but supported, the Government's proposal. If Ministers look at the Committee's proceedings, they will see that that is so. We did not oppose what the Home Secretary was trying to do, but were asking about the protection of children, which is quite a separate matter.

Dr. Ladyman: Will the hon. Gentleman give way?

Mr. Clappison: Yes, the hon. Gentleman was on the Committee and he will be able to confirm my point.

Dr. Ladyman: I put it to the hon. Gentleman that, in Kent, the burden of supporting children under the Children Act currently falls on the pocket of council tax payers. The Government's amendment would transfer the cost to the Secretary of State. Is he or is he not in favour of that transfer?

Mr. Clappison: The hon. Gentleman will remember that, in Committee, we supported what the Government were trying to do and that it was his hon. Friends who had difficulty. Incidentally, I am glad that the hon. Gentleman has now found his voice, which was not often heard in the Committee. We made our support quite clear, even though the Government's aims are controversial in some quarters. I know that some hon. Members view the system as being one of forced dispersal, and we have some concerns about the details, but that is a separate point. My question to the Home Secretary now is whether the protection being given under new clause 6 is as good as the protection currently available under the Children Act. New clause 6 is intended to look as though it offers greater protection, but does it in fact merely draw a veil over a hole that stubbornly remains?

The new clause is certainly complicated. Subsections (3) and (4) are its key provisions, but subsection (5) continues to deny children protection under section 17 of the Children Act. Do subsections (3) and (4) protect children by allowing for the provision of accommodation and living needs? Under subsections (3) and (4), the Secretary of State decides whether the accommodation or support being provided for the child is adequate. Many of those involved, including the Immigration Law Practitioners Association, are highly critical of the substantial number of provisions in the Bill containing that form of test, which leaves matters at the mercy of the Secretary of State—in practice, at the mercy of officialdom.

An even more significant issue arises when we consider how the Secretary of State is to intervene to protect those children who he decides are not being provided with adequate accommodation and living needs. In those circumstances, the Secretary of State must exercise his powers under clause 80 to offer help. The problem is that it may well be that the Secretary of State has already exercised his powers under clause 80 and that it is that exercise of powers which has created the situation in which the child is going without accommodation or support. Given the rigidity and inadequacy of clause 80 and the asylum support system, that is all too possible; and, as the hon. Member for South Thanet will remember, expert witnesses said that that might happen.

Those expert witnesses also warned of another danger inherent in the Government's system. We all want asylum seekers to be dispersed, but the system is so rigid and inflexible that asylum seekers might well be dispersed from Kent and London, but end up drifting back to Kent and London because of the statutory prohibition on their preferences being taken into account.

Mr. Mike Gapes (Ilford, South): I represent a London borough in which there are many Somali asylum seekers, and I am in favour of a dispersal policy, provided there is adequate support in other parts of the country. Is the hon. Gentleman saying that people would be able to reject the accommodation and support provided in the north of England and go back to a London borough, and that it would then be for the borough to shoulder the burden of their support, even though such boroughs are already experiencing the problems that have triggered the need for a dispersal policy?

Mr. Clappison: The hon. Gentleman was not a member of the Committee, so he may not realise that, in Committee, we explained that we were in favour of dispersal, but that we were concerned that dispersal without any opportunity to take preferences into account—the Secretary of State will be statutorily forbidden to take preferences into account—would create a far higher risk of asylum seekers being dispersed to one part of the country but drifting back to another. In short, we wanted to avoid the sort of problems identified by the hon. Gentleman.

Let us take the case originally brought to the attention of the Special Standing Committee by the Immigration Law Practitioners Association as a critique of the original clause 99 and clause 108. I shall quote briefly from the ILPA evidence to the Committee:

> "What of the child whose destitute asylum seeking parents 'may' qualify for s74 support, but have disentitled themselves by rejecting an offer of accommodation in a far flung location? Is the child to be separated from them and taken into care for the lack of s17 powers to meet his needs within his family?"—[*Official Report, Special Standing Committee*, 17 March 1999; c. 262.]

That scenario is all too possible, given that the Bill forbids the new agency from taking preferences into account. The Government appear to have given no ground in the new clause. They have questions to answer on the protection of children and their welfare.

[Mr. Clappison]

The Government have ignored suggestions from the Conservatives and others that would have made the system a little more flexible by allowing some preferences to be met. Asylum seekers would still be dispersed around the country to relieve the pressure on Kent and London, but there would be less risk of their drifting back. Local authorities and others in those areas have experienced that and warned us about it in their evidence to the Special Standing Committee.

How will subsections (3) and (4) of the new clause work in the case put in the expert evidence of ILPA? It is the parents who reject an offer. We are concerned about the welfare of children, who should not suffer under any circumstances, whoever their parents are and whatever their basis for being in the country. The intention of the original Children Act 1989 was that any child on British soil should benefit from its comprehensive protection which puts their interests first. In the case put forward by ILPA, would a different offer be made? Why does the new clause exclude any support under section 17 of the Children Act 1989, whereas the original clause excluded only support under subsection (1) of that section?

We need to consider the Government's words to see whether they give effect to the Children Act. It is all very well talking about a transfer of responsibilities. Will the protection be as good as it is under the Children Act? In a written answer on 9 June, the Home Secretary said that the assistance to children of asylum seekers under the new clause would

"be comparable to what would otherwise be available under section 17 of the Children Act 1989."—[*Official Report*, 9 June 1999; Vol. 332, c. *333*.]

He has used similar words today. The word "comparable" creates a nagging doubt in my mind. The word is often used by officialdom in such circumstances. The hon. Member for South Thanet looks puzzled. We want "comparable" to mean "as good as". We want an assurance that the protection will be not just comparable with, but the same as, that afforded by the Children Act, the point of which was to provide a comprehensive safety net for all children.

We agree with the Government's wish for a policy of dispersal that works, although not all Labour Members do. We have tabled constructive amendments to make it work. We are afraid that the Bill increases the risk that it will not work. In all this, we want children to be protected and we want their welfare to be put first. The former Opposition sought comprehensive protection when the Children Bill came before the House in similar circumstances. The then Government gave that assurance. We are looking for the same protection. Will the Government live up to what they were seeking in opposition?

5.15 pm

Mr. Neil Gerrard (Walthamstow): I shall speak mainly about amendment No. 1. Over the past few weeks, my hon. Friend the Minister has listened to the concerns that have been expressed and he announced concessions on the support system in a written answer last week. His moves are welcome, but I do not believe that we have gone far enough. Amendment No. 1 would be a reasonable compromise. Many of us have serious concerns about the proposed voucher-based support system. Those concerns are particularly strong in respect of children. The amendment is a compromise, because it would leave others in a support system that has fundamental flaws.

I shall deal first with the principle of the support system. Over the past few weeks, the Government have changed the way in which they talk about it. They initially talked about it purely as a deterrent. It has gradually become clear that it covers more than 70 per cent. of income support, and they have softened their approach. I share the view of my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) that the support system was designed with the express aim of deterring abusive applicants. That is also true of other aspects of the Bill. There is a moral problem with a scheme that is designed to do that in the knowledge that it will inevitably also penalise the genuine. When some of those genuine applicants have young children, we should be concerned.

There are also practical issues. Is the proposed system better than the alternatives? Will it work? The Government are still saying that they believe that genuine applicants will not mind whether they are helped in cash or in kind, or what their location is. I seriously question that, particularly for families with children. I am sure that some of my hon. Friends will have comments to make about the effects of a voucher system on children. Location certainly matters. It matters whether young children are in the same area as others with the same ethnic background—children they can form relationships with, play with and go to school with.

We all agree that delivering the system with the concession that my right hon. Friend the Home Secretary announced last week in a written answer depends on speed. At Question Time this afternoon, my right hon. Friend the Prime Minister talked about targets, saying that an average decision time would be two months, or six months including an appeal. I am still confused about the meaning of the time scales. I have heard that the average length will be two months and that most cases will be dealt with within two months. That is confusing. Whether we are talking about an average or about most cases, it is not a norm that will apply to everyone. Some people will inevitably be in the system for significantly longer. That is important, particularly where children are concerned.

I am wary of suggestions that everything will be all right if we delay the introduction of the system. Let us say that the Home Office does not meet the targets by next April and there is a delay. Some of us have doubts about the ability of the Immigration and Nationality Directorate to plan for the new support system in any case, but the worst that we could do to it is ask it to plan for that system to be introduced at some unknown future date.

One cannot expect any organisation to deliver efficiently on that basis, let alone one that has experienced serious problems—even if we are told that they are being tackled—over the past year or two. If the targets are to be met, why do families with children have to be put through the bureaucracy and complexity of the support scheme, with all the decisions about whether they will be supported, at what level and where, and all the administrative costs of the voucher system?

The key argument, which I have heard frequently and which the Home Secretary has used again today, is that cash benefits would act as a draw. Some of the evidence in support of that has been anecdotal, such as that we all know that lots of Poles or Chinese turn up, get their benefit book at the port and go off to work illegally. The only hard evidence that I have seen in any of the Home Office documents is the statement that the claim is justified by what happened following the 1996 Act.

That Act took away cash benefits from in-country applicants. I recall that the then Government argued that any genuine applicants would claim asylum the moment they stepped off the aircraft or boat. We pointed out that 36 per cent. of the asylum claims granted by that same Government in 1994, and 27 per cent. in 1995, were to people who had applied at port; they had recognised many in-country applicants.

The argument that any genuine applicant would apply at port was a load of rubbish; but now we are hearing almost the opposite: that a fraudulent applicant will apply at port, because that is how to get benefits. That is the logic of the argument that cash benefits are a draw. Let us examine the evidence to support that claim. It is true that after 1996 the proportion of applications at port and in country changed. Before, about a third had been at port; in 1996, that went up to 40 per cent.; in 1997–98 to 51 per cent.; and this year, so far, it has gone back down to 40 per cent.

One might have expected that trend to develop, but one would also have expected it to be reflected in the figures for acceptance for asylum or for exceptional leave to remain. If there were real evidence that the availability of cash benefits to port applicants was a draw, one would have expected the percentage of people who were being granted asylum or exceptional leave as port applicants to start to drop away; but that simply has not happened.

In 1998, 39 per cent. of all grants of asylum were to port applicants; that is the highest figure in the past five years. In the same year, 64 per cent. of all grants of exceptional leave went to port applicants; again, the highest figure in the past five years. The majority of the people accepted, according to Home Office statistics, had applied since 1996.

Let us consider some of the individual countries, as the Home Secretary did earlier. It was suggested that everyone from Afghanistan is genuine; 80 per cent. of applicants from there, in each of the past four years, have applied at port. For those from Yugoslavia—also genuine applicants—the highest figure for applications at port in the past four years was 54 per cent., and this past year it was only 40 per cent. The figure for Somalia has hardly ever gone over 50 per cent.

We are told that China generates all these fraudulent applicants. In fact, before the benefit changes, 71 per cent. of Chinese asylum applicants in 1995 were at port, declining to 60 per cent. in 1996. In 1997 and 1998, the figures were down to 26 and 25 per cent. The trend has gone the opposite way. It becomes absolutely clear when one examines the figures that there is no hard evidence to back up the simplistic claim that cash benefits act as a draw.

The fact is that the statistics have never been analysed. I have not seen the slightest analysis of the figures from the Immigration and Nationality Directorate to back up the claim. One can play with statistics in various ways. For instance, there has been an increase in applications at port over the past few years from people from Pakistan. The best that can be said for the statistics is that they are not very clear. We should not base a significant change in policy—it is completely different from what we said in 1996, before the general election—on such dubious evidence.

A big mistake in discussing the asylum support system is to talk about it as if it were a right, which it is not. There is a gateway, and people have to prove that they are destitute to go through it. They will not all get accommodation and support in the form of cash and vouchers. The Home Office estimates in its asylum support manual that only 70 per cent. of families will get the full package of accommodation and support.

What happens to the other 30 per cent? It certainly cannot be pretended that they are getting more than 70 per cent. of income support to live on, because they will be getting only the cash and the vouchers and not, for example, payments for heating, light and electricity. There is no reason to suppose that they will all be abusive claimants. Where will they be? They will be living with other members of their family, with friends or with other members of their community, who will very often themselves be on low incomes. We are expecting the deprived to support the even more deprived.

I was amazed that the Home Office asylum seekers support document said that one of the reasons for setting up the system was

"to contain costs through incentives to asylum seekers to look first to their own means or those of their communities for support."

I have searched in vain through all the details of the proposed support system for what the incentive for that might be—in fact, I can think of one very good one: it will keep people out of this rotten voucher-based system.

I seriously believe that we are in danger of hurting families with children. That is the reason for amendment No. 1. I am concerned about the whole principle. We are in danger of setting up a system which is wrong in principle, which will hurt some of the most vulnerable people and, what is probably even worse, will not work in practice and will end in a shambles.

The principle and the practice both matter, and we should not support the imposition of the system unless we are convinced on both points.

5.30 pm

Mr. Allan: I give a small cheer for new clause 6. The Home Secretary said that he wished to see some recognition of the fact that the Government have, to an extent, taken into account hon. Members' concerns, and new clause 6 seems to go some way in the direction that we wanted. I would have given two cheers had the Government stuck simply to supporting amendment No. 3, which seeks to remove clause 108, exempting asylum-seeking children from the Children Act 1989, without then introducing the additional limited powers relating to section 80 support in new clause 6.

I would have given at least two and a half cheers had the Government accepted amendment No. 1, tabled by the hon. Member for Walthamstow (Mr. Gerrard) and his hon. Friends, which is a much better solution to the problem of families with children. I shall reserve three cheers for

[Mr. Allan]

when the Government scrap the entire support system and revert to the more sensible and cost-effective benefit-based system, for which the Government argued at the time of the Asylum and Immigration Act 1996, but on which they seem to have changed their mind.

The time that people, particularly families, will be on the support systems is important. The Home Secretary reached for his pen and calculator as the hon. Member for Walthamstow referred to mean and average times. I am sure that the Home Secretary could build the d'Hondt divisor in there somewhere, as he calculates whether a significant number of people will be dealt with within two months.

As the hon. Member for Walthamstow said, if we are talking about averages, a two-month average could mean that a significant number of people were on the system for four months if another group of people were dealt with almost immediately. A six-month average would be even more worrying. If a number are dealt with at the beginning of that period, some will be on the system for 10 months, if we are talking about four months beyond the four-month average period for the appeal. Therefore, even under the Government's formula and even assuming that they meet the targets that they have set themselves we are talking about potentially considerable periods. There is widespread concern on both sides of the House, including on the Labour Back Benches, about whether they will meet those targets under current arrangements.

In the general debate about the support system, the Government seem to want to have it both ways. On the one hand, they say that the system is expected to be a deterrent, that they have the problem of people being drawn in by an over-generous system, so they have to reduce the generosity in order to deter people. At the same time, they seem to be arguing that it is a fair and humane system. Those two arguments are fundamentally incompatible. Either it is a harsh system which will act as a deterrent, or it is a humane system which, at best, will have a neutral effect in terms of whether people will choose the UK over any other country in which to apply to claim their rights under the 1951 convention.

Many of the arguments used by the Home Secretary when describing the support system could be applied elsewhere in the benefit system if he chose to do so. It is very much the Victorian poor law attitude; that the system must be harsh so that only those who genuinely need it will stick the rigours of the system. It is indistinguishable from the philosophy of the workhouse to argue that people who genuinely flee persecution will put up with hardship here, so it is all right to impose such hardship and it is a way of sorting out the sheep from the goats. That is an unacceptable approach to the delivery of a support system. We should be separating the sheep from the goats by processing their claims and dealing with them effectively.

I think that I share with many hon. Members the view that the most effective way to deter people from making unfounded applications is to deal with them quickly, to demonstrate that they are unfounded and then to send the individuals back to their country of origin. It is the time factor that is critical, not whether someone is receiving 70 or 100 per cent. of income support. The difference between 70 and 100 per cent. of income support is hardship for those individuals. It makes no fundamental difference to whether they apply in the first place. It makes a difference only to their standard of living during the intervening period and, in particular, in the context of the amendments that we are discussing, the standard of living of their children. There are deep concerns about what that may imply.

The issue of principle is important when one considers the Children Act 1989. That Act was intended to be a principled piece of legislation. As has been said, it was intended to be applied to all children, placing children's rights at the forefront of any decision about their future and their support. It was not intended to be selected from at will. It was intended as a platform on which children's rights could be appropriately judged by the courts against any other legislation in respect of their welfare.

As a matter of principle, it is disturbing to see any diminution of a significant and landmark Act. The fact that we are prepared to enact such fundamental standards demonstrates the paramount importance of children's rights. The Children Act has worked well. It is depressing that we should tinker around or muck about to remove a particular category of children and deal with them differently.

We must recognise that the level of support proposed is inadequate. There will be problems. In many other areas, when considering levels of support and definitions of poverty the Government have never decided that people are adequately supported on 70 per cent. of income support. Even when one factors in additional fuel costs, and so on, nothing like an adequate level of support will be provided for families under these proposals.

We shall discuss the actual level in detail later, but, in the context of families, there is a particular issue, which is that when calculating support payments we can already come up with a formula that discounts the cost of utilities. For families, it is about £12 a week. That factor is built in, but it does not significantly increase according to the number of children. The amount of income support does increase quite properly, because children create extra expenses, but the utilities costs do not increase incrementally.

If we have a system as proposed here, where we end up with a proportion of income support being paid for each individual, we find that, relative to those on a regular income support system as proposed in amendment No. 1, the larger the family, the more disadvantaged they will be relatively. Each member of that family will have a proportion deducted for utilities costs in a way that would not happen for a family on standard income support.

Liberal Democrats' preference for the Home Secretary's system of support, if it is to come into effect under section 80, is to allow it to be tested against the Children Act. That is what we argued in Committee. If, as the Home Secretary said, the system can genuinely support individuals, why not allow that to be tested? Why does not the Home Secretary have the confidence that, an asylum seeker having been offered his package of support, the courts would reject any claim for support under section 17? We do not expect people in the UK on housing benefit or income support to go the courts and say that they want section 17 support under the Children Act instead, because the court would properly rule that individuals are supported, that children are not in need, because they have a means of support through the benefit system.

If the Home Secretary is confident that his support system for asylum-seeking children under section 80 is genuinely good enough for those individual asylum-seeking children and their families, I do not see why it would ever be successfully challenged in court, and why any court would decide that somebody had to have section 17 Children Act support.

To allow the support system to be challenged would be very much within the spirit of the Children Act. There was no intention that the section 17 provisions should be used for asylum-seeking children. Without the 1996 Act, that would never have been necessary. But if this Bill genuinely puts in place a support system for all children, we shall no longer have the problem of successful challenges under section 17. Therefore, I see no reason why the Home Secretary should break an important principle, which is that the Children Act should apply universally with the interests of the children paramount, and not be dependent on a child being in one category or another.

Another major concern has to be that of the Secretary of State's judgment. That is not a personal comment against this Secretary of State's judgment. For us to base the entry into the system on a Secretary of State's judgment as to whether living and accommodation needs are being met breaches the principle of the Children Act in terms of removing the automatic right and the interests of the child being paramount and replacing that with something that is bound to be subjective to a degree on an individual Secretary of State's judgment, whether it be this Secretary of State or another one from whatever party who will subsequently operate the provisions. We do not know what definition future Secretaries of State will use to decide whether accommodation is adequate and meets peoples' living needs. Our deliberations in Committee left me pessimistic. We tried to find a decent definition of what would be adequate accommodation, and asked whether the normal rules for overcrowding or for people sharing rooms would apply. We were told that the Home Secretary would have his own rules on that.

Dr. Norman A. Godman (Greenock and Inverclyde): Another problem with the support system is its apparent lack of flexibility. It may not be able to help a family caught up in an emergency. That is why many people in Scotland think that a serious mistake has been made in the way in which my right hon. Friend the Home Secretary has amended section 12 of the Social Work (Scotland) Act 1968.

Mr. Allan: I am grateful for that intervention. My colleagues in Scotland have expressed anxiety about the Bill's application there. Responsibility for matters such as social services will rest with the Scottish Parliament, but these proposals will be implemented from Whitehall by a UK-wide directorate. There is genuine scope for discussion about the interaction between the two systems.

The Home Secretary said that he felt that local authorities were doing well in coping with the current system provided for by the National Assistance Act 1948 and the Children Act 1989. However, the evidence from Kent county council was that the relevant people there wished him luck in attempting to bring in a system that they had found to be appalling. We were told that, although the council managed it well, the voucher system was expensive and inefficient, and that it caused problems for asylum seekers and their families.

In response to the earlier comments from the hon. Member for South Thanet (Dr. Ladyman), it is important to note that local authorities are being rebated for the costs incurred by their additional responsibilities. The Government are proud of the fact that they have rebated those costs in full rather than partially, as was the case under the previous Government. The unfortunate burden imposed by the Asylum and Immigration Act 1996 has been a problem for local authorities, but local people should be reassured that they are no longer losing out.

The Home Secretary seems to be proposing to nationalise a system that has been shown to be bad at supporting children in certain areas. I do not see how that will make it any better. If the system fails, as I and the hon. Member for Walthamstow fear, local authorities will pick up the pieces. If people are not offered the appropriate support package and want to drift back to their community, they will do so. Local authorities may not have to provide vouchers, cash payments or accommodation, but they will have to deal with all the resulting social problems.

Ms Abbott: Does the hon. Gentleman share my concern that the hon. Member for Hertsmere (Mr. Clappison), who did such a workmanlike job in Committee, is alone on the Conservative Benches? That shows how little the Tories care about the living circumstances of refugees and asylum seekers.

Mr. Allan: The lively debate on this and other matters is between members of my party and Labour Members on both the Back Benches and the Front Bench. We share an approach to the solutions that we would like to find, but I praise the hon. Member for Hertsmere (Mr. Clappison) for his evident concern for the welfare of the children of asylum seekers. I wish that we could convert him to the extent that he rejects the voucher system outright. Instead, he says that Conservative Members do not oppose the system in principle, even though they consider it appalling. That position is not entirely credible.

5.45 pm

The United Nations High Commissioner for Refugees gave some important evidence in the oral sessions of the Special Standing Committee, to which the hon. Member for Hertsmere referred. Its representatives accepted that the proposed system in some ways would give people the very basic level of support. Therefore, because people would not starve, they could not go so far as to say that it is incompatible with the UN convention, but they remained worried that different countries would provide different levels of support.

Britain is a wealthy country and can give a level of support to people seeking asylum that is different from what other, poorer countries can provide. However, although the UNHCR may consider that the level of support provided here does not breach the convention, it was clear that its representatives believed that we could do more. They considered that we should be proud of that, and not be grudging about it.

Dr. Ladyman: On a point of accuracy, did not the UNHCR evidence make it clear that that organisation believed that the support for genuine refugees had to be

[Dr. Ladyman]

of a particular standard? That point may be slightly pedantic, but we are talking about people seeking that status.

Mr. Allan: I shall check the record, but my understanding is that the UNHCR is concerned to enable people to access their rights under the convention. They cannot do that without support.

Ms Abbott: For the avoidance of doubt, the UNHCR representatives made it clear in informal meetings with Members of Parliament, if not in their oral evidence to the Special Standing Committee, that, just as there should be no discrimination between refugees and British citizens, so there should be none between asylum seekers and British citizens. Any such discrimination would render nugatory people's right to seek asylum.

Mr. Allan: The support system is central to that right. The United Nations convention on the rights of the child is relevant to any discussion of the Children Act 1989. It is unfortunate—to put it mildly—that the Government have not taken the opportunity provided by this Bill to end the UK's reservation on that convention with regard to immigration. They opposed that reservation fiercely in opposition, and the Bill represents an early opportunity to end it and thus demonstrate their commitment to the rights of the child and to international conventions.

Be that as it may, there is concern that the Bill would breach article 26 of the convention, which deals with children's rights to benefit from social security, and article 27, which covers children's rights to an adequate standard of living. Regardless of the reservation that exists, I hope that the Government will aim to meet the terms of that important convention, at least in spirit.

In conclusion, two matters arising from what the Home Secretary has said deserve examination. He said that the duty in the new clause is effectively the same as the duty under the Children Act 1989. However, two crunch questions need to be asked. The first has to do with the gateway under the support system. Clause 80 makes it clear that support depends on the Secretary of State's judgment about destitution and the suitability of accommodation. At present, the courts apply the Children Act test of levels of destitution, but new clause 6 will make it a matter for the Secretary of State to judge whether a person has access to support under clause 80. That will enable the Secretary of State to indicate that he has discharged his duties, but at what level will families be considered to be appropriate for support under clause 80? That is the first crucial question.

Mr. Straw: I shall deal with the point in greater detail when I respond to the debate, but, in practice, local authorities exercise a gateway under the Children Act. Although they have a duty to provide essential living needs and accommodation for children in those circumstances, they have a discretion about the level that they provide, and that is based on an assessment of need. The hon. Gentleman's point, therefore, is not a strong one.

Mr. Allan: The Home Secretary raises an interesting question. Do we trust him more than a social worker when it comes to making an assessment about children? Those of us who sat through the Committee remain concerned about the criteria that the Home Secretary would apply in deciding whether someone would have suitable accommodation or adequate living conditions. The Under-Secretary has told us that this tough-talking part of the Bill means that access to the gateway would be difficult and that anyone who had belongings, anywhere to turn or any other support would not pass through the gateway. That is certainly my impression and I hope that the Home Secretary will offer some reassurance today.

The second critical matter is the factors that will be taken into account when providing support or deciding whether duties have been discharged. The Children Act 1989 raises several points about the welfare of children and their access to education and their families. The decision to remove any reference to the preferences of asylum seekers is intended to avoid legal challenges, but we are concerned that access to education and so on will not be taken into account.

As the Bill stands, a person can say that his family is in a certain place where there is an appropriate school, and the Home Secretary may take that into account. The person must not say that he would like to live there. As long as he is offering not a preference but a circumstance, the Home Secretary can take it into account. We remain concerned about how judgments will be taken about the holistic needs of children, accommodation and basic living needs. Will decisions take fully into account education, family access and other forms of support?

I should like the Government to accept amendment No. 1 and to stop mucking the system about. They should stop tinkering with a bad system, saving Home Office staff the headache of setting up the Asylum Support Directorate. The staff have enough problems dealing with immigration work. To impose further work on them would not use most effectively resources that could be better directed. Amendment No. 1 would direct resources towards the Benefits Agency, which has experience and already has a system in place.

The Government should save the taxpayer the additional administrative costs of going through that rigmarole. That might bring some bad headlines in the right-wing press, but it might also persuade Labour supporters to become excited again about their party and to turn out to vote.

Ms Karen Buck (Regent's Park and Kensington, North): I am incredulous at the synthetic outrage that the Conservative party has expressed on immigration and asylum. Throughout the past decade, the Conservative record has been one of indifference at best and contempt at worst.

I sat for seven years on an inner city authority that has one of the largest and most diverse communities of refugee asylum seekers. However, that did nothing to prepare me for my experience as a Member of Parliament. On my very first day, families poured into my surgery. Many—and many had children—had been waiting for a decision since 1990, 1991 or 1992. They included Iraqis, Kurds, Sudanese, Somalis and Bosnians, and the situations in their own countries made them disproportionately likely to have had a valid claim. Some of them had had the most appalling experiences, and their traumas were well documented by the Medical Foundation for the Care of Victims of Torture.

The paralysis placed on their lives by the absence of an effective decision-making process has made it impossible for those families to settle or to begin to recover from the psychological trauma that many of them have experienced. Every day, Labour Members see the tragedy of people whose families have been scattered across the globe in the aftermath of war and who have been unable to obtain travel documents or visit their loved ones for years.

We have heard much about these cases, but I should like to give an example to put a human face to the problem. A young Sudanese woman came to this country as a child in 1993 with her father. She has been disabled by a fungal infection of brain and eye which is increasingly rendering her blind. Clinical opinion is that the indecision that has caused every member of her family to suffer clinical depression is a major factor in her absence of recovery. She is bright and highly motivated, as many of our asylum seekers are. This is the third year in which she must defer college entry because there has been no decision about her status for six years.

The absence of effective decision making has blighted the lives of vulnerable people. It has also achieved the opposite, encouraging people without a well-founded fear of persecution. My hon. Friend the Member for Walthamstow (Mr. Gerrard) talked about the pull factor. I believe that the pull factor remains the absence of a likely swift decision. That has been the position throughout the 1990s, and it remains the case today.

Having allowed the Immigration and Nationality Directorate to degenerate into chaos, the Conservatives introduced the Asylum and Immigration Act 1996, applying the most crude and brutal deterrent by removing all forms of subsistence from families who make in-country applications and people who have lost their appeals. The courts rightly determined that families could not be left destitute, triggering extensive dependence on the National Assistance Act 1948 and the Children Act 1989. The Children Act should not be used to provide a system of mass support. It was intended to provide a safety net so that families with children in trauma could be provided for. It was never intended to be the principal means of support for families, particularly in the London boroughs and Kent.

The 1996 Act has left people in situations such as that of a woman in my constituency. She was trapped on the 30th floor of a tower block and, because she lost her benefits after she lost her appeal, the council was unable to move her to alternative accommodation even though her severe post-natal depression led her to threaten to throw herself and her baby out of the window. Her GP and her health visitor documented her as a serious suicide risk, but nothing could be done.

In another case well documented by the Medical Foundation, a young Arabian man, whose mother was beaten to death by Iranian police who were searching for him, slept overnight at the airport after his plane arrived late. His day-old claim for asylum left him without benefits for two years. He is trapped in a trauma-induced mental illness.

The 1996 Act was so fundamentally dreadful that it deserves urgent review. The Conservative party bequeathed us a system that treats asylum seekers contemptuously and inefficiently. The new proposal would replace that disastrous inheritance, which has left more than 50,000 families in temporary accommodation across London. Poor and cashless, they face a voucher system.

I have made my concern clear to my right hon. Friend the Home Secretary, particularly about children. There are powerful arguments about the stigmatising effects of vouchers and the restrictions that they impose on people's ability to shop cheaply in markets or charity shops. No one disagrees that people with no genuine claim to asylum are attracted by the fact that there will be no swift decision. Even when the final decision comes, unless there are compassionate grounds to remain, removal is also not swift. That is why people exploit the system.

6 pm

My right hon. Friend the Home Secretary made it clear that he remains committed to the principles of the voucher system. I echo my hon. Friends' welcome for the fact that there has been consultation and consideration of other options. In response to representations about the need for people to have spending money, the cash element was doubled, which was necessary and helpful. I speak as the parent of a small child at a very deprived inner-city primary school who has been asked for £11.50 this week in two separate and, as it happens, perfectly reasonable requests, one of which was for a subscription to the toy library. Such facilities are all part of creating a community in which all children, understandably, want to be involved. The system must include a reasonable amount of spending money if it is to work.

The proposed single payment system is also welcome for people who arrive in this country without so much as a change of clothing, those who do not have adequate clothing to accommodate the changing seasons and weather conditions and, of course, those with growing children, whose demands for clothes and shoes far outstrip any family's ability to keep up and to pay for them. The restoration of the provisions of the Children Act as a safety net is also very welcome. I commend my right hon. Friend the Home Secretary for listening to representations about that.

Above all, I welcome the serious commitment to investing in and speeding up the decision-making process in the Immigration and Nationality Directorate. That is the absolute key to the system. I welcome the commitment not to place families in a cashless system until the IND has reached the target processing time of two months for an initial decision and four months for an appeal.

Reference has been made to average processing times for the majority of claimants. I again ask my right hon. Friend not to activate the new system until the majority of cases—I suggest at least 90 per cent.—have been processed within the two-month and four-month periods for at least three months. We can then be absolutely confident that the IND is operating at the capacity that the Home Secretary has assured us it will have. The commitments that have been made and the promised investment are extremely welcome, but everybody is justifiably sceptical about the IND, given the years during which we had to endure unacceptable delays.

I hope that my right hon. Friend will also agree that the correct decision to give families priority in processing will mean no more than a marginal delay for single applicants. They include not only people who are highly traumatised,

[Ms Karen Buck]

such as victims of torture, but, importantly, applicants who do not have a genuine case, and they should not be able to draw out their case. Speed is of the essence for families and single people.

In the spirit of tackling child poverty and social exclusion, I seek assurance that the total value of the support package of cash, vouchers and payments in kind, such as utility bills, will not fall below the emergency income support level, properly adjusted for family size, and does not include provision for those items that people on income support would not be expected to buy from their benefit. If that is the case, and decisions are being processed in line with the targets, people will be less fearful that asylum applicants will remain below the poverty line in a largely cashless system for months on end. That was our principal fear.

After years and years of neglect and the introduction of the absolutely appalling Asylum and Immigration Act 1996, change was essential. If we build on the welcome changes made by my right hon. Friend, we can ensure that we shall start to build a new system that offers all applicants justice, dignity and speedy and fair decisions, including those on removal, where necessary, at the end of a failed appeal process. There must be compassion and swift progress towards a fresh start for the desperately vulnerable people who need to be able to get on with rebuilding their lives.

Ms Julie Morgan (Cardiff, North): I support amendment No. 1, to which I added my signature to those of my colleagues, including that of my hon. Friend the Member for Walthamstow (Mr. Gerrard). The amendment would remove families with children from the voucher system altogether.

I am pleased that my right hon. Friend the Home Secretary has introduced changes to the Bill in the past few weeks to create a support system that will make it easier for families with children who are seeking asylum to function more normally. I welcome also his clarification about the Children Act 1989. The Bill will be improved by those changes.

I do, however, still have major concerns about the Bill, some of which have been mentioned by other hon. Members. I welcome the increase in cash in hand for asylum seekers' families, but I am concerned about the overall value of the support package. My right hon. Friend says that the package is equivalent to 90 per cent. of the support that other families receive and that 20 per cent. of it consists of payment in kind, such as the provision of electricity, water and other utilities. I require assurance that the support package totals that stated 90 per cent. The Refugee Council is concerned about whether the payment in kind genuinely represents 20 per cent. of the support package. Will my right hon. Friend clarify those costings? I know that there will be further discussion of that later in the proceedings, but we need to make it clear that the package does not cause people to fall below the poverty line. There is enormous concern about families, particularly those with children, among many Labour Members.

Like other hon. Members who have spoken, I am not happy about the voucher scheme being applied to anyone, but the proposal in the amendment would be an acceptable compromise, as my hon. Friend the Member for Walthamstow said, which ensured that families with children do not fall below the poverty line. I seek assurance that the support package for asylum seekers will work on the same basis as that for income support, and that income will not be deducted from payments if, for example, accommodation is furnished. One of my main concerns about the Bill is that it will place families with children below the poverty line.

The Welsh Refugee Council, of which I am a member, has experience of families seeking asylum in Wales. It believes that the voucher system causes unnecessary stress and stigmatism. Wales does not have as much experience of asylum seekers and refugees as other parts of the country, but 800 asylum seekers have settled there, mainly around Cardiff, since 1997. In studies carried out by the Welsh Refugee Council in the Cardiff area, organisations invariably said that the asylum seekers and refugees with whom they work were living on the margins of society and their needs were not being met. They describe them as an invisible minority, who are often socially excluded from the community and who face institutional and personal racism.

Children are particularly burdened because they are often the first to learn the language of the country and to speak English through going to school, so they must often guide their parents through negotiations. I am deeply concerned that we may be placing those children in circumstances where they may be stigmatised and suffer unnecessary stress because they are part of a family who must live on vouchers. We must accept that those children have often been through overwhelming, traumatising experiences and we should be doing our utmost to allow them to integrate into our society with other children in the best way possible. I cannot believe that making their families use a voucher system to meet many of their needs is the best way to achieve that. I am extremely anxious about the stigma that will result. I am therefore very pleased that, only last week, at a conference at which I spoke, the Welsh Refugee Council and Cardiff county council launched a strategy to work with asylum seekers and refugees.

Given that, at the moment, children of asylum seekers receive a 100 per cent. allowance, issues surrounding the value of the proposed support system are very important. A drop to 70, 80 or 90 per cent. of support received by other children would be significant.

I was reassured when my right hon. Friend the Home Secretary said that he did not intend to introduce the voucher scheme until a certain threshold of applications had been reached. I would like clarification of the six-month period; it should apply to the vast majority of families. What if we get the system up and running but there is a blip, the computer crashes or goodness knows what else happens, and that six-month period becomes much longer? What will happen to the families then? Will they remain on the voucher scheme for a much longer period? Will they be able to use the cash system?

It would have been much easier and simpler, and much more generous and compassionate, to exclude families with children from the proposed system altogether. Although amendment No. 1 is a compromise for many of us, it would be a very good move to accept it. I still hope that such an amendment might be accepted during the passage of the Bill. We all know that the vast majority of asylum seekers are men without children or dependants.

My right hon. Friend the Home Secretary referred to the number to which the proposed provision would apply; it is only a minority.

We should recognise the specific needs of children and women. Many of the women have had traumatic experiences before coming to this country—for example, many have been raped and find it very difficult immediately to talk about such experiences on arriving here. They need access to health care and counselling. I am therefore also very pleased that, in Cardiff, we have a support group for women asylum seekers, in which they can talk about such issues. They cannot be addressed immediately—women need access to cash to get to such meetings, and they need help and support.

The problems of everyday life that families with children experience are bound to be made worse by the provision of vouchers instead of cash. What will be the smallest amount that a voucher will be worth? Problems about not being able to get change from vouchers and having to trek across towns and cities in order to exchange them have been well aired. I know that a commitment has been made to ensure that vouchers can be exchanged in vast numbers of shops, but I cannot believe that such shops will always be accessible to families. What about markets, jumble sales and charity shops—all the places to which we are able to go to acquire the things that make an ordinary life? If one has had traumatic experiences, building such an ordinary life is essential in getting over them, but we are limiting the ways in which families will be able to do so. At the moment in Cardiff, for example, vouchers may be exchanged only at Tesco and at a halal butcher, so great difficulties lie ahead.

6.15 pm

I pay tribute to my right hon. Friend the Home Secretary for listening to the concerns of his colleagues and others in the House. I am pleased about the changes that he has made, but my fundamental belief is that all children should be treated equally. Children are children, from whatever country, of whatever race, however short a time they may be here and whatever the status of their parents. While they are in this country, they should be treated exactly the same as children who are born here or who already live here. The support system is creating two classes of children because two different systems will operate.

I know that the voucher system has been designed to deter people from coming to this country. I accept that my right hon. Friend's changes have ameliorated the effects on families with children and that he has changed the original proposals concerning the Children Act 1989, but I am still uneasy about the fact that the Act in its entirety will not apply to asylum seekers' children. Breaking up the terms of the Children Act, which was ground-breaking legislation, in such a way is a dangerous precedent.

Before I came to the House, I was an assistant director of Barnardos. I know that, through its work with asylum seekers' children, it is deeply concerned about the effects of the Bill—as are all the major children's charities, including UNICEF. Deep concerns have also been expressed by the Law Society and many other bodies. We have made much progress in developing the Bill over the past few weeks, but we could do better for families and children who come to this country in deeply traumatising circumstances.

Mr. Gwyn Prosser (Dover): On several occasions in Committee and on the Floor of the House, Members have drawn on experiences in their constituencies to highlight points. My hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) drew an accurate distinction between her experiences in an area where asylum seekers settle and form families, and those in constituencies such as mine—in Kent and other areas—where people come and go. Local experience changes the perception not only of the Member but of the local people.

Many hon. Members have thanked Ministers for the concessions and changes that they have made so far, although some of the thanks has been rather mealy-mouthed. I should like to offer a lonely expression of thanks for the basic elements of the Bill, because they address many of the problems and difficulties encountered by my constituents and in east Kent in past years. I shall mention some of those problems.

Dover district council and Kent county council were suddenly confronted with massive burdens, not just of costs but on resources, which they had never had to meet before. Real crises arose in meeting just basic human demands. The councils coped well and have adapted and set up systems, but they confronted major problems. That is why when I led a delegation from Tory Kent county council to see the Minister, it lobbied very hard for a shift from local authority to central Government spending on asylum seekers. The county council has welcomed some of the changes in the Bill.

Problems of social tension have also arisen in the community—probably the worst problems that we have experienced. They have been caused in part by a small number of extremists—one cannot call them anything other than fascists—from the British National party and the National Front, who have marched in the streets of Dover, held demonstrations, tried, but, thank goodness, not very successfully, to recruit local people and distributed vile literature.

Local people perceive that most of the asylum seekers with whom they have come into contact are not genuinely fleeing oppression and persecution. There are very special reasons for that perception, arising from their recent experience.

Before 1996, we had no asylum seekers in the area; we had never really met them. Lots of people were passing through and going to other areas, but they were not settling in Dover. We had a tiny ethnic minority of less than 0.6 per cent. of the population. I suppose that, as a Welshman, I was part of a certain ethnic minority.

By September 1997, within a single year, for reasons that we know, hundreds, perhaps thousands, of people from the Czech Republic or other parts of eastern Europe, who would fail the criteria for asylum—none met the first interview criteria—settled in the area. Having failed the first interview, they used the present discredited, long-winded appeal system to spend as much time as possible in the area.

Members might remember the infamous documentary film that was made by some Czech film makers. It was filmed in Dover and shown throughout eastern Europe.

[Mr. Gwyn Prosser]

It depicted a family of Czech people picnicking on the Dover sea front, drinking red wine and eating French sticks, and generally having a nice time. The documentary explained the ease of access to cash benefits, the means of accessing the system and the ways that the duration of stay in the United Kingdom could be lengthened. That had a definite effect. The film was almost as good as a holiday brochure and it was almost an invitation to have a holiday.

I believe that the message has now got through that east Kent, Thanet and Dover are not part of the prosperous south-east. They are not part of the garden of England. It is not difficult to imagine that someone who lives in a rundown part of Dover—

Mr. Deputy Speaker: I am sorry to interrupt the hon. Gentleman, but I think that I should direct his attention to the precise subject matter of the new clause and the amendments grouped with it, which is support for children. Although I understand some of the general considerations that overhang the debate, I must advise him to try to tailor his remarks to the particular question of support for children.

Mr. Prosser: I am quite satisfied with the changes that have been made in support for children, and I would appreciate the opportunity to address some of the remarks that the Secretary of State made in opening the debate, when he talked about vouchers taking away the attraction—taking away the pull factor.

It is not difficult to imagine that people living in difficult circumstances, in a poor part of Dover, would be resentful if they felt that their new neighbours were taking advantage of the system at their expense.

I do not want to increase the number of myths and lies that are being circulated in Dover, partly by our local newspaper, but it is true that groups of young single male asylum seekers, who are on cash benefits and make their own arrangements for accommodation, crowd into single small houses and, by sharing the rent and by sharing—

Mr. Deputy Speaker: Order. The hon. Gentleman must reflect on his words and realise that they do not fall within the terms of the group of amendments before us. He should concentrate his remarks on the type of support for children.

Mr. Prosser: In that case, I shall stand by my support for the concessions and changes in respect of the proportion of cash versus voucher support for children, and perhaps find an opportunity to participate in the later debates.

Ms Abbott: I am grateful for the opportunity to speak on one of the aspects of the Bill that has caused most concern.

We have been assured that, in order to encourage the Home Secretary, we should not fail to congratulate him on the concessions that he has made. As the Home Secretary is not a blushing political ingenu and needs no encouragement, I shall content myself with saying that I appreciate the fact that he has listened to the many arguments that colleagues have made, and that I especially appreciate the increase in the cash element of the support system because, literally from the day when I saw that Ministers were proposing to give asylum-seeker children 50p a day, it was my strong belief that, whatever the issues of principle, that was unconscionable. I tabled an early-day motion, which many Members felt able to sign. Whatever else happens during scrutiny of the Bill, at least I know that asylum-seeker mothers will have a little more cash to play with each week, and I am grateful for that concession.

There has been much discussion in the newspapers about the Government's climbdown on the system of support, especially in relation to children. I have the advantage over journalists and others who believe that there has been a climbdown in relation to the system of support in relation to children as well because, having served on the Committee, I have read the Bill many times over and I know that—as the Prime Minister was at pains to say when interviewed about the matter on the "Today" programme earlier in the week—there has been no climbdown. The system of support remains fundamentally flawed, including in relation to children.

In an intervention on the Home Secretary, I said that it was wrong in principle that any part of our welfare system should be designed to be a disincentive. The Home Secretary responded that that was quite wrong. All I can do is quote back to the Home Secretary from paragraph 4.20 of his own document "Asylum Seekers' Support", published in March. It says:

"The arrangements set out in this paper which are based on the principle of support in kind with a minimal cash provision are expected to have a significant disincentive effect".

That is what the Home Secretary was saying in March, and I believe that that thinking underlies the system of support.

I put it to the Home Secretary again that it must be wrong for any part of our welfare system to be designed to have, in his own words, "a significant disincentive effect" because that is a return to the thinking of the poor law, and it is thinking on welfare rights which this society left behind a century ago.

Colleagues—especially Ministers—have talked about the support system as though it is merely an alternative form of income support. The argument that I have advanced against the support system, and particularly against including children within the scope of the support system, is that it is quite different from income support, as colleagues have said.

First, the judgments that will be made by the new support directorate are entirely subjective. Clause 84 says:

"The Secretary of State may provide . . . support for"

persons

"who it appears to the Secretary of State may be destitute."

Hon. Friends might think that I am quibbling over words, but anyone who has battled with the social security system over a constituent's rights knows how much social security and welfare administrators can make of the precise wording of the Bill. The Bill offers no rights. It simply says:

"The Secretary of State may provide . . . for"

people

"who it appears . . . may be destitute."

The support system gives rise to no sense of entitlement. It depends on a series of subjective judgments, one of which is encapsulated in clause 83, which says that the Secretary of State must take into account when persons apply for support whether there is

"support (or assets) which . . . might reasonably be expected to be, otherwise available to the person"—

not that they are in receipt of that support or those assets, but that there is

"support (or assets) which . . . might reasonably be expected to be, otherwise available".

In my view, that opens a very wide doorway for the assiduous immigration and nationality benefits clerk to deny benefits and support to persons who are currently my constituents.

As for assets, I took care in Committee to question the Minister about what he meant by "assets". I asked him whether he meant that women asylum seekers might be required to sell their jewellery and their rings, and the Minister said that that was exactly what he meant.

We are not discussing a system that parallels the income support system but will simply be administered by different people; we are considering a system that is subjective and discretionary, and which has a series of loopholes into which, I fear, many deserving people may slip.

6.30 pm

Mr. Mike O'Brien: I am sure that my hon. Friend would not wish to mislead the House. I said various other things, including the fact that we were not seeking to obtain people's wedding rings or their personal jewellery. However, certain communities hold considerable wealth in jewellery and gold. If I remember correctly, I referred to someone whom I had met who had £4,000 in gold with her when she arrived. I said that she certainly should not be regarded as destitute. Perhaps my hon. Friend would wish to qualify what she said.

Ms Abbott: The Minister is aware that he did not rule out people being obliged to sell their jewellery.

Mr. Straw: I cannot let my hon. Friend continue. She knows that under the existing social security arrangements, someone who has £4,000 in gold or jewellery will be required to sell that. Is she suggesting that she or the House has ever suggested that those rules should be changed so that people can transfer their cash wealth into jewellery, keep it on their wrists, and thereby abuse the social security system? Is that what she is proposing? If not, there is no disagreement whatever between what she is saying and what my hon. Friend the Minister said.

Ms Abbott: The fundamental disagreement between us about the Bill centres on the amount of discretion that it gives to the Immigration and Nationality Directorate and the new support system. If the Bill stated that a person with assets worth £4,000 or more—or even £3,000 or more, as the income support system stipulates—was not entitled to support, I could not argue with that. However, all the Bill states is that support can be denied to people who have

"support (or assets) which . . . might reasonably be expected to be, otherwise available".

In 12 years of dealing with the social security system, I have seen deserving people denied benefits because of lesser loopholes than that.

Mr. Allan: With reference to the social security parallel, does the hon. Lady recall that the £3,000 asset limit that exists in the social security system was proposed in the Standing Committee and fiercely rejected by the Government, with the clear implication that they intended to go well below the £3,000 limit on assets?

Ms Abbott: Indeed. As I said earlier to the Minister, if the Bill specified the amount of assets that the Government had in mind, no one could argue with that, but the Bill merely refers to

"support (or assets) which . . . might reasonably be expected to be, otherwise available".

We are not dealing with another form of income support simply managed by a different section of Government. We are dealing with a system of support that presupposes that people should turn to their family and community, and under which support will be available only on the basis of a series of subjective judgments. The checks and safeguards built into our income support system, specifying the amount that can be held in assets which would prevent people from having to sell jewellery or assets that have personal or family significance, are not part of the Bill.

The proposed system is not an alternative to income support in its underlying principles or in its value. Colleague after colleague has asked Ministers about the value. I wait with interest to hear what Ministers will say.

Meanwhile, the Home Secretary's document, "Asylum Seekers' Support," which was published in March 1999, helpfully sets out the value of the support system. It states:

"The proposed provision is set at 70 per cent."

Even more helpfully, it explains why provision is set at only 70 per cent.—it is

"because the interests of the taxpayer must be kept in mind."

The same document contains a table, for the avoidance of doubt about whether people are to be given the equivalent of income support or forced to live below the poverty line. The table shows that a single adult aged 25 or more on income support receives £50.35. Under the Home Secretary's new support system, that person would get £35.25. A couple aged 18 or more on income support gets £79. Under the Home Secretary's support system, the total package in vouchers and cash would be worth £55.30. I could go on.

For much of the debate, we have been bandying about percentages, but when we compare the cash equivalent, including the food vouchers, in the Home Office document to the income support cash equivalent, it is clear how far the support system falls short. Since the document was published, Ministers have started to row back. They argue that the sums do not take into account utilities and so forth, but the Refugee Council said that there is no way that the cost of utilities built into the housing package offered under the support system makes up the difference between the value of that and income support.

It cannot be right that any section of the welfare system should be deliberately designed to be so humiliating to obtain and so substantially below the poverty line. The Home Secretary indicates by his body language that

[Ms Abbott]

he does not believe that the support was humiliating to obtain. Fortunately, with the voucher system, we do not have to look into the crystal ball—we can read the book.

Thanks to cuts by previous Governments, there are already refugees and asylum seekers in receipt of vouchers. We know that people queueing up in supermarket queues with vouchers are stigmatised. We know that their children are called voucher children. We know that the system carries a built-in stigma.

I also know that in Hackney or Stoke Newington, the only place where people can cash their vouchers is Tesco in Mare street, which means that they must walk from Stoke Newington to Mare street. Ministers have assured me that, under the new system, vouchers will not be so restrictive, but I would be much happier if we had more details about the running of the system. We know the current problems of the voucher system, and we know from what Ministers have stated in their document that the national voucher system that they propose is designed to be "a significant disincentive".

As I said at the beginning of my remarks, I welcome the fact that at least asylum-seeker mothers will have a little more cash in hand to spend on their children, but it is important that the House does not lose sight of the fact that the overall value of the package has not been raised. Mothers will have a little more cash, but fewer food vouchers.

Let us move away from the vexed question of the value of the system—Ministers are at pains to assure us that what they said in March is no longer true, in the light of insistent representations from colleagues—and consider how the system will work, and whether it will provide the sort of welfare system that we would want for our own families and children.

Let us pause and consider who will administer the system—the people at the Immigration and Nationality Directorate. They are the people who have lost passports and whose department in Croydon is in chaos. Ministers are asking the House to contemplate a support system being run by people who cannot manage the system that it is currently in their power to run. Is that designed to inspire confidence in hon. Members?

I have raised the question with Ministers from the outset, and they always ask what I would do. Let me tell them. We had perfectly good manifesto commitments on appeal rights for visitor visas. I would have passed a short Bill to meet the manifesto commitments and spent the intervening time reforming Lunar house in Croydon. Before moving to such a huge, composite Bill and the rickety system of support, through which I am confident many people will fall, I would reform Lunar house and examine the management ethos, the training and the organisational problems in the department. Even if the Bill were not fatally flawed, there would still not be proper system support from the people who are supposed to run it.

This support system is not appropriate for anyone as we approach the millennium, and it is certainly not appropriate for families with children. I could detain the House by discussing many of the precise features of the Bill, which, as anyone who knows anything about how our social security system works knows, set up all types of loopholes through which people can fall.

Ministers say that if they accepted the amendment, 13,000 people with children would have to go back on income support, which would be a terrible burden and abuses would occur. I cannot believe that in what is still one of the richest countries in Europe, as we approach the millennium it is too much politically and economically to offer to some 20,000 asylum-seeker families the same level and type of welfare that is currently available to British citizens.

The support system is wrong in principle. Although I commend the Home Secretary for making concessions, they do not alter the underlying principle of the support system, which is based on subjective judgments and is designed to be a disincentive. Moreover, the system will not work because it will run side by side with a system of forced dispersal. One wonders why Ministers go to the Home Office and repeat the mistakes of their predecessors. Forced dispersal did not work with the Vietnamese or the East African Asians, and ad hoc dispersal by local authorities is not working now. Local authorities send people away from their areas, but the people scramble back because they have hardly any cash and want to be with other people they know and who speak their language. They might also want to be near their mosque.

A system of forced dispersal together with the proposed support system simply will not work. Far from my borough of Hackney being relieved of the burden of supporting asylum seekers, it will have broadly the same population of asylum seekers, but a substantial proportion, having fled from areas to which they have been forced to disperse, will be in our midst with no proper means of support.

Amendment No. 1, moved by my hon. Friend the Member for Walthamstow (Mr. Gerrard), is excellent and I hope that, even at this late stage, Ministers will accept it. If they cannot, I hope that Members in another place reading this debate will see that the bulk of hon. Members in this House realise the dangers of the support system. Asylum seekers have no one to speak for them, but they look to the Government to make a substantial amendment to the support system to save the Government from themselves.

Mr. Alan Simpson (Nottingham, South): Although I support amendment No. 1, I wish to pay tribute to the Home Secretary. I hope that my tribute is not regarded as mealy mouthed because my right hon. Friend has been extremely generous with his time, his attention and his willingness to engage in arguments that were at odds with the way in which he has been required to frame the Bill. I only wish that he had had the freedom to approach some of the fundamental problems that are still enshrined in the Bill in a different way, and perhaps within a different time scale.

6.45 pm

I shall set my comments in the context of what is happening outside this place and what has happened in my life. Although Britain has to deal with the problem of increased numbers of refugees and asylum seekers, we would be deceiving ourselves to pretend that Britain is their leading provider of succour and sanctuary. Many of our European colleagues have taken a larger share, at a greater cost, of the responsibilities that are to be borne in accepting refugees. That needs to be acknowledged.

The personal side of this matter is that, before coming to this House, I spent more than a dozen years working in race relations and on anti-racist issues. One of my most profound experiences was when I was working with European anti-racist movements and spent a brief period working in Rostock after the four days of rioting and attacks by neo-Nazi gangs on the blocks of flats on the Lichtenhagen estate that housed refugees and asylum seekers. It was devastating to see how indiscriminate the brutality was to adults and children alike. It was perpetrated against a community that was already vulnerable and traumatised, but that, with the best will in the world, had been left isolated and stigmatised within the estate.

That experience made me extremely cautious of any policy that separated one family from another, or one type of child from another. It is important that we retreat from that prospect whenever we can. I echo the call from my hon. Friend the Member for Cardiff, North (Ms Morgan) that if we are genuinely committed to an inclusive society, we must start with the inclusion of all children, irrespective of race, ethnic origin and the status with which they arrived in this country.

It is the principle of the voucher status that we propose to attach to refugee children and their families that troubles me most profoundly. I understand the arguments that underpin that: that introducing a voucher regime will make the regime tougher, have a deterrent effect and help to reduce fraud. However, the more that I have thought those arguments through, the less credible they appear to be.

On deterrence, we must address the question of why people flee in the first place. The last thought in refugees' minds is whether they are fleeing to somewhere with a cash-based or a voucher-based system of support. The overriding reason why people flee is because they are afraid—of persecution, disaster and destitution. It is an insult to the House and to wider society if we sign up to the presumption that lurking hordes of potential refugees are hiding in the forests and on the hillsides of Kosovo, tuned into their radios waiting to hear the benefit uprating from the Secretary of State here. Do we imagine that they will suddenly shout out, "It's not enough. We're not coming", thus sending the Treasury officials into a huddle and making them agree, "Okay. We'll raise it a bit more"? Or that we then wait until they arrive and say, "See? We told you so"? That makes no sense at all.

If one talks to families who have fled here, they tell of the trauma in their family lives and in the communities that they understood and were part of. They tell of how difficult it is to put down roots with which they feel safe. The idea that a voucher system acts as a deterrent is nonsense in terms of the causes of flight.

On fraud, does it help the Government or society to deal with fraud in the benefit system by introducing a separate regime for refugees and asylum seekers that is voucher-driven? It is a retreat from any joined-up thinking process to say that that helps us move in an appropriate direction. There is fraud in the benefit system, but were we to suggest that we put everyone who is currently on benefits on vouchers, we would quickly realise how absurd and unworkable that was. *[Interruption.]* I am cautioned not to give anyone ideas, but I mentioned that only because I am convinced that we could not possibly be going down such a path.

A voucher system providing less than income support is more likely to increase fraud than to reduce it. We in the House need to remind ourselves that income support levels were calculated and defined as financial survival levels—the breadline. How can we say to people that they have to feed their children while living at 70 or 90 per cent. of the breadline level, and do it legitimately? I do not know how to explain how they are supposed to do that.

We have defined survival level; if we ask people to live on less than that, how will they survive legitimately? The answer is that they probably do not do so. If they are to survive, they may be forced to do so illegitimately. The danger is that they will be pushed to do so by precisely the measures that we propose to introduce to meet the problem of the system being defrauded. It would be a tragedy if we ended up with a regime that ran the risk of criminalising those whom we have first stigmatised.

Mr. Allan: Is the hon. Gentleman aware of the evidence that we already have of existing fraud in the voucher systems that have been set up under the National Assistance Act 1948? People are trading vouchers on the black market, so they receive less of the value and vouchers circulate in odd ways that were never intended.

Mr. Simpson: I am aware of that and I will come on to it in a moment, but I want to address other aspects of a system that builds in new and additional bureaucratic complications. This will increase the opportunities and invitations to commit fraud. Asking the Immigration and Nationality Directorate to administer such a voucher system seems to be to be a flirtation with another disaster.

I am grateful to my right hon. Friend the Home Secretary and my hon. Friend the Under-Secretary because they have been directly and personally involved in trying to sort out the mess that is currently the IND. It is, however, bizarre to suggest that the IND should take on the responsibilities involved in running a voucher system. Many Members would settle for a commitment for it to run a "we will answer your letters" system. That is where we are stranded at the moment. Putting a voucher system on top of that chaos could create an awful mess.

People retreat from any system that stigmatises them. There is already enough evidence of such stigmatisation, in the way people are treated when they present vouchers. Various Members have said, "Look, that is not the case. If you go into a supermarket today, there will be people in the queue with vouchers from the supermarket magazine and vouchers from *The Sun*. One more voucher will not make any difference." However, organisations that support refugee communities could tell hon. Members of the harassment and stigmatisation that refugees currently experience. We ought to be learning the lessons of the downside of this drift into vouchers and be looking for ways of reversing it, rather than looking for ways of extending and entrenching the system.

Vouchers also create subcultures of exclusion, and in those subcultures it will be easier to perpetrate other forms of fraud. The hon. Member for Sheffield, Hallam (Mr. Allan) said that there is an illicit trade in vouchers. I hope I do not shock my right hon. Friend the Home Secretary, or any other Member, by pointing out that it is easier to forge a voucher than a fiver. There will be those

[Mr. Simpson]

who feel that the value of their voucher fails to reflect what it takes to feed their family, and some enterprising souls will almost certainly produce their own vouchers.

The Treasury regularly consults monetary indicators such as M0, and the amount of money in circulation, but we are seriously risking the prospect of having to introduce a new monetary measure—V0, the number of vouchers in circulation. If we ask people to live below the poverty line, their responsibility as parents to feed their children probably overrides all else. That will be their priority, and it will drive some into attempting to forge vouchers. If we have blocked off ways of allowing people to survive legitimately, we will not be able to detach ourselves from being responsible for pushing them into having to survive illegitimately.

My fear is that not only will we get into a mess with the administration of the system, but the blame will be carried by the people who are already the principal victims of persecution, fear and flight. It will serve only to reinforce all the stereotypes attached to the position and treatment of refugees and asylum seekers in this society.

I suggest that one of the most obvious abuses of the existing system is not the number of people who band together to share the costs of a house, but the massive exploitation by private landlords of people whom they can overcrowd. We went through that in the period of Rachmanism. This country faced a bigger, one-off crisis when we had to deal with the forced flight of Ugandan Asian refugees. I am old enough to have been around when we were forced to make our own preparations and calculations for dealing with those refugees, and I can tell the House what we were able to do.

A large amount of centrally determined cash was deployed nationally, through housing associations and local authorities, to ensure that we had accommodation available that was capable of receiving the refugees. Those measures, at least in theory, recognised that we could not ask London and the south-east to carry a disproportionate burden when society as a whole should have been taking responsibility for the refugees.

That is the other direction in which we could and should be going. We should strengthen lines of local, social accountability. We should not ask people to carry disproportionate costs or shares of the burden. We should adopt mechanisms that allow local authorities and local communities to play a constructive part in minimising the traumatic upheavals that asylum seekers and refugees have to face.

I am saddened that the Bill almost hangs or falls on a massive error of judgment. We are in danger of pursuing a mechanism that will entrench the stigmatisation of refugees and asylum seekers and of pushing the destitute and the poorest of people into living below the breadline. That is the bottom line of the financial figures that we are being offered. It would inevitably create fears such as those that I encountered in the lives of the people who were attacked in Rostock. I fear that a playground for the far right, and a breeding ground for racist prejudices, may be created, leading to further persecution and isolation of those communities.

We set ourselves benchmarks when we came into office. One of those of which I felt proudest was the commitment to build a genuinely inclusive and non-discriminatory society. I simply say to my right hon. Friend the Home Secretary, in friendship, that I do not believe it is possible to achieve this through the proposed voucher system.

7 pm

Ms Oona King (Bethnal Green and Bow): I begin by welcoming some of the concessions that the Government have made on the support arrangements, especially with regard to children. I tabled an amendment in Committee that provided that the support arrangements would not continue if an asylum seeker did not have his claim determined within six months. Another amendment was tabled that provided that the support arrangements would not be introduced until the Government had reached their targets. Amendment No. 1, tabled by my hon. Friend the Member for Walthamstow (Mr. Gerrard), would provide that the support arrangements should not apply to asylum seekers with children.

The Government's compromise takes into account both those elements: the time that it takes to determine a case, and the removal of families with children from the support arrangements until the Home Office determines claims within its initial target period of two months. That throws up many questions.

What constitutes a target? Is it an average or a mean? How can we ensure that, once the targets are in place, we do not revert to the current lamentable state of affairs in which initial decisions, instead of taking two months, take 20 months? I hope that the Government will succeed: I am sure that my right hon. Friend will be successful. However, in case he is not, I should have liked an assurance that any asylum seeker—not just children—would be protected from being dealt with under a system substantially harsher than the current one until the Government have reached their targets.

I should like to raise an issue that I mentioned in my maiden speech, about which I feel strongly. We are discussing support arrangements for children. It has always struck me as strange that, if a 17-year-old who has been appallingly treated comes to this country, we say how terrible their situation is, whereas if someone is 19, 20 or older, we tend behave as if that did not matter—and, as a result of the present proposals, such people will inevitably be put to the back of the queue while others are fast-tracked. I understand the need for that, but surely the Government could agree not to introduce these support arrangements until they meet their targets. I do not think that that is too much to ask, and I hope that, even at this late stage, the Government will agree to reconsider this matter in the other place.

My concern is that these measures, such as they are, will protect the 10 per cent. of asylum seekers who have dependants, but will do nothing for the 90 per cent. who do not. I have a great problem with that, if we take the 90 per cent. income support level as beneath the poverty line.

I welcome the fact that the Government have significantly increased the cash component, but, notwithstanding that, there are problems relating to the nature of the voucher system. We are asking people to live on less than anyone else in the entire country, but we are preventing them from shopping in the cheapest places. If a mother has to buy some new socks for her child, she can get a pair for about £1.50 in Sainsburys in Whitechapel in my

constituency, where her voucher will be accepted. If she came out of Sainsburys and walked 20 yards across the street to Whitechapel market, she could get a pair of socks for her children for about 40p—but her vouchers will not be accepted there, so they will be worthless.

We are expecting these mothers to look after their children at a cost that we do not inflict on other people in Britain. I hope that Ministers will think about that when they consider the other proposals—including the size of the one-off cash payment to be paid after six months so that parents can provide for their children, and so that utensils which may or may not have been provided, and clothes which may or may not have worn out, and which may or may not have been appropriate for the British climate when people arrived in this country in the first place, can be replaced.

My understanding of what the Home Secretary said is that there will be a one-off payment of approximately £50—that would naturally be in addition—for the six months. That is about £2 per week per asylum seeker, or 30p a day. I hope that that could be at least doubled: I gather that the figure of £100 per person is also under consideration. I should be grateful if the Minister would consider that matter.

I want to direct my remarks to the 90 per cent. income support package. I am grateful that the Government have acknowledged that the support package that they provide must be the equivalent of 90 per cent. of income support. I am delighted that the Government would not force asylum seekers to live on less than that amount, which is already below the poverty line. Given that, could my right hon. Friend give us a breakdown of that package, and explain how it has been worked out? I have been perturbed by some of the calculations used. I must admit that my maths is appalling, but even I can understand that if the estimate of how much it costs the average social security claimant to pay for their utilities is 8 per cent.—which is the figure that the Government use for other social security claimants—the figures do not add up to 90 per cent. Seventy per cent. plus 8 per cent. does not equal 90 per cent.

The Government have said that other items will make up that amount, such as the provision of utensils. Other claimants who are put into privately rented accommodation get utensils anyway. I hope that we will not deal with asylum seekers differently from other claimants.

The speed of the decision making is intrinsically related to the fairness of the system. I hope that the Government will consider the slogan on which we have based this legislation—fairer, faster, firmer—and will consider how to make the system fairer and faster. We should examine the discretionary element of the support arrangements. Some hon. Members have had a disturbing brush with the Home Office because of its officials' idea of discretion in other areas relating to asylum seekers. Asylum Aid referred to a decision stating:

"You state that the men drove you to a place one and a half hours away and told you to run before they opened fire on you. The Secretary of State . . . considers that if the men had intended to kill you they would have done so straight away rather than give you a chance to escape".

Mr. Deputy Speaker (Mr. Michael Lord): Order. I gently remind the hon. Lady that the subject of the new clause is support for children. She is now straying wide of the mark.

Ms King: Thank you for your advice, Mr. Deputy Speaker. I was trying to establish a firm link between the need for careful use of a discretion on which asylum seekers' support arrangements depend, and the fact that that discretion has been used very poorly in earlier cases.

While we are discussing the Bill's provision for women and children, let me mention the need for gender guidelines. It has been raised before, and I trust that it will surface again in future discussions.

The key words are "fairer", "faster" and "firmer". We can be fairer only if we are faster. Of course we must protect children first, but please let us not do so at the expense of the 90 per cent. of other asylum seekers who have no dependants. Let us not forget that our duty under the 1951 convention is to protect anyone who seeks asylum here. I trust that this Labour Government will have regard to that when making any further amendments to the Bill.

Mr. Tony Worthington (Clydebank and Milngavie): I, too, support the amendment tabled by my hon. Friend the Member for Walthamstow (Mr. Gerrard), and commend the role that he and his colleagues played in Committee.

I wish to register my concern about the introduction of vouchers. I am not speaking on the basis of constituency concerns, although I respect those of my hon. Friend the Member for Dover (Mr. Prosser). I consider the position of those who have fled from Sudan, Somalia, Nigeria or Sierra Leone, and ask myself a fundamental question: do I think it right for such people to be compelled to live on 70 per cent. of what is deemed to be the minimum necessary for people who live here? It is as basic as that.

I accept that some people are not genuine refugees and asylum seekers, and I know that we must tackle that problem in areas such as Dover. I also thank my right hon. Friend the Home Secretary for the changes that he has made. As a supporter of the Government, however, I believe that the introduction of vouchers is wrong in human-rights terms, and will backfire on them.

The Government tell us that they have a turnaround target of two months for most asylum decisions—which I do not think is being achieved by any European country at present—and that most appeals will be completed within a further four months. They say that they intend to bring forward the target for families with children to April 2000. They also say—I want to ask the Minister specific questions about this; others have already mentioned it—that the voucher system will not be introduced for families until the Government are satisfied that the targets can be met.

I listened to what my right hon. Friend the Home Secretary said this afternoon. He is satisfied that those targets can be met, but I am not. What does it mean? The Government are referring not to a time when the targets have been met, but to a time when they are satisfied that they will be met. In any event, if the targets can be met, why is the voucher system necessary? If the situation can be dealt with so quickly and efficiently, we do not need vouchers. Why should we set up an alternative support system?

7.15 pm

I was not a member of the Committee, but I tried to follow its work and to read the evidence submitted to it, and the Government did not make their case that people

[Mr. Tony Worthington]

were generally coming here for cash. In comparison with other countries, we are not particularly generous. As my hon. Friend the Member for Nottingham, South (Mr. Simpson) said, we retain the illusion that we are uniquely generous and welcoming, but nowadays other countries have a better record than ours. I believe that the Government are so concerned about not being taken for a mug by the rogues that they are forgetting their duty to be decent to the genuine.

The Government have made their case that the system they have inherited is a shambles which has not improved over the past two years; but their response to the shambles—I think my hon. Friend the Minister called it a shambles within a shambles—is a strange one. As my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) pointed out, we are dealing with a system that does not work, and are therefore setting up a parallel organisation run by very much the same people who are not running the existing one. The Government have decided to set up an alternative bureaucracy called the Asylum Support Directorate. "Directorate" is a funny word. I could not understand why they chose it, and thought that the obvious word was "agency"—until it occurred to me that the last time we set up a support agency, it was called the Child Support Agency.

Faced with a department, a management, a staff and an information technology system that need strengthening, we are going to set up an agency alongside that organisation: an alternative bureaucracy employing hundreds. We shall be setting up an alternative Royal Mint. The agency will administer travel expenses, and arrange London accommodation for thousands of asylum seekers. I fear that the bogus will run rings around that, and that the genuine will be caused grief. I ask Ministers to think again. After all, this alternative bureaucracy will not process a single extra application, or speed up the system.

I also think that we should look again at the 70 per cent. income figure. Although more of it will be cash, it will still be only 70 per cent. of what is said to be the minimum. Although I welcome the increase in the cash element, I am struck by the sheer inefficiency of the voucher system. Others have produced parallels; the closest parallel that I can offer is the experience of being in a duty-free shop abroad with a currency that cannot be taken out of the country. People cannot spend their money wisely in such circumstances. I believe that it will be impossible to make the voucher system seem humane. I know of no other country that is using it, and I am concerned about its impact on those who have been deeply damaged by what they have come from.

I am concerned about the evidence given by the UNHCR, the Refugee Council, UNICEF and Amnesty International. That formidable group of organisations has been very critical of what we are doing. I ask the Minister to think again, because I think that the proposals will severely backfire on the Government.

Mr. John McDonnell (Hayes and Harlington): I will be brief. We have had an excellent debate, and, in all conscience, I merely want to put my views on record. When my children ask me what I did, I want to be able to show them what has been written down.

Earlier speakers have begun by saying what wonderful concessions have been made, and how well the Home Secretary has behaved. I endorse all that, but I think that we have reached a pretty pass when, after one Minister has consulted and produced some relatively minor concessions, there is dancing within the parliamentary Labour party. We have gained some concessions, but I hope that the clinical analysis undertaken by my hon. Friends the Members for Hackney, North and Stoke Newington (Ms Abbott), for Cardiff, North (Ms Morgan), for Walthamstow (Mr. Gerrard) and for Regent's Park and Kensington, North (Ms Buck) has caused the Minister to think again, especially about new clause 6. The problem is that when the Home Secretary introduced the debate, he said that the reason why he opposed the amendment was that the provision was central to the Bill. That is why I support the amendment. To be honest, that is why I will vote against the Bill on Third Reading.

People have mentioned the poor law. We need to put the Bill in its historical, reactionary context. It is one of the most outstandingly reactionary, racist Bills of the past two centuries. People need to remember what the poor law was about. People have mentioned it, but they need to remember how it came about. It came about because, in 1795, a group of magistrates in Berkshire, a short way from my constituency—they might still be in my general management committee—decided in all succour that people who were faced with distress should have benefits that were linked to the price of bread.

Idiots and reactionaries such as Malthus then said that that would mean that the working class would start to procreate and that there would be overpopulation, so they introduced the system of the workhouse. As a disincentive to people claiming benefit, they introduced a system where whole families were forced into workhouses to live in poverty—and that included children.

Mr. Deputy Speaker: Order. The hon. Gentleman may have used the word "children" just now, but he is beginning to make a speech that would be more appropriate for Third Reading. We are specifically talking about support for children.

Mr. McDonnell: Thank you, Mr. Deputy Speaker. The next sentence would have clarified the matter and given you relief.

The whole point of that system was to impoverish people to ensure that they refused to claim benefit; it was an incentive to work as well. The Bill impoverishes children to act as a disincentive to fraudsters—that is the level that we have reached. We are about to put children into poverty to provide a disincentive to people claiming cash benefits.

People have referred to income support as the poverty line. The Government were elected to tackle poverty. The Prime Minister, wonderfully, has set a target of eliminating child poverty not just in this country but throughout the world; the target year is 2015. Now, we are taking a poverty line level that we inherited from the previous Government—which we do not accept and are trying to improve—and forcing children and families to live below that level.

What has been said is clear. My hon. Friend the Member for Walthamstow made the point clearly. He clinically took apart the Minister's argument. There is no

statistical substance—no evidence at all—that cash benefits increase fraud, or are any incentive to claim. We have been through all the figures.

There may be an issue around cash benefits. I do not jest when I say that there may be some ideas. Why do we not apply them elsewhere, so that people can withdraw cash benefits and use them elsewhere in the social security system? There is one place in this city where all cash has been removed and people use a voucher system. It is called the City of London, and it has not in any way eliminated fraud. People in the City are raking it in. What the Government are trying to do in the Bill goes against the grain of everything that we have stood for as a party—everything that we have stood for in trying to look after children in poverty.

If there is fraud, let us investigate it and prosecute. If there are delays in the system, let us speed up the system. That is the way in which to tackle the issue.

My hon. Friend the Member for Dover (Mr. Prosser) has referred to the position in his constituency. In my constituency, I have Heathrow. The largest number of unaccompanied children coming into the country come into my borough; the largest number come to my constituency. I see some terrible cases. All hon. Members have had such cases. Many may have read about them. Some will have them in their constituency surgeries. Children come here in the most desperate circumstances, having experienced horrors—and what are we going to do with them? Put them into poverty.

Mr. Straw: Let me provide my hon. Friend with complete reassurance. He is talking poignantly about unaccompanied children—and rightly so—but there will be no change in the arrangements applying to unaccompanied children. I give him that absolute assurance.

Mr. McDonnell: I am grateful for that, but, if the Secretary of State had been listening carefully, he would realise that it was one reference of several. Children with families also come into my constituency having had terrible experiences. We are going to put them into poverty. I have families living in horrific bed-and-breakfast accommodation, desperately trying to get their children back into normal life. What are we going to do to them? We are going to give them some cash; otherwise we are going to give them vouchers.

At a meeting in my constituency, I expressed the view that vouchers stigmatise. We already see that happening. When people in a queue produce vouchers, it is not—as the Home Secretary has implied in other meetings—like someone getting out a credit card, or a leaflet, or voucher giving 2p or 3p off. Those vouchers are identifiable. Someone on the till may be a bit racist. They may refuse to accept the voucher for a purchase, or may deliberately underchange that person when he or she tries to give a bit of cash and a bit of voucher. It is happening under the existing system.

People may not think that vouchers stigmatise. As someone said at the meeting to which I have referred, we should remember free school meals. We should remember what it was like then—something that many in the Chamber will have experienced.

I urge the Government to think again about what they are doing with the Bill. They are trying to introduce a fairer, faster system which, I hope, will deal with all the problems, but their proposals are tarnished by the attack on childhood, the introduction of lower benefit rates for children and the stigmatising voucher system. I deeply regret the fact that we are associating ourselves with such a measure, which I expected from the previous Government, not the present one.

Mr. Corbyn: In such a debate it is hard to add anything new to what has already been said, so I will be brief.

I put on record my appreciation and support for the cause of my hon. Friends the Members for Walthamstow (Mr. Gerrard) and for Hackney, North and Stoke Newington (Ms Abbott), and for the good contributions of my hon. Friends the Members for Hayes and Harlington (Mr. McDonnell) and for Nottingham, South (Mr. Simpson). They are right: many Members have been deeply disturbed by many of the contents of the Bill.

I am pleased to say that the Home Secretary and Minister have been prepared to meet people, to listen, to engage in debate and to discuss—that is obviously welcome. Unfortunately, we are still faced with a fundamental problem: the principle behind the provision on the way in which children are treated.

I have been a Member of Parliament since 1983. I was on the Standing Committee that dealt with the 1986 Social Security Bill. The former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), was then a junior social security Minister. I recall as plainly as yesterday asking him on what basis asylum-seeking families were entitled to only 90 per cent. of income support. I think that that was where the whole notion of an incentive came in—the belief was that, if we gave 90 per cent., there would be a disincentive for asylum seekers to come to this country. Frankly, it was a punishment for asylum seekers and on their children. That punishment has continued.

I took an active part in the debates surrounding the Asylum and Immigration Act 1996. The Labour Opposition were rightly appalled at the way in which the then Government sought to remove all benefits from asylum seekers. It was disgusting; it was outrageous. When that happened, an informal network of support grew up. Churches took to sponsoring individuals. Families who had gained settlement here shared their income support, which was only 90 per cent. of what other people received, and sought to look after other children.

Fortunately, there was a court judgment, which meant that, under the National Assistance Act 1948—the very principle of universal benefits behind the welfare state—those families were able to receive some level of support. In my wildest dreams, I never thought that, in this Parliament, we would be introducing a Bill that not only does not end the principle of voucher systems but establishes a whole new system—this time to be called a directorate—to administer a voucher system.

7.30 pm

Children growing up in families on income support do not do very well, and the Prime Minister has been quite right to draw attention to the fact that about one third of all children—perhaps more—grow up in households living only on income support. Those children do badly at school, and in many other ways, because there is not enough money to go around. They have more illness and poverty, and less joy than children in wealthier households.

[Mr. Corbyn]

What on earth is the justification for expecting an asylum-seeking family with two children to exist on about £45 per week less than their counterparts who are receiving full income support? Such an arrangement would be an absolute punishment of the poorest children in the United Kingdom.

Ms Abbott: Ministers have argued that, contrary to what they say in print, the proposals are not meant to serve as a disincentive. They also argue that they are only relieving local authorities of their duties under the National Assistance Act 1948, as local authorities have begged them to do. Clause 103, however, states that the Bill will also remove from local authorities their discretion to provide help—under the Health Services and Public Health Act 1968 and the National Health Service Act 1977—to elderly asylum seekers, so as to prevent illness.

The point about clause 103 is that, whereas Ministers claim that they are removing local authorities' national assistance obligations—because local authorities have asked them to do so—they are not even allowing local authorities to provide discretionary help to elderly asylum seekers or to prevent illness. Providing that help is entirely optional for local authorities.

Mr. Corbyn: My hon. Friend makes an important point, but I do want to stray too far in dealing with it, as that would take us away from the substance of new clause 6. However, the provision would remove the principle of local authorities' right to some discretion. Although I should not mind removal of that right of discretion if it were replaced by a system providing full support for asylum seekers; the only way in which that objective could be achieved would be by allowing asylum seekers the same access to the social security system as they had before implementation of the 1996 Act. If that access were restored, we would resolve the issues raised by discrimination and the incredible cost spent in administering an ineffective and inefficient system.

We inherited from the Conservative Government an expensive, inefficient and nasty system; now, we shall establish a directorate to continue in much the same way. Although I realise that the Government have made some concessions on the amount of cash to be made available, I cannot understand why we are introducing a voucher system.

Every teacher in a classroom knows that it is his or her job to try to educate and bring up that group of children in the best way he or she knows, providing them with security for the future. Every teacher knows that if children come from a very poor background, they might bring with them particular problems.

Often, however, the children of asylum-seeking families have experienced all sorts of other distress. They may have witnessed violence, or have had violence meted out to them. They have may have witnessed great upheaval, and have a sense of insecurity. If those children also know—as my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) said—that their parents cannot afford the small but so important things in life, such as sweets or a school trip to the fairground, they will have been very cruelly discriminated against. Children can be very cruel to one another. The system that we are being asked to support today will not only continue that cruelty, but exacerbate it.

In approving the proposals, we shall also be feeding xenophobia directed against asylum seekers. We shall introduce a system that stigmatises people, impoverishes children and costs us all a great deal of money to administer. Nor will it solve the problems that it is intended to solve.

I am with my hon. Friend the Member for Hayes and Harlington on the issue. It is wrong of the Labour party, which has always campaigned for the principle of universal benefits and a universal welfare state, to be involved in introducing a system that is the antithesis of a universal welfare state—a state in which the community as a whole provides for the needs of everyone, in the expectation that the community as a whole will participate for the greater good. That is what the welfare state is about; today we are walking away from it. What we are doing is wrong.

I hope that the Home Secretary will realise the depth and strength of feeling on the issue, not only among Labour Members but among the community that we represent. I hope that he will also appreciate what is being said by those who attend churches and who work in local government, by teachers and social workers, and by ordinary people who see impoverished children in our city.

There are 47,000 asylum-seeking families in London, which is far more than in any other part of the United Kingdom. Local authorities have done a great deal to do their very best to support those families, just as they supported them after implementation of the 1996 legislation.

All the groups that have been lobbying us on the issue—the Refugee Council, the Medical Foundation for the Care of Victims of Torture, the Children's Society, Oxfam, citizens advice bureaux, and so many others—have also lobbied us before. I do not think that, after the 1997 general election, any of them expected to have to write the same type of letter to Labour Members, offering the same type of advice.

I ask the Home Secretary to reflect on what the Bill is about and on what he is doing, and to give us some encouragement that that system will not continue, and we shall return to a system of universal benefits.

Mr. Coleman: I should like to begin as many of my hon. Friends have done, by warmly welcoming many of the Government amendments. I am especially pleased that the Government have significantly increased the cash element in the support package for asylum seekers.

I should like also to join almost every other Labour Member who has spoken by paying tribute to the sensitive way in which my right hon. Friend the Home Secretary and my hon. Friend the junior Minister have recognised the very real concerns of Labour Members, listened carefully and taken on board many of those concerns. Nevertheless, major concerns remain.

I should like briefly to highlight three reasons—some of which have already been mentioned, but I do not apologise for that—why I support amendment No. 1, which would exempt families with dependent children from the proposed support package. First, however, I pay

tribute to the work done on the Bill by my hon. Friend the Member for Walthamstow (Mr. Gerrard), both in Committee and with various agencies.

I represent an inner London constituency with a very large number of asylum seekers, many of whom have children, and a significant number of whom have waited for years for their applications to be processed.

My first reason for supporting amendment No. 1 is based on doubts and concerns—which I hope the Home Secretary will deal with today—about the Government's claim that the current support package is equivalent to 90 per cent. of income support. It is a very important point, because the Government have advised us that, added together, the voucher and cash support elements will equal 70 per cent. of income support. Ministers also say that the other elements of the support package will definitely make up the 20 per cent. difference, as the bulk of that is composed of utilities costs.

Last week, I asked the Library to research what percentage of income support a typical family, comprising two adults and two children, would spend on utilities—electricity, gas and water. Although it is not possible to calculate a precise figure, as costs vary between different parts of the country, the Library has told me that no more than 10 per cent. of income support entitlement should be spent on utilities. There is, therefore, a significant discrepancy between that percentage and the one provided by the Government.

One suggestion made to me by Government sources is that an element of the package is the cost of accommodation furnished with items such as saucepans and cutlery. That explanation does not hold water, and I hope that it is not the one that we shall hear later from my right hon. Friend the Home Secretary. Anyone acquainted with the private rented sector in inner London will be well aware that almost no available unfurnished accommodation is remotely affordable for families living on income support and housing benefit. So the reality is that British families living in private sector rented accommodation will inevitably live in furnished accommodation. In other words, UK citizens do not have their income support reduced in any way as a consequence of living in furnished accommodation, and to penalise asylum seekers for providing them with furnished accommodation would be invidious, wrong and certainly open to legal challenge.

We should also not lose sight of the fact that the package already contains an in-built cut in benefit for asylum seekers with children, even if we accept that the Government's figures add up to 90 per cent. of income support entitlement, which I do not believe. Although it is true that asylum seekers have historically received 90 per cent. of income support, asylum seekers' children have always received 100 per cent. of income support. For that reason, I believe that, if the Government refuse to accept the extremely modest amendment No. 1, they should at least be prepared to agree to the demand—made by, among others, the National Association of Citizens Advice Bureaux, Oxfam, the Refugee Council of Great Britain and the Children's Society—that the income support entitlement set for the support package must be a minimum of 85 per cent.

The second principle behind my support for the amendment relates to the use of vouchers. Their use is offensive in principle, but I believe that there are special and particular problems attached to their use by families with children. There is a range of practical reasons why the use of vouchers is inefficient and expensive, some of which have already been mentioned by my hon. Friends. Anyone who has shopped for food will know that there is an inevitable reduction in street spending power entailed by the use of vouchers. I live two streets away from Shepherds Bush market, where it is possible six days a week to buy vegetables, fruit, chicken and other staple dietary requirements at a fraction of the cost at which they can be purchased at the only supermarket in my constituency where vouchers are currently redeemable.

It is true that a £1.10 bus ride away in south Fulham, where vouchers are currently not redeemable, there are cheaper supermarkets where it might be possible, under the new arrangements, to buy such items at prices similar to those offered on the street market—I doubt it, but it might be possible. However, the bus rides to and from those supermarkets will probably cost most of the asylum seekers who live in accommodation on the Shepherds Bush road, where all the bed-and-breakfast hotels are, at least one day's worth of their meagre cash allowance. We are told that the Home Office currently intends that the lowest denomination voucher will be worth 50p, thus obliging the asylum seeker either to spend in multiples of 50p, or to dip into the minimal cash allowance which, even at the increased level, is set at the huge figure of £1.43 per day.

My main objection to the use of vouchers for families with children is that the practice is, in effect, divisive, degrading and, as many of my hon. Friends have said, deeply stigmatising. It is divisive because the non-asylum seeker does not understand vouchers; inevitably, unfounded rumours about scroungers arise and are exploited by deeply unsympathetic and sometimes racist elements in the community to spread disharmony and discrimination. Vouchers are degrading because, in a cashless system, queues form at checkout desks as asylum seekers sign their vouchers: in many cases in my constituency, vouchers are issued only in denominations of £1, so signing them all takes a considerable period of time. In addition, because it is a cashless system and no change is available to voucher users, items have to be changed at the checkout because the total bill does not add up to a round figure that can be met by vouchers.

Finally, the system is stigmatising because a visit to any supermarket where the vouchers are redeemable will, time and again, provide a replay of the scene that I am about to paint. In Hammersmith and Fulham, the supermarket in question is located in a prosperous area where a four-bedroomed house might cost up to £500,000. However, nearby in the Shepherds Bush road are a number of bed-and-breakfast hotels and hostels, some of which are of an extremely unsatisfactory nature. Many asylum seekers have been placed in such accommodation. The head teacher of a local primary school told me the other day of the regular breaktime football kick-about matches that now take place every morning between two teams: the voucher children against the rest.

7.45 pm

As my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) said far more eloquently than I can, we have already returned to the days when poor children are branded as such at school by having to wait in a separate queue to receive their free school meal.

[Mr. Coleman]

Such an outcome is blatantly contrary to the Government's policy of social inclusion and cannot be justified by any explanations based on so-called deterrents to fraudulent applications.

I am sure that Ministers will understand that those of us with a recent experience of dealing with the Immigration and Nationality Directorate are highly sceptical about its ability to meet the extremely ambitious targets set for dealing for applications. An initial decision at eight weeks, followed by an appeal timetable of a further 16 weeks, is simply not consistent with the IND's recent record. To meet such targets will require a truly spectacular improvement in service delivery. There is a danger that the attempt to meet the targets will result in a deterioration in the quality of the decision making involved.

I was disturbed to learn from a written answer received from the Minister of State on 22 January that, in some cases, a decision to refuse an asylum application would be taken by an officer at administrative officer grade. Administrative officer grade might mean that a full-time member of staff earns about £9,000 a year; such staff are almost certainly inexperienced, with little or no specialist training. What measures do the Government intend to introduce to ensure that there is proper supervision of decision making by appropriately senior trained and experienced staff? If the Government are confident and determined to stand by the targets that they have set for the IND, I refuse to accept that we should continue to insist that families with children have to endure such a humiliating daily experience, even for only a short period of time. That is why I strongly believe that they must be exempted from the package.

My next reason for supporting the amendment relates to the issue of dispersal. As a London Member of Parliament, I am acutely conscious of the huge pressure on temporary accommodation in London and other areas of the south-east, and I recognise that there is a need to relieve that pressure. I am gravely worried that the Government's current support package is doomed to failure, despite their good intentions. I am well aware that the support mechanisms for refugees—especially those with children—in my borough are among the best, if not the best, provided in the United Kingdom. They have emerged slowly, but coherently, over many years as a direct consequence of the commitment of a range of different agencies, including the local authority, the Churches and the voluntary sector.

Those support mechanisms include an accessible and affordable translation service and a first-class free legal aid service. There is also an education service that is ready and able to cope with children from many different backgrounds: one school in my borough has children speaking 146 different languages. There are at least two experienced family projects, which provide a safe place for refugees and their children to meet, to prepare food and to eat together. There are separate Somali refugee, Iraqi refugee and Iranian refugee projects run by dedicated members of those communities who are accountable to and funded by the local authority.

Such support mechanisms are crucial to vulnerable people, especially families with children, many of whom have already been deeply traumatised. However, even if we strip all that away, Hammersmith and Fulham would still have friends, families and support provided by members of the different ethnic groups who have already settled well in the local community. I know that the Government intend to manage the dispersal process sympathetically and with due regard to such concerns, but I fear that for understandable reasons, the necessary mechanisms, have not yet been put in place. The academic research into the necessary support mechanisms—real research, carried out on the ground—has not been done.

The danger is that, without support, families will not stay in the location where they have been allocated accommodation, and that some will return to London with no money to feed their children and no access to any sort of benefit whatsoever. We know the terrible consequences of such a scenario. Desperate people will be left with little or no option but to consider begging, crime or prostitution to fund their essential needs. I urge the Government to ensure that they have put in place the necessary support mechanisms before the process of dispersal begins so that we avoid the nightmare scenario of large numbers of refugee children begging in our capital city.

The families with dependent children covered by amendment No. 1 account for less than 15 per cent. of asylum seekers. The cost of removing them from the system is not insignificant, but it is certainly not prohibitive for a country of our size and wealth. I urge the Government to reconsider their decision not to support the amendment.

Mr. Jonathan Shaw (Chatham and Aylesford): I had not intended to speak and I shall make only a few comments, but, like many others, I have been moved by the passionate and eloquent speeches of some of my hon. Friends.

I join other hon. Friends in thanking my right hon. Friend the Home Secretary for being prepared to give some concessions and provide a more flexible system for those seeking asylum. I pay particular tribute to my hon. Friend the Member for Walthamstow (Mr. Gerrard), who has presented his arguments with reason and statesmanship over many weeks. We are grateful to him for that.

My hon. Friend the Member for Dover (Mr. Prosser), who is not in his place at the moment, discussed the considerable strain that his community has experienced. Hon. Members may not be aware of the pressure that he has been under and the dignity with which he has tried to find solutions to the current appalling system that has been imposed on Dover. The situation has placed a great strain on the community, which is not used to large influxes of refugees and has had to cope with any number of racist thugs and marches. I pay tribute to my hon. Friend for his attempts to find solutions rather than behaving like a previous Member of Parliament for the area, who had a similar name to mine. When I arrived in Parliament a couple of years ago and said, "Hello, I'm Shaw from Kent" I was greeted with considerable shock.

I welcome the Government's measures to speed up the system, but I am still very concerned. The jury is still out on the IND. My hon. Friend the Member for Nottingham, South (Mr. Simpson) said that it did not reply to his letters. I doubt whether letters from asylum seekers are even opened.

The main issues are income support and vouchers. Kent social services did not give a ringing endorsement to the voucher system in its evidence to the Special Standing

Committee. As a former social worker in Kent, and having talked to colleagues, I can tell the House that vouchers are a nightmare. We have to think seriously about whether they are a practical solution. More importantly, as some of my hon. Friends have said eloquently, vouchers will do nothing to foster community relations. They separate people and there will be more of the voucher children whom we have heard about. It does not take a great deal to imagine a mother with two children standing in a shopping queue handing over vouchers with two racist thugs standing next to her. How is she going to use the 24-hour hotline, particularly without any cash to make the call? The system will increase the racial tension in our communities that my hon. Friend the Member for Dover has done so much to try to dispel in his area.

Income support is to be reduced to 70 per cent. for families with children. I have spent years working with families on low incomes. Even those in supportive communities often find it very difficult to make ends meet. They have the flexibility to find the cheapest goods, perhaps by buying second hand or from a boot fair. The voucher system removes that flexibility. Reducing income support payments increases the risk of more begging, more crime and more of the resentment and racism that my hon. Friend the Member for Dover has tried to address.

The amendment is very modest. It affects very few people, but the consequences of not accepting it would be huge. I hope that my right hon. Friend will think again.

Mr. Hilton Dawson (Lancaster and Wyre): In any consideration of the issue, we have to understand the appalling mess and shameful disgrace that the Government have been bequeathed. It is worse than the legacy of incompetence that they have faced so often. The previous Government had a venal approach to asylum seekers. It was a stupid and ignorant approach to human beings and a wicked disgrace which has demeaned this country. That is the context in which the Government have had to try to put together something embodying humanity, fairness and efficiency.

My constituency has nothing like the scale of distress from asylum seekers that we have heard recounted eloquently by some of my hon. Friends this afternoon, but I have seen families that have fled from another country in fear of their lives and are desperately anxious about the possibility of having to go back to a country in utter turmoil. They have been faced with destitution and incomprehension in this country. Mr. Lukiden Kenyi, who is a gentleman in the full meaning of the word and who is watching this debate, has waited seven years for his asylum application to be dealt with. His life is on hold and he is unable to use his manifold talents. That is part of the appalling legacy that the Government face.

When I saw clause 99, which later became clause 108, I was distressed that the Government were proposing amending the Children Act 1989. If the previous Government, albeit on an all-party basis, did one decent thing—and perhaps they did only one—it was to introduce the Children Act 1989, which makes the best interests of the child paramount. I felt that amending the vital section 17 of that Act was an invitation to local authorities to discriminate between families from this country and asylum-seeking families that approached them for help under that section.

8 pm

The Children Act 1989 applies to all children. Section 17 introduced the vital concept of the entitlement of children in need. Children with disabilities, from families who have difficulty in looking after them, who have been abused or who are at grotesque risk of abuse are entitled to services under that section, which also applies to families in the most demeaning circumstances.

We have heard descriptions of poverty and we should recognise the fact that all families living on social security and on housing benefit are living in poverty. The legacy of the previous Government was that a third of all children in this country were living in poverty. Families who have not been able to manage their incredibly limited money, and who, by misfortune, have run out, come cap in hand to social services departments, typically on a Friday afternoon, to beg a little bit of food to see them over the weekend, and that food is provided because otherwise the children would be in care. The most paltry request that I have made is that asylum-seeking families should be included under section 17 of the Children Act 1989.

Ministers have not only listened to our arguments but have acted on them. That reflects manifold credit on them. They have made changes, and I welcome my right hon. Friend's support for amendment No. 3. I have great difficulties with new clause 6, but I understand that there has been some movement in providing slightly more in cash and less in vouchers. The speeding up of the system is very welcome, as is the commitment to the sympathetic dispersal of people around the country, which should help us to avoid some of the problems that have occurred in places such as Dover. If managed sympathetically, it should help people to establish themselves in communities where their language is known and their culture recognised.

I recognise my right hon. Friend's determination to deal with the huge number of claims that apparently have little merit and to apply the system with humanity, responsibility, efficiency and probity. I have observed the Government's approach to the issue. I absolutely deplore the decision not to give social security to families with children, which is a modest request. Children do not come here of their own volition and I cannot see any justification for not giving their families the full range of benefits. I am terribly sorry that the Government intend to maintain their exception to the United Nations convention on children's rights on immigration and asylum matters.

The Children Act 1989 provides the opportunity to give proper support to children, and its profound significance should be properly recognised. If my right hon. Friend can assure me that new clause 6 will not prevent asylum-seeking families with children from getting the same range of support from social services departments under section 17 as all other families, so that they will not feel the need to beg on the streets or put their children at risk, I am prepared to trust the Government's commitment and Ministers' integrity and responsibility and vote with the Government.

That one vote does not mean very much, but my right hon. Friend should recognise the huge responsibility on his shoulders to produce an improved system that humanely and efficiently meets people's needs, enabling children of asylum seekers to be treated on the same basis

[Mr. Hilton Dawson]

as children from this country. If that happens, and the Children Act 1989 remains unamended, I am prepared give the Government my trust.

Dr. Godman: First, I apologise to you, Mr. Deputy Speaker, and to other hon. Members, for my absence from this debate for about 40 minutes. I had a meeting with the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Torfaen (Mr. Murphy). I explained that to the Chairman of Ways and Means, who was the previous occupant of the Chair.

I was only too willing to endorse amendment No. 1, for several reasons. I have always been opposed to voucher systems. I remember the necessitous clothing vouchers that we had in Strathclyde, which stigmatised children among their schoolmates, and the asylum seekers' vouchers will do the same. Can my right hon. Friend give me an assurance that his voucher system is immune from the pernicious activities of loan sharks? I do not know what the experience of my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) is, but I have had experience in my constituency of loan sharks holding many giro books belonging to social security claimants. I hope that we shall not see something similar with the voucher system. The voucher system is rotten. Vouchers are cumbersome and bureaucratic and, as many of my hon. Friends have said, they stigmatise those who hold them. We are dealing with children here and we must treat them compassionately and sensitively.

I offer my compliments to my right hon. Friend the Home Secretary for his genuine willingness to listen to the legitimate concerns raised by my hon. Friends, many of whom have much more experience than I do of asylum seekers. Those males in Scotland who have had their applications rejected—I think that they are called persons awaiting deportation—invariably finish up in the prison in my constituency.

But here we are talking about support for children, and the voucher system is not right. The Asylum Support Directorate, as my hon. Friend the Member for Clydebank and Milngavie said, will be cumbersome and bureaucratic.

I am also totally opposed to putting families on 70 per cent. of income support. Many of my constituents—too many—are on income support and they are on the breadline now, so those who receive 70 per cent. of income support will be in a much worse position.

The effect of the Home Secretary's measure will be exacerbated by what he seeks to do to the Social Work (Scotland) Act 1968. I know that my right hon. Friend will have something to say about emergency procedures, but no one knows better than my hon. Friend the Member for Clydebank and Milngavie just how important section 12 of that Act is for children caught up in emergencies when the social security system cannot help them. It is wrong for the House to change that Act.

I, along with my hon. Friend, am proud that it was our old and dear friends, the late Willie Ross and the late George Willis, who put that Act through the House all those years ago, because it has helped many families. We should not deny to the children of refugees the assistance given to Scottish children in need by that wonderful Act.

I also happen to believe that, by this measure, the Home Secretary and his officials bring us into a grey area between the competence of this place vis-a-vis reserved powers and the devolved powers of the Scottish Parliament with regard to the protection of children. If I were a Member of the Scottish Parliament—I speak as the husband of an MSP—I would be concerned about this measure.

The Social Work (Scotland) Act is exclusive to Scotland. Its aim is to help people in need, especially families. If I were an MSP I would want to take the matter to the Judicial Committee of the Privy Council because, with respect, that very fine fellow, my right hon. Friend the Home Secretary—his remit runs throughout the United Kingdom—is coming into Scotland and diminishing that important Act which has helped many children in my constituency and, I have no doubt, in my hon. Friend's constituency and elsewhere in Scotland. I have been given some indication by that fine fellow, my right hon. Friend, that he may have something to say about the 1968 Act as it is affected by the Bill.

However, I have said that I will be brief and I shall try to hold to that promise. I am completely opposed to a voucher system. It is disgraceful that we should say that families will receive 70 per cent. of income support. In terms of helping children, the diminution of the value of section 12 of the 1968 Act is a major mistake and I hope that it can be changed. It will cause anger in Scotland.

Some of the complaints that I have raised have been voiced to me by members of the Scottish Refugee Council and by others in social work departments and in my constituency. I hope that my right hon. Friend the Home Secretary will continue to listen to the legitimate concerns that I have raised in this brief intervention tonight.

8.15 pm

Mr. Straw: This has been an important and wide-ranging debate, which has not only covered new clause 6, which clarifies the duties under the Children Act 1989 and ensures that they are effectively and seamlessly transferred to the Asylum Support Directorate in respect of children of asylum seekers, but has ranged much more widely on account of amendment No. 1, tabled by my hon. Friend the Member for Walthamstow (Mr. Gerrard), to include the whole principle of cash versus vouchers.

In the course of the debate I have been asked many questions. I apologise if I am unable to answer all of them, but I am ready to accept interventions, and I shall ensure that answers are given in writing.

As it turned out, the heart of the debate concerned the issue of cash versus vouchers for families. To pick up the easiest questions, my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman), asked whether the vouchers would be immune from loan sharks. I was expecting him then to buttress his argument in favour of the social security cash system against—

Mr. Deputy Speaker: Order. I appreciate that the right hon. Gentleman is seeking to answer many questions from his own Back Benchers, but he must address the Chair.

Mr. Straw: I now turn out to be a recidivist, as I committed the same offence last night. I shall accept that as a final warning and hope to amend my ways.

I was rather expecting my hon. Friend to come up with an argument in support of his that cash was better than vouchers. But—if I may tease him with this—his point

supports our argument rather than his. His point was that as, at the moment, loan sharks ask for social security benefit books—an entirely cash-based system—as security against a loan, what would happen with vouchers? The imagination of loan sharks knows few bounds, but precisely because vouchers will not be freely negotiable—they will be redeemable only by those who properly receive them—the opportunity for them to be used as security for loan sharks should be greatly diminished.

My hon. Friend also asked about section 12 of the Social Work (Scotland) Act 1968. As I explained to him in a note, we intend to move amendments in the other place, consistent with those in new clause 6 in respect of the Children Act for England and Wales, to ensure that similar responsibilities are seamlessly transferred.

As to whether that is a reserved or devolved area, it is a reserved area; there is no question about that. There are bound to be some reserved areas. After all, this is the United Kingdom Parliament and I have no need to remind my hon. Friend, as a supporter of the Union, of the section within the Scotland Act 1998 which acknowledges the sovereignty of this Parliament. Of course, many reserved areas will involve co-operation with devolved bodies, including Scottish local authorities. We shall deal with that matter in a sensible way, and discussions are already in hand with the First Minister in Scotland.

My hon. Friend the Member for Greenock and Inverclyde also asked about emergency arrangements. I can assure him absolutely that they will be in place. It is not part of our policy to see children or families destitute on the streets. For the most part, emergency arrangements will be agreed with local social service departments to provide 24-hour cover to deal with the problems that concern my hon. Friend.

Rev. Martin Smyth (Belfast, South): I thank the Home Secretary for giving way, and I apologise that pressure of time has meant that I have not attended the entire debate. Is the Home Secretary aware that the chairman of the Human Rights Commission in Northern Ireland has written a letter—I am not yet sure whether it has been sent to the right hon. Gentleman or to the Secretary of State for Northern Ireland—pointing out some of the anomalies that will cause problems in the courts in Northern Ireland?

I recognise that this is a reserved matter, but the measure must operate alongside Northern Ireland human rights legislation, which gives people equal rights and allows them to take the Home Secretary to court. Is the right hon. Gentleman prepared to reconsider the matter and perhaps table amendments in the other place?

Mr. Straw: I was not specifically aware of the letter to which the hon. Gentleman refers, but I shall make myself aware of it and ensure that he is given a reply. If amendments in the other place are necessary they will be tabled, but I do not want to anticipate decisions that I may make in the light of consideration of the letter.

I detect general approbation in the Chamber for the changes that we propose in new clause 6. They will make it absolutely clear that the benefits for children of the Children Act will not be lost if an asylum seeker and his or her family becomes the responsibility of the Asylum Support Directorate, but instead will be transferred from the relevant local authority social services department to that directorate.

To pick up a point raised by the hon. Member for Sheffield, Hallam (Mr. Allan), if it should happen that the Secretary of State refuses to take responsibility for an asylum seeker, that person would automatically revert to being the responsibility of the local authority's social services department—unless the refusal was not made by the Asylum Support Directorate but was a wilful refusal of a reasonable offer of support by the asylum seeker.

However, even in those rare circumstances in which a person refuses an offer that is considered to be reasonable and a reasonable discharge of the Secretary of State's duty, the children would become the responsibility of the relevant social services department. The adult who refuses such an offer, I am sorry to say, would have to look to his laurels as, under our homelessness legislation, would any United Kingdom citizen who wilfully refused an offer of accommodation.

Mr. Clappison: The children would be taken into care.

Mr. Straw: That would, of course, be the ultimate decision that the social services department might have to make—as it would in respect of any other child considered to be at risk under the provisions of the Children Act.

That connects with the point that I want to make to reassure my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson), in particular. The only duties under the Children Act being transferred from the local authority social services department to the Asylum Support Directorate at the Home Office are those in respect of accommodation and essential living needs. The local social services department's much wider duty in respect of the welfare of children remains continuous and is unaffected by new clause 6 or by any other measure in the Bill.

Mr. Clappison: Is the Home Secretary aware that the same points were made in Committee in defence of the original clause 99—now clause 108—by the Under-Secretary? Is he aware also that children's organisations such as the UK committee of UNICEF have looked at new clause 6? It stated:

"We remain of the view that it is inappropriate for asylum seeking families with children to be excluded from obtaining accommodation".

The same concerns exist now as existed about the original clause 99.

Mr. Straw: I am sorry to say that the hon. Gentleman, uncharacteristically, has missed the point. There is no dubiety about the fact that, under new clause 6, the responsibility on a local authority to provide what amount to the Children Act provisions—accommodation and essential living needs in respect of children in need—is transferring from the social services department to the Asylum Support Directorate. The concern expressed by my hon. Friends about what started off as clause 99 was that the local authorities were being relieved of their duty under the Children Act in respect of asylum seekers' children, but that no corresponding duty was being placed on the Secretary of State and the Asylum Support Directorate.

We have rectified that. The answers given by my hon. Friend the Under-Secretary and me about the welfare of children other than in respect of accommodation and

[Mr. Straw]

essential living needs are the same, because that duty of welfare will remain with the local authority social services department. I hope that that explains the matter.

Mr. Clappison: The Home Secretary said earlier that the local authority would still be able to care for a child who has fallen through the safety net, but the point is that it would not be able to care for that child under section 17 of the Children Act. The same points were made in Committee by the Under-Secretary, and the Government have not moved from that. The Government are taking away local authorities' section 17 responsibilities, which are intended as a safety net.

Mr. Straw: I do not want to labour a point that I have explained three or four times. I am sure that most hon. Members in the Chamber understand it. The difference between new clause 6 and what began as clause 99 is that there is now a very clear duty imposed on the Secretary of State in respect of the obligations to provide accommodation and essential living needs that otherwise rest with a local authority's social services department. That is absolutely clear.

Moreover, I listened carefully to the remarks of the hon. Member for Hertsmere (Mr. Clappison), but I was no clearer at the end of them whether he was supporting the arrangements for a national system of support for asylum seekers, or opposing it. It is also evident that he has received no assistance from any other Conservative Members. I do not recall one speaking either in his favour or against him, and for a large part of the debate he was alone on the Conservative Benches, apart from the occasional Whip.

Mr. Clappison: Will the Home Secretary give way?

Mr. Straw: Of course I will, if the hon. Gentleman will relieve our darkness and say whether he supports the arrangements in principle.

Mr. Clappison: The Under-Secretary will confirm that we supported them in Committee. This debate is not about the arrangements, although I can understand why the Home Secretary wants to get on to that subject. It is about protecting children. We are worried about whether new clause 6 goes far enough to protect children and remedy the defects of the original clause 99. I do not think that the Home Secretary has gone far enough yet.

Mr. Straw: I look forward to the Conservative amendments that will be tabled in the other place, but it is interesting that the hon. Gentleman's concern is not widely shared in the rest of the Conservative party.

Mr. Clappison: That is a cheap remark.

Mr. Straw: I think that it is entirely fair to point out that no other Conservative Member was present while such an important measure was being debated.

Mr. Dawson: Does my right hon. Friend acknowledge that section 17 of the Children Act does not meet the accommodation and financial support needs of anyone in this country? The spectre of children begging in the street has been raised. If families were reduced to such levels of destitution, even if they were being supported by the Asylum Support Directorate, will my right hon. Friend assure me that they would therefore be entitled to assessment under section 17 of the Children Act?

8.30 pm

Mr. Straw: I can reassure my hon. Friend on that point, as my hon. Friend the Under-Secretary says that no asylum speaker has been found begging in those circumstances. I appreciate the spectre of concern, and that my hon. Friend the Member for Lancaster and Wyre has great expertise as one professionally responsible for implementing the principles of the Children Act 1989. However, the purpose of the Bill, the Asylum Support Directorate and the mixture of vouchers and cash is to ensure that no child and no family are destitute while an application for asylum is being dealt with.

The arrangements continue to apply to families even after applications for asylum have been dealt with, rejected, rejected again on appeal, and rejected by the divisional court or the High Court. They still apply when the family is waiting for removal, until those refused asylum or exceptional leave to remain exit the country. Those given asylum or exceptional leave to remain switch swiftly to the cash benefit arrangements that apply to any citizen or individual with normal residence in the UK.

Amendment No. 1, tabled by my hon. Friend the Member for Walthamstow, goes to the heart of one side of the argument about whether we should have a mixed system of cash and vouchers or stick, at least for some asylum seekers, to cash alone. Some people who have heard the debate might take from it two errors. First, they may believe that asylum seekers receive social security benefits. As my hon. Friend knows, that is not the case. A good half of asylum seekers who apply in-country have no entitlement to social security benefits, but are entitled under the Children Act 1989 or the National Assistance Act 1948 to benefits in kind if they are single or to a mixture of benefits in kind and cash if they are a family.

Secondly, and more importantly, some people may fall into the error of thinking that everyone who applies for asylum will have his or her application recognised as genuine and well-founded under the 1951 convention or the ECHR and be given refugee status or exceptional leave to remain. The UK's record is extremely good. The hon. Member for Hallam cannot have it both ways. The courts and the over-slated Immigration and Nationality Directorate have interpreted our obligations under the 1951 convention more widely than has been the case in many other countries. I want the proud tradition of this country to continue when asylum seekers meet convention criteria or the criteria set out in article 3 of the ECHR, as it has for the 4,000 refugees admitted from Kosovo.

My hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) and others mentioned incentives and disincentives. On our generous interpretation of our obligations under the 1951 convention, about 30 per cent. of the 40,000 who apply for asylum are recognised as refugees or given exceptional leave to remain, and 70 per cent. are not. The blunt truth is that a very high proportion of the 70 per cent. are wholly abusive claimants.

My hon. Friend the Member for Dover (Mr. Prosser) mentioned advertisements in Czech newspapers—we are not talking about Somalia, from which 98 per cent. of those who apply are taken in as refugees as quickly as possible—detailing the availability of benefits in the UK and offering arrangements to travel here through criminal organisations that traffic in humankind. That stark reality stares us in the face.

Mr. Clappison: Before the Home Secretary concludes his remarks, will he return to the unfortunate point of children being taken into care? Is he content that children should be taken into care under the circumstances that he has described, and that section 17 powers will not be available to local authorities to prevent children being taken into care? Does he know that when the Children Act was being debated a member of Labour's Front-Bench team said:

"A child should not find himself in care as a direct result of homelessness."—[*Official Report, Standing Committee B*, 18 May 1989; c. 137.]

His own Front-Bench team wanted section 17 to allow children to be taken into care.

Mr. Straw: The duty on a local authority to consider the welfare of a child arises irrespective of background circumstances. No matter whether the child is an asylum seeker, or the child of a Conservative Member, or has some other grave impediment, that duty applies. I have made the point over and over to the hon. Gentleman that that duty is not affected by whether the child is an asylum seeker. If a child is at risk or lacks parental support, the local authority has a duty to consider whether to take the child into care. That duty is unaffected by the Bill.

I was dealing with the argument about vouchers versus cash. One part of the reality with which we must deal is that 30 per cent. of those who apply—9,000 people last year—were acknowledged as people fleeing persecution or otherwise facing serious danger. Those people were admitted to the UK and given refugee status or exceptional leave to remain. However, more than 20,000 people had no such claim and entered the UK abusively or were already here. Those people came with the idea of gaining benefits or some other economic advantage. They entered the country unlawfully, not on grounds covered by the convention, or, having got here, they sought to evade immigration control and the provisions of their temporary permits by applying for asylum. Every hon. Member who has an immigration case load knows that such abusive asylum claimants are on the increase.

Dr. Lynne Jones (Birmingham, Selly Oak): Will my right hon. Friend give way?

Mr. Straw: In a moment. *[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Far too many private conversations are being conducted in the Chamber. Conversations should take place outside.

Mr. Straw: I have received deputations from the Chinese community and letters from leaders of the Asian community calling for such abuse to be brought under control.

Points have been made about the incentive of cash benefits in the system.

Mr. Allan: Will the right hon. Gentleman give way?

Mr. Straw: I have already given way to the hon. Gentleman a couple of times, so I shall now give way to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones), as I said I would.

Dr. Jones: I am concerned that my right hon. Friend seems to be saying that, because people abuse the system, it is all right to make genuine refugees and asylum seekers suffer by imposing a voucher system, even though he has not addressed the arguments about whether that system deters bogus claimants at all. Will he please respond to that and also to the point, on which there is agreement, that the way to deter bogus claimants is speedily to assess their cases and to set up an effective gateway for asylum seekers?

Mr. Straw: My hon. Friend anticipated the point that I was about to make. She will know—this matter is generally kept private—that I have a close relationship with my hon. Friend the Member for Nottingham, South (Mr. Simpson). I was writing a note to say that a genuine claimant fleeing persecution in his own country would have no interest in whether the support available in this country would be supplied in the form of cash benefits or vouchers. Uncannily, as I was writing that down, I heard my hon. Friend the Member for Nottingham, South make that point.

It is, of course, true that anybody fleeing persecution such as that in Kosovo, Somalia, Afghanistan, Iraq and many other countries has no interest whatever in whether the support available to them in a safe country such as United Kingdom is supplied as a mixture of cash, vouchers and payment in kind, such as the provision of accommodation, or as cash only, as in our social security system. That is why I say to my hon. Friends that, as long as we get right the level of support—which I accept is their next concern—there is no way in which the provision of that mixed system instead of social security benefits will deter genuine asylum seekers who are fleeing persecution in their country from coming here and availing themselves of their rights under the 1951 convention.

We strongly believe, however, that the availability of cash benefits provides an incentive to come here for people who are not genuine claimants and who wish to enter this country not because they are fleeing persecution but because they want to claim those benefits. It is impossible to look down the list of countries from which we now accept many thousands of asylum seeker applications and not come to that conclusion.

Large numbers of applicants come from eastern European countries, where there are no longer any human rights abuses. Perhaps just three or four people out of the thousands who come here from those countries have ever been given asylum status. I therefore say to my hon. Friend the Member for Hackney, North and Stoke Newington, who said that the cash and voucher system will be a disincentive to genuine claimants, that that is simply not the case. I rely very strongly on the agreement

[Mr. Straw]

between my hon. Friend and myself on that point, which is that the system is intended to be a disincentive to fraudulent and abusive claimants.

Ms Abbott *rose—*

Audrey Wise (Preston) *rose—*

Mr. Straw: I shall give way first to my hon. Friend the Member for Hackney, North and Stoke Newington and then to my hon. Friend the Member for Preston (Audrey Wise).

Ms Abbott: I never said that the voucher system would be a disincentive to genuine refugees under the Geneva convention. I said that it is designed to be a disincentive across the board. I have spent many hundreds of hours—in Committee, on the Floor of the House and in private meetings—listening to Ministers talking about economic migrants and non-Geneva convention asylum claimants. Ministers harp on about the pull factor of benefits, but they entirely discount and never mention the tremendous push factors behind those waves of economic refugees. If Ministers were serious about checking those waves of refugees—

Mr. Deputy Speaker: Order. The hon. Lady knows that interventions should be brief.

Mr. Straw: Of course I understand the push factors. I have never sought to criticise individuals who seek a better life here, but the natural, logical conclusion of my hon. Friend's argument—if she pursues it, and I do not think that she will—is that we should have no immigration control. Of course there are push factors. People who seek to come to Britain, including those from eastern European countries, want, on the whole, to better themselves. I understand that entirely; that is one of the reasons why, sadly, in a rather unequal world, we must have a degree of immigration control.

Several hon. Members *rose—*

Mr. Straw: I promised to give way to my hon. Friend the Member for Preston.

Audrey Wise: There seems to be an uncomfortable element of trial by ordeal in what my right hon. Friend is saying. We are not saying that the system is a deterrent to genuine asylum seekers. He is not answering the question why genuine asylum seekers should be put through more suffering. As well as trial by ordeal, there is an element of pre-judgment. All asylum seekers, including the genuine ones, will suffer because some are not genuine or do not qualify—but we do not know which ones they will be, do we? Will he remove this rather nasty trial by ordeal and punishment?

8.45 pm

Mr. Straw: I think that we are reaching a degree of consensus—*[Interruption.]* One understands Opposition Members wishing to laugh about this issue. It is fascinating that the House has filled up considering that, for many hours of this debate, the hon. Member for Hertsmere was alone on the Opposition Benches.

There is a consensus in recognition that a mixed system of vouchers and cash, which we are intending to provide, will not of itself act as a disincentive to genuine claimants. My hon. Friend the Member for Preston suggested by implication that the nature of vouchers and the overall level of the package will penalise genuine claimants, the other points that I have made notwithstanding.

Mr. Allan: I want to tease the Home Secretary to put something on the record. He went from one extreme to the other by saying that all asylum seekers' claims are founded, and then that 70 per cent. are unfounded, and seemed to imply that they were all the type to respond to television advertisements and were setting out to be deliberately abusive. That is a dangerous characterisation, and I do not think that he has the evidence to support it. Some asylum seekers will be cynical abusers, but many others are sad and desperate people whose claims simply do not meet the 1951 convention criteria.

Mr. Straw: Some people from some countries are of course genuine applicants but, none the less, cannot meet convention criteria. I can think of someone in my constituency whose fear was unquestionably genuine but whose claim did not meet convention criteria. As it happened, when he returned to Kenya, he did not run in to any of the problems that he had anticipated. I can think of scores of cases from my constituency—as can my hon. Friends from their constituencies—of people who have made up the application from top to bottom. In one case in my constituency surgery only last Friday, I discovered after some questioning that this chap who had submitted an asylum application had paid an unofficial immigration adviser £5,500 to make it up. I am afraid that such ripping off of people is all too typical.

One of the uncontroversial points—at least on the Government Benches—is that we should take proper control of such unscrupulous immigration advisers. Had the Conservatives done so in response to the amendments that we tabled to the Asylum and Immigration Bill, such exploitation would not be going on.

If the hon. Member for Hallam looks down the list of countries from which some thousands of asylum applicants are coming, and notes that fewer than 1 per cent. of them—in some cases 0 per cent.—are given either exceptional leave to remain or refugee status, he is bound to conclude, as everyone who has any experience of these matters does, that most of them come to this country without any basis for a claim and are often facilitated by criminals who are involved in the trafficking of human beings.

Having dealt with some of the issues of principle, let me consider the issue raised by many of my hon. Friends concerning whether we should move to this system of vouchers. As I have sought to explain, the main reason for the change—there has never been any dubiety about the use of a system of vouchers with some cash—is to reduce the incentive among abusive claimants to exploit the system.

Another reason for moving to the new system is that the locally based arrangements are not working. I listened to my hon. Friends speaking about the current

arrangements; my hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman), a former leader of Hammersmith and Fulham council, acknowledged that many London boroughs were doing very good work with asylum seekers, but, strikingly, representatives of those very London boroughs have been to see me and the Under-Secretary to plead with us to end the locally based system because of the pressure on individual London boroughs.

Mrs. Teresa Gorman (Billericay): Will the right hon. Gentleman give way?

Mr. Straw: In a moment.

If that locally based system is to be ended, there must be a national system, and if there is to be a national system, there must be arrangements by which the pressure on the local areas is relieved, and that means that there must be some system of national dispersal. However, as was repeatedly explained in the Special Standing Committee, it will be a sensible dispersal. People will not be scattered to the four corners of the United Kingdom, to areas with which they have no connection. We propose to develop relevant clusters.

I can testify that in many areas outside London there are well-settled ethnic minority communities—I think of my constituency, where there is a small Bosnian Muslim one. Because of that, we are taking some people from Kosovo. The same arrangements and connections can apply under the Asylum Support Directorate arrangements, and they will, because it is not in the interests of the Home Office that we should introduce dispersal arrangements that do not work and that lead to a drift back to London.

Mrs. Gorman: I came into the Chamber rather late, but I have been following the debate on the monitor. I notice that the Home Secretary has said that he has not received a great deal of support for vouchers. I should like him to know that, in contrast with the difficulty that some of his hon. Friends are creating for him, I certainly—and, I am sure, many of my colleagues and a lot of my constituents—support the voucher system because it helps to reduce many forms of abuse, including the supply of money to pay some of the bogus people who give advice, a practice which his hon. Friends seem to support.

Mr. Straw: I am very pleased that I gave way. In my situation, one treasures support from whatever quarter it comes.

On the value of the—

Mr. Gapes: Will my right hon. Friend allow me to intervene? He knows that I represent a London constituency in which there are many Somali refugees. I support a dispersal policy, but I am worried about what might happen if people who are moved far from London choose to leave the accommodation provided by the new system and return to the London boroughs where they have relatives, before their cases have been determined. I should be grateful for my right hon. Friend's assurance that, if there is any sign that that is happening, measures will be taken to ensure that London local authorities get support if they are faced with increasing pressures despite the new system.

Mr. Deputy Speaker: Order. That intervention was too long.

Mr. Straw: Let me say two things to my hon. Friend—if I can remember what they are. First, if someone was provided with accommodation somewhere in the north-west, where there was a settled Somali community, but decided of his own volition to leave that accommodation and move back to Ilford to stay with friends and relatives, he would still be able to claim the essential living needs part of the asylum support that we are providing. He would therefore receive his cash and vouchers, but his accommodation costs would not be paid. Perhaps the point has not been brought out strongly enough. That person would get that element in any event. As I keep saying to my hon. Friends, no part of the package will leave people destitute. If they chose to live with their relatives, they would get living support, but not accommodation.

Secondly, in extreme circumstances such as my hon. Friend describes, there are reserve powers in the Bill that would have to be used. I do not anticipate that they would need to be used, but we are trying to anticipate every eventuality.

I shall deal first with whether the vouchers and cash will be comparable, then with how vouchers can be used and the target for families. As my hon. Friends are aware and as the Special Standing Committee discussed at some length, the aim of the support package is that it should be comparable to what is currently received by families who are on a mixture of social security and housing benefit, or families who are in receipt of benefits in kind from a local authority.

I understand the concern of many of my hon. Friends about support for children and about the fact that families can build up expenses for renewals, which would not have been accommodated under the original proposals. For that reason, we are making provision for what amount to single discretionary payments every six months. By the way, to those who say that that involves no additional expenditure, may I point out that it does involve additional expenditure and, in my view, it is right that it should, because we had not recognised the need at the beginning.

There is not time to go into detail on the calculations now. We are providing full accommodation costs, whatever they are. The accommodation is also being provided in kind—we are providing not only pots and pans, but bed linen, which is not provided typically in furnished accommodation, still less in unfurnished accommodation—and we are paying for utilities. Broadly, the support that we are providing will be equivalent to the 90 per cent. of income support that is otherwise available to asylum seekers.

I draw the attention of my hon. Friends to the fact that even if someone is on cash benefits and is paid income support and housing benefit, the housing benefit is paid only at the average of the rent available in that sector of accommodation in that area. That can mean that some asylum seekers pay above the level of the housing benefit that they receive.

We have examined the figures carefully, and I accept also that for families with three or more children, the support arrangements do not meet the 90 per cent. level.

[Mr. Straw]

We are studying the calculations with great care. I give an undertaking to my hon. Friends and to the House that I hope that my right hon. Friend the Minister of State in the other place will be able to deal with these matters to their satisfaction when the Bill reaches another place.

Ms Abbott: May I refer to an earlier exchange between him and my hon. Friend the Member for Ilford, South (Mr. Gapes)? My hon. Friend asked whether Somalis who were dispersed a long way from Ilford and came back to Ilford would still get their benefits, and the Home Secretary said yes. However, clause 83 clearly states:

"The regulations may also make provision for the suspension or discontinuation of support"

under circumstances in which there has been

"cessation of residence . . . in accommodation provided".

Can the Home Secretary clarify that, as I am sure that he did not intend to mislead the House?

Mr. Straw: Of course the regulations make provision for that, as would any sensible set of regulations. It has always been part of the system that some people who had accommodation sorted out for themselves could be provided with the element of the support package that covered essential living needs. That has always been the case. Of course, if there is a wilful refusal to take accommodation or to accept support in other circumstances, that can be withdrawn.

9 pm

Ms Oona King: May I welcome again the confirmation that the package will broadly represent 90 per cent of current income support? Will my right hon. Friend confirm that if it does not, he will make good that difference?

Mr. Straw: I express my good intentions, because this is a matter to discuss with colleagues as well, but, as I keep saying, it is no part of our purpose to leave the children of asylum seekers short, whether ultimately the application, which is never made by children, is well-founded or not. I hope that my hon. Friends recognise that we continue to examine the calculations and the level of support with great care.

To give further reassurance to my hon. Friend the Member for Hackney, North and Stoke Newington, may I say that provided that an individual applicant is still at his registered address, which need not be the accommodation provided but may be another address at which he has registered, he will continue to receive vouchers under the support arrangements.

My hon. Friend went on at length about jewellery and suggested that asylum seekers would be treated less favourably under the new arrangement than people under current the cash benefit arrangement. She went on at length about the fact that there is a £3,000 floor, below which someone's capital assets are not taken into account in assessing income support. That is true, except for asylum seekers, for whom there is no floor under the existing social security benefits regulations.

My last point concerns the time that we intend that family applications should take within the new system. My hon. Friend the Member for Walthamstow has made many points, both in the House and in other meetings, about the need for speed in getting family applications through. That point has been made by many other hon. Friends, including my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck)—*[Interruption.]* Was that right? Oh well, it is somewhere on the District line, anyway. [*Laughter.*] When I came into the House there was not a single posh place in the country that we represented, and now every posh station seems to be one of ours, not one of theirs.

We accept that one of the major problems in the system that we inherited is the inordinate delays. My hon. Friend the Member for Regent's Park and Kensington, North gave details of a case that had been outstanding since 1990. That is absolutely intolerable. That was supposed to have been dealt with by the Asylum and Immigration Appeals Act 1993, but it was not. It was supposed to have been dealt with by the Asylum and Immigration Act 1996, but it was not. As my hon. Friend knows, we intend to deal with that.

We believe that speed is one part of the essence of an efficient and effective system. That is why we have set targets to be achieved by April 2001 for most asylum decisions to be made within two months of receipt and for asylum appeals to be dealt with within a further four months. We are determined to achieve those targets. Average waiting times for appeals are already less than four months.

It is important to put on record, too, the fact that when we came into office, and for the two years in which the spending plans were those left to us—*[Interruption.]* The right hon. Member for Maidstone and The Weald (Miss Widdecombe) laughs, but, for the first year, the spending plans were those not only left by her Government, but set by her Government because we had already entered the financial year before the election took place. Far from increasing investment in and the staffing of the Immigration and Nationality Directorate, the previous Government were cutting it. No wonder the quality of decision making and administration went down.

We are investing an extra £120 million in the IND over the next three years, including £60 million on speeding up case work. Hundreds more staff are being deployed as case workers, including 200 who are being actively recruited now.

Asylum decisions are currently running at 900 a week and, as I have already said, I hope that that provides substantial reassurance to my hon. Friends. We are aiming to deliver initial decisions on new asylum applications from families with children in an average of two months.

Dr. Lynne Jones: Can my right hon. Friend explain exactly what he means when he says that the target is that most initial applications should be dealt with within two months? Many of us on the Government Benches were hoping to have assurances from him that the Government would not introduce the voucher system for families until a very high proportion of asylum seekers were having their applications dealt with within two months. That would mean far more than 50 per cent.

Mr. Straw: The undertaking I am giving is that there will be an average target of two months in which to process a claim. I should also say to my hon. Friend that that does not mean that 51 per cent. of the applications will therefore be accepted; it could easily be the case that 70 per cent. of the applications will be dealt with within that period. We are trying to get the straightforward cases through quickly—as we have been doing with those of Kosovans, for example. The harder cases, the processing of which may last for some time, will skew the average, but the formal undertaking is for the average target of two months to be met. However, I anticipate that many more than 51 per cent. of cases will be decided in that period.

Dr. Jones *rose—*

Mr. Straw: If I may, I want to answer directly the point that my hon. Friend has raised. I also want to deal with the point raised by my hon. Friend the Member for Regent's Park and Kensington, North, which is, how will I be satisfied, before we introduce that target, that it will be met and what will happen if I believe that we cannot introduce a target? I think that she asked for satisfaction of a 90 per cent. hit rate over three months, but I ask her to accept from me that I cannot offer a mathematical target of such precision.

I also ask my hon. Friend to accept that I will be responsible to the House, and to Members on each side of it, if the system fails to meet the target. I shall set the system running, so, before I press the start button, I shall take a very close and personal interest in whether that target will be met. It will be in nobody's interest, least of all mine, to press the start button to begin the process and then to discover that the applications are routinely not taking two months, but four. A great deal of work is going into that.

For that reason, I also give the subsidiary but very important undertaking that, if we cannot achieve those targets for families with children, and if I am not satisfied that they can be achieved, we will not introduce those applications into the new support arrangements in April 2000. The existing arrangements will continue until we are so satisfied.

I have spoken at considerable length in answering the questions and points that have been raised, with great seriousness, by my hon. Friends and by Liberal Democrat Members. I hope that I have satisfied or, at least, reassured them and assuaged many of their concerns.

Question put, That the clause be read a Second time:—

The House divided: Ayes 331, Noes 161.

Division No. 209] **[9.8 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally

Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mrs. Anne McGuire and Jane Kennedy.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chidgey, David
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Dafis, Cynog
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael

Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Oliver Heald and
Mrs. Eleanor Laing.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

Mr. Peter Bottomley: On a point of order, Mr. Deputy Speaker. This is a brief point, which was dealt with at length in Committee, on the representations made by the United Kingdom Council for Overseas Student Affairs—representing British further and higher education institutions—on immigration advice and other technical points, and in relation to clauses 69 to 71 in the amended Bill and to clauses 63 to 65 in the unamended Bill. The only amendments tabled on Report directly affecting those clauses were one that was consequential on an earlier new clause, and one that was tabled by my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell). As those amendments are not likely to be debated, our further consideration of the Bill would be assisted if Ministers would supply a letter to UKCOSA on those higher education issues, if such a letter is outstanding.

Mr. Mike O'Brien: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The point of order was not a matter for the occupant of the Chair, and was therefore not a point of order. However, Ministers have undoubtedly heard the comments of the hon. Member for Worthing, West (Mr. Bottomley), and we shall leave it at that.

Mr. Bottomley: Further to that point of order, Mr. Deputy Speaker. We have had a substantial debate on new clause 6, and now have two and a half hours for the Bill's remaining stages. Not many matters other than Government amendments will be dealt with, so if the Minister were able to respond to the point, perhaps outside the Chamber, it would be much appreciated.

Mr. Deputy Speaker: Order. What the Minister does outside the Chamber is entirely a matter for him, but I do not want him to respond to the point here.

New Clause 7

REPEAL OF SECTION 8 OF THE ASYLUM AND IMMIGRATION ACT 1996

'.—Section 8 of the Asylum and Immigration Act 1996 (restrictions on employment) shall cease to have effect.'.—*[Mr. Allan.]*

Brought up, and read the First time.

Mr. Allan: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 150, in clause 15, page 11, line 7, leave out Clause 15.

No. 157, in schedule 14, page 141, line 35, column 3, at end insert 'Section 8'.

Mr. Allan: New clause 7 is a straightforward proposal which seeks to repeal section 8 of the Asylum and Immigration Act 1996. The issue was debated at enormous length during the passage of the 1996 Act, when Labour Members expressed great concern about the potential impact of section 8. We have now been able to see how the section operates in practice, and Liberal Democrats believe that those earlier fears have been justified. We also believe that the Government should take this opportunity to honour the clear commitment that they made when in opposition to deal with section 8 and its discriminatory effects on employment prospects.

In Committee, we gave an undertaking to determine whether we could find a formula for revising section 8 that was better than the Government's proposals, so that Ministers would be able to keep to the spirit of section 8—to prevent the illegal employment of people who have no right to work—and to ameliorate its discriminatory effects. After investigating the matter, we—like Ministers—have found no way of substantially changing section 8, leaving us with the fairly straightforward decision whether to repeal it.

I ask Labour Members to read the debates on the 1996 Act, as the decision that we shall have to make today should be based on the precisely the same arguments. We have to determine whether the harm done by section 8—the discrimination against people from other countries in seeking employment—is outweighed by the benefit gained in deterring people from employing others illegally.

I believe that the evidence shows that the harm done by section 8 clearly outweighs any benefit that it brings, and that experience gained since passage of the 1996 Act makes the case for the section's repeal. My primary evidence for repealing the section has been provided by the Commission for Racial Equality and the National Association of Citizens Advice Bureaux, both of which have said that they have received many inquiries suggesting that employers are misapplying section 8, causing discrimination.

The CRE has said that it continues

"to receive inquiries that demonstrate widespread misunderstanding and the"—

often inadvertent—

"application of unlawful discriminatory practices."

Citizens advice bureaux have given similar examples of individuals who have been on the receiving end of that discrimination, who have told the bureaux about how they were refused jobs by employers who were frightened to employ them because of the provisions of section 8, which could make them liable to pay fines of up to £5,000. Since then, the better regulation task force has clearly set out in its review of anti-discrimination legislation its belief that section 8 should be repealed.

9.30 pm

At the time when the 1996 Act was passed, the Government estimated that the increased costs to employers would total £13.5 million initially, and £11.5 million in recurring costs. I should be interested to hear whether the Minister believes that those estimates have been borne out. The Government's proposals, which would impose a code of practice that is designed somehow to ameliorate the effects of section 8, might increase the costs to business. In any case, why should we believe that the new code of practice will be more effective in reducing discrimination than previous guidance issued by the Home Office?

I got the impression from the Minister that the new procedure would work as follows: in order to avoid direct discrimination, if any applicant for a job might conceivably have an immigration status that needs to be checked, the duty will be on the employer to check the immigration status of all applicants for the job. My constituency contains a university, and I know how common it is for foreign nationals to work in universities and apply for jobs in them. However, it would appear that for university employers—this point applies to many multinational and international companies as well—the way forward now is to check the eligibility for work under immigration rules of every applicant to each job. That is a huge burden, which is not outweighed by any potential benefits.

In respect of the benefits that could be attached to section 8, the Government's clear intention has been to send the message to employers that they should not illegally employ those who are not eligible to work. However, since section 8 came into force, there has been only one prosecution under its provisions. The Government have said that there are to be more, but it is clear that section 8 has not been used effectively.

The people we want to catch are the traffickers in human misery—the racketeers and gang masters who bring in people to work in the agricultural sector and other sectors. A more appropriate way in which to deal with them is under section 25 of the Immigration Act 1971 and, at the start of Report stage, we talked about strengthening the provisions of that Act to deal with such racketeers. I believe that we can take measures to deal with employers that do not involve burdening them with strict liability when they are found guilty of employing people illegally, given that that has been clearly shown to put employers off employing anyone other than obviously British white citizens, whose employment poses no risk to the employer under section 8 of the 1996 Act.

The CRE's verdict on section 8 is absolutely explicit:

> "There is no evidence that section 8 has proved to be an effective deterrent to illegal working or racketeering. It is likely to have increased the employment costs of good employers, and it has encouraged the unscrupulous to discriminate. For ethnic minority job-seekers it has added to the barriers which they face."

That is a clear indictment from an expert front-line organisation which is responsible for dealing with such matters. I understand that my hon. Friend the Member for Twickenham (Dr. Cable) will refer to evidence from the CBI and the TUC, which both regularly deal with employment issues on the front line.

The case is clear. Some of the Labour Members present tonight were involved in the debates on the 1996 Act and they will remember the case that was made at that time. It has been proved that section 8 has had a discriminatory effect and there is nothing in the Bill to suggest that we can look forward to a period in which it will not continue to have serious negative effects. The Government should respond positively to the report of the better regulation task force, accept the amendment and repeal section 8. They should concentrate on hitting human traffickers with more appropriate measures, which now carry penalties of up to 10 years' imprisonment, rather than imposing a strict liability on all employers. That only leads employers to discriminate against people, many of whom have been British citizens for years or have a perfect right to work in British companies.

Ms Oona King: I have grave concerns about the implications of section 8. I cannot resolve the irony of a Government with a better race relations record than any before them maintaining section 8. The effects of that policy may be unintentional on the Government's part, but that will not make much difference to my constituents, many of whom may well face direct discrimination as a result of a law that we have a chance to repeal.

The Commission for Racial Equality brought to our attention the example of an employment agency supplying temping staff that refused to accept the national insurance number of a Bangladeshi person and on that basis refused them employment. More than one third of the people in my constituency are of Bangladeshi origin. Research conducted by the University of Cambridge shows that their chance of finding a job is already five times worse than that of a white person, based on an employer receiving two identical CVs, one with a British name and one with a Bangladeshi name. It is a great shame for us not only to do nothing to mitigate that fivefold discrimination, but to encourage employers, particularly unscrupulous ones, to discriminate.

The Government's aim in maintaining the section is to prosecute racketeers and gang masters. None of us would oppose any Government in that aim, but I cannot support the idea of encouraging employers to make checks on people whom they suspect of being unable to fulfil the correct immigration status criteria. As black people, we wear our passports on our faces. Immigrants will not be the only ones to be called to account, although that would be bad enough, because many people who have sought to regularise their stay here have a right to work. Black British citizens will also be affected. I urge the Government to reconsider the policy. I repeat that I am proud to be a member of this governing party, because we have had an excellent race relations record to date, although far more needs to be done.

Section 8 has not achieved its objective. There has been only one prosecution. It has encouraged discrimination and added to the burdens on business. In these days of the third way and encouraging consensus, it is a shame that the Government are continuing with section 8 when the CBI, the TUC and the Federation of Small Businesses are urging them not to do so. I hope that, in this House or in another place, the Government may be able to mitigate the severe consequences of section 8 on members of ethnic minorities.

Miss Ann Widdecombe (Maidstone and The Weald): I do not intend to speak for long on the new clause, because I do not believe that it is very sensible. However, I am intrigued, because, in opposition, Labour Members promised not to implement that portion of the 1996 Act. Indeed, they inveighed heavily against it, as I well remember, because I was charged with piloting the legislation through Committee.

At that time, Opposition spokesmen claimed that the proposal was iniquitous and that it would place considerable burdens on business. They did not seem much concerned about other burdens that they wanted to impose on business, and indeed have imposed, such as the minimum wage and the working time directive. The Financial Secretary to the Treasury, who was then Opposition spokesman on small businesses, wrote to *The Daily Telegraph*—she has good reading—saying that the Act would be an imposition on small firms and that it gave them a raw deal.

Are the Government now planning to give such firms a raw deal? In that letter, the hon. Lady calculated that the Act would cost small firms £12 million in the first year alone. Are the Government now saying that that is acceptable, which they denied in opposition, or do they have some plans that we do not know about to give financial relief to small firms?

It was not only before the general election that the Government opposed the measure as an unnecessary burden on business and a deterrent to employing people from ethnic minorities. Since the election, the Government have several times promised that they would not implement section 8. Now they are not only implementing it but adding the further burden of a code of practice. Will they admit that they got it wrong in opposition?

We would have been intrigued to hear about this in the Special Standing Committee, but the Minister was not present when we debated the code of practice in Committee, so this is his first opportunity to comment on it. I might not have been so ungenerous as to point that out had the Home Secretary not made much of the absence of Conservative Back Benchers in the previous debate. My hon. Friend the Member for Hertsmere (Mr. Clappison) was present throughout, and it would have been nice if the Minister could have managed the same.

Mr. Mike O'Brien: To which Committee is the right hon. Lady referring? I was present throughout—and indeed spoke in—the debate on these matters in Committee.

Miss Widdecombe: I am informed by my hon. Friend the Member for Hertsmere that the Minister was absent for the discussion on the other code of practice, for lorry drivers, so I shall tease him when we debate that.

Mr. O'Brien: The right hon. Lady has accused me of not being present when we debated this very important code of practice and of not being concerned about another code of practice. I spent a lot of time talking to lorry drivers and their organisations and I was present in Committee when we dealt with this code of practice, so perhaps she will be gracious enough to offer me an apology.

Miss Widdecombe: I am afraid that when it comes to the lorry drivers—

Mr. Deputy Speaker: Order. I may not be in possession of a roll call of those who were present in Committee, but I am in possession of the rules of the House. We must debate the new clause.

Miss Widdecombe: Perhaps I should return to the new clause, and we can return to the other argument, if necessary, when we discuss lorry drivers.

Since the general election, the Government and the Minister himself have repeated their intention not to implement section 8 of the 1996 Act. The Minister himself has repeated that intention.

9.45 pm

Before the Minister says that I have my facts wrong again, I refer him to the record of the Special Standing Committee. It was pointed out in column 374 that, in opposition, the Government promised to repeal section 8 of the Asylum and Immigration Act 1996, exactly as the Liberals have now asked them to do. But in June 1997—in case anyone needs reminding, that is one month after the Government were elected for the short period that they will enjoy in power—at a conference on the European Year Against Racism, which took place in London, the Minister said that section 8 of that Act would be repealed because it was discriminatory against black and minority ethnic people.

That was the Minister's considered judgment. I assume that, as he was a Minister, it had to be a considered judgment. It could not be one of those off-the-cuff remarks that he might have turned out in opposition. I presume also that official advice backed up that considered judgment. The hon. Gentleman said that section 8 would be repealed because it was, in his judgment, discriminatory against black and minority ethnic people.

At another conference in January 1998, the Minister answered a similar question. He said that the Home Office was undertaking a comprehensive review of immigration policy, and that that was one of the issues that would be considered. This year, he answered another question, and it was then, after all that review and despite all the pontification—there is no other way to describe it—on the evils of section 8, that he said he had decided that it was best after all for section 8 to remain.

I am intrigued. I should like to know why, from a position which was clear when the Conservative Government introduced that measure; to a position that was apparently equally clear immediately after the election when the Minister was responsible for these matters; to now when we come before the House, the hon. Gentleman has decided that section 8 is a good thing.

I am delighted. I welcome any sinner who repenteth. The Minister challenged me just now to give him an apology for confusing an absence with an occasion when he was present. I shall do that. I expect him in return, having now decided to retain section 8, to apologise for all the things of which he accused us.

Ms Abbott: I was one of the members of the Committee which considered the Asylum and Immigration Act. I well

[Ms Abbott]

remember speaking at length, along with several colleagues, against section 8 and its discriminatory effects. I do not intend to speak at length today, but I could not let this debate go past without stating that my position then is my position now—section 8 is potentially discriminatory.

I support my hon. Friend the Member for Bethnal Green and Bow (Ms King) in saying that we see in inner London high unemployment, particularly among black and Asian young men, even where they have the same qualifications as their white counterparts. I live with and work among the consequences of those high levels of unemployment among black and Asian young men, and it is my strongly held view that if section 8 contributes even in small measure to a climate in which employers feel that they can discriminate, it should be removed.

There is to be a code of conduct, but, as we discussed in Committee, good employers will abide by such a code and are not causing problems under section 8 anyway, and bad employers will ignore it. It is unfortunate that the Government have reversed what was a well-founded position on the issue.

I see on the Treasury Bench the Parliamentary Secretary, Lord Chancellor's Department. When he was a Back Bencher, he pursued a long-running campaign about the number of black persons employed by the civil service and their seniority, pointing out, from the statistics that he had gathered, that black and Asian people find it hard to get promotion.

I say again that if section 8 contributes in any way to that situation, we should remove it. We made those arguments in opposition and I do not believe that things have changed. I could not let this debate go past without putting my views on the record.

Dr. Vincent Cable (Twickenham): I wish to say a few words in support of my hon. Friends in connection with the new clause. My normal stamping ground is economic policy. Choices between social improvement and business costs often require a balance to be struck. However, section 8 of the Asylum and Immigration Act 1996 is unusual, in that it inflicts considerable social harm in the form of racial discrimination and, at the same time, imposes costs on business. That is why it has attracted such an unusual coalition of opposition.

The opposition comes from the refugee organisations and the Campaign for Racial Equality, and from both sides of industry. Employer organisations are normally fractious bodies, but they have found an unusual unanimity in their opposition to section 7. They include the Confederation of British Industry, the Institute of Directors, the British Chambers of Commerce, the Institute of Management, the Institute of Personnel and Development and others.

As we have already assimilated the impact of clause 15 as a possible ameliorative step, it will useful to refer to some of those organisations' comments. Last week, having considered the balance of evidence and argument, the CBI said:

"Since its introduction over two years ago, there is no evidence that section 8 is an effective deterrent to illegal working or racketeering. Many employers still remain confused as to what is expected of them and its main effect has been to place costly administrative burdens on good employers and increase the likelihood of discrimination against ethnic minorities."

The Trades Union Congress is an interesting and important witness to the debate, as, perhaps more than any other organisation, it is concerned with employees' conditions and the exploitation of workers. In Committee, the Minister rightly paid a good deal of attention to the exploitation of the labour force. However, the TUC, on behalf of the trade union movement, makes it clear that it

"is astonished to read . . . that the Government intend to allow section 8 of the Asylum and Immigration Act 1996 to remain on the statute book."

It argues that

"the complexity of the checks required would lead to discrimination by employers against black and ethnic minority citizens."

The hon. Members for Bethnal Green and Bow (Ms King) and for Hackney, North and Stoke Newington (Ms Abbott) know better than I how racial discrimination operates in the labour force. They have probably experienced it themselves and they will be widely familiar with it among their constituents. However, it might be useful to explore how discrimination appears as a result of section 8.

There are different types of employers. Some are genuinely conscientious, but they may none the less discriminate as a result of the complexity of section 8. About 13 different forms have to be used to perform a due diligence check on a job applicant's nationality status, and as many as 40 separate documents have to be reviewed. For companies such as Shell or Unilever and their armies of lawyers that is manageable, but small and medium-sized companies either do not follow procedures, or try to do so and make mistakes.

I suspect that most employers are neither angels nor especially progressive, but they are not racist either. They are merely trying to avoid trouble, given that errors can land them in criminal difficulties. We know the little tricks of the trade in the labour market. A person who rings up about a job and whose accent is obviously Asian or African receives polite excuses to the effect that the job has already gone or that there are many applicants, while an application for a job from someone called Mohammed or Patel meets a predictable response.

The Government claim that those effects can be mitigated by clause 15, but that flies in the face of 20 years of race relations legislation. Such measures are not effective. I am sure that other hon. Members have had similar experiences, but a very able young Asian man came to my advice surgery on Friday who had achieved three A grades at A-level and 7 starred A grades in his GCSEs. He had applied to five medical schools, but had not secured an interview at any of them. He knew and I knew the reason—his name is Patel. Nor are we conspiracy theorists: two days later the Secretary of the Medical Schools Association happened to confirm in the press that that practice was widespread among medical schools. If that can happen in a public and highly reputable profession, in institutions funded by the Government, it is bound to happen on a much wider scale among the small and medium-sized businesses in which such practices are almost impossible to detect.

The Government have tried to discourage such action and have worked hard to produce a formula in the new clause. However, the Commission for Racial Equality has concluded that it will not work. I shall quote from the text

cited by my hon. Friend the Member for Sheffield, Hallam (Mr. Allan), which says that the new regulations will not work

"unless non-compliance was to form part of the criminal offence (which would effectively shift anti-discrimination from a civil to a criminal offence)".

The clause is bound to be relatively ineffective and will not outlaw discrimination.

I do not want to exaggerate the importance of the impact of costs on small businesses. If a Bill could outlaw discrimination, it would be worth the price, and business should pay a price. It is reasonable to ask employers to be careful about whom they employ. They should take responsibility for checking that they are not employing illegal people. What is at issue is the magnitude of the administrative problem and the enormous number of checks that must be completed.

Hon. Members who have read previous debates will know of the problem with national insurance numbers. Many people entitled to work have no national insurance number, including people who have indefinite leave to stay or right of abode. Equally, many people who are not entitled to work have national insurance numbers. There are many spare national insurance numbers, and there is a massive disparity between the national insurance numbers of the Benefits Agency and the Contributions Agency. Using national insurance as a check does not work, and passports and other documents must be used as a back-up, which makes the system onerous.

There has been only one prosecution under the 1986 Act—of a farm in Kent—and the Government could argue that the Act is a deterrent and does not impede business operations. It clearly does affect business, however. A constituent of mine who runs a residential home was recently visited by the authorities because someone had tipped them off that asylum seekers were being illegally employed. The company was turned over and its reputation traduced in the local paper. It became widely regarded as a racketeering company, until it was eventually established that nothing wrong had been done. The African who was believed to be an illegal asylum seeker was employed perfectly legally. No explanation was received from the authorities and no apology given. My constituent is pursuing the matter with the ombudsman, but I shall not hold my breath.

Such enforcement is starting to affect businesses. That sort of harassment, plus considerable legal compliance costs, raises problems for business. I do not exaggerate the importance of business costs; racial discrimination is the dominant issue. Encouragement of racial discrimination will continue as long as section 8 remains on the statute book. As my hon. Friend the Member for Hallam has said, that section is unnecessary because enforcement powers exist under earlier Acts.

10 pm

Fiona Mactaggart (Slough): The Bill has taught me several lessons about the realities of politics. The first lesson is that it is easier to say something in opposition than it is to do it in government. The second is that when one is faced with complex legislation, and seeks and achieves changes to it by Ministers—I am very grateful for the changes to this Bill—one must focus on the priorities. That means that, during the process of negotiation, one can end up being relatively silent on points that give cause for concern. I have been relatively silent on the new clause, but I am concerned because I believe that the commitments that we gave in opposition and in the early days of the Government were right.

The third lesson is that civil servants capture Ministers and tell them that something can be achieved. That is particularly ironic when it involves the civil servants responsible for the administration of immigration control, who have for many years been telling Ministers that they can speed up the system. I remember vividly commitments in 1993 and 1996 to make the system much faster, but it did not speed up.

I believe that the commitment to a code of practice was a correct attempt to mitigate the discriminatory effects of section 8 of the Asylum and Immigration Act 1996. However, we should reconsider that commitment now that the Commission for Racial Equality has had an opportunity to examine the draft code of practice, and now that the better regulation task force has said, convincingly, that there will be burdens on business.

There is more than one way to skin this cat. We could amend section 25 of the Immigration Act 1971, so that it is an offence not only knowingly to harbour a person unlawfully but knowingly to secure the unlawful employment of a person. That would be a better way to tackle the abuse, which Ministers have rightly identified, of organised racketeering, and it is right to take action against that.

I strongly supported the Home Secretary when certain other anti-racists suggested that it is unfair for Britain to retain the right to its own immigration controls and that we should be part of a European system. I am absolutely convinced that the focus of immigration controls should be at ports of entry and that one of the advantages of being an island nation is that we have a geographical ability to administer immigration controls more effectively than mainland Europe.

We should not try to expand the operation of controls internally. We should reduce the number of places where immigration controls operate. Those controls should not be operated by hospitals and employers but should be exercised at ports and by immigration officers who follow up people who seek to lie and cheat their way into Britain. By doing that, we could have a more effective system of control. We need methods to deal with organised rackets, but I am not yet convinced that this is the right method.

In view of the further representations by the Commission for Racial Equality, debates in Committee and the unanimous concerns about burdens on business, Ministers might like to take the opportunity of the Bill's passage through another place to find out whether there is another way to skin this cat.

Mr. Peter Bottomley: I shall make a brief contribution because, by my calculation, we should have 10 minutes for each of the other groups of amendments before the guillotine falls at midnight. I doubt whether we shall have the chance to discuss all those amendments or to have a Third Reading debate on what hon. Members on both sides of the House regard as a significant Bill. Whether or not the Government are trying to achieve something similar to the proposals of the previous Government, Government amendments and those in the names of other hon. Members ought often to be discussed at length, if possible. Perhaps when the Bill returns from another place we shall have the opportunity to do that.

[Mr. Peter Bottomley]

I ought to say that I probably voted for section 8 of the Asylum and Immigration Act 1996. Having put that on record, I would like to add that some of the arguments of the Commission for Racial Equality are important. The argument that only one successful prosecution has taken place raises the question whether there are better ways of achieving the aim of section 8. Sir Herman Ouseley and others would want this House to take such arguments seriously.

Those who tabled the new clause and the associated amendment, No. 150, suggest that we should leave out either section 8 of the previous Act or clause 15—originally clause 13—of this Bill. Did the Home Office consult the Commission for Racial Equality on clause 15, as subsection (4) would require? If it did not give Sir Herman Ouseley and the Commission the opportunity to comment on it, I would wonder why. The Government ought to be setting an example instead of waiting until legislation catches their action. It would be useful to hear from the Minister whether the CRE was consulted, what advice it gave and to what extent that advice differs from the content of the very reasonable letter that the commission sent to Members of Parliament concerning this part of the Bill.

I turn to the totally separate university employment issues, which were raised by the hon. Member for Sheffield, Hallam (Mr. Allan). If overseas students seek employment in part to support themselves at university, how are they affected by clause 15? Is it one of the issues on which the United Kingdom Council for Overseas Student Affairs will have consulted the Home Office? Is it one of the issues, among others, to which the Minister might like to tell the House his response? When may UKCOSA expect to receive a reply to the letter which many hon. Members wished that they had received before Report and Third Reading?

The issue is not politically contentious; it is a straightforward and practical question of whether people such as immigration advisers at universities will need to be registered or pay registration fees, and whether they will be brought within the scope of the Bill under the designated professional bodies, which are now cited in clause 71. That is a point of detail to which the Minister may want to refer.

The overall point is whether we can avoid those ghastly circumstances where, in addition—possibly—to indirect prejudice in employment, all employers are required under the code of practice to undergo for all employees some of the stages stipulated under section 8 of the previous Act when some suspicion is raised. We must move forward from that.

I look forward with interest to what the Minister has to say. He is unlikely to satisfy the whole House now, but if he does not, I believe that another place will interfere with clause 15 to try to introduce a degree of fairness, which this House, with the amount of time left available to it, will not succeed in doing.

Mr. Mike O'Brien: Let us be perfectly straightforward and honest: this new clause presents us with a practical and moral dilemma. The Government have thought very long and hard about this issue. We were initially intending to revoke section 8 of the Asylum and Immigration Act 1996, but we have had to consider in detail the implications of doing so. We have reached the conclusion that the mischief caused by removing section 8 would be greater than that caused by its remaining, although we acknowledge that it causes discrimination. I have no doubt about that, and that is why we must send a very clear message to employers that it is unacceptable for them to discriminate through the use of section 8. The statutory code is our way of sending that very strong message.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) rightly asked whether we had changed our mind. The straight answer is yes, and we have done so after long and careful thought. She criticises us for having opposed the Asylum and Immigration Act 1996. I would say of that Act—I do not know whether she would agree—that there was something of the night about it. Therefore, there were many reasons why we were right to take the view that we did.

However, we have studied this issue with great care, taken stock of the problems associated with illegal working and the exploitation of illegal immigrants and reached the view that this provision will be a valuable tool if it is better targeted against unscrupulous and exploitative employers. We are not alone in that view. Illegal working is a growing global problem. Every other European Union country now has employer sanctions. Indeed, most countries punish the offence by imprisonment as well as fines. We have concluded that we must have a way of dealing with the problem of illegal working in the United Kingdom and the systematic abuse and exploitation of workers.

Yesterday, my hon. Friend the Member for Islington, North (Mr. Corbyn), who is sitting on the Back Bench, mentioned the sweatshop economy, where overstayers work, and described how some employers take on overstayers at appalling rates and in very bad conditions, often exploiting them unmercifully. Often, the working conditions are little short of slavery.

We need to ensure that we have a mechanism for dealing with the way in which some of those employers operate. They are able to get away with it because there is almost a conspiracy between the overstayer or illegal immigrant and the employer. The overstayer or illegal immigrant does not want to come to the attention of the authorities and therefore will not report a breach of health and safety conditions or of minimum wage legislation, so those are not ways in which we can get at the employer. We have carefully considered other ways.

The hon. Member for Sheffield, Hallam (Mr. Allan) candidly said that the Liberal Democrats, too, had considered the issue, and had reached a judgment that section 8 had to go. I can understand why they might have reached that judgment, but it is a difficult judgment for us to reach. We think that, by having a statutory code, we can correct the balance and convey a strong message that the discrimination that section 8 sometimes creates can be dealt with and that employers must not discriminate. However, the removal of section 8 would come at too high a price in terms of leaving many workers to be exploited.

My hon. Friend the Member for Slough (Fiona Mactaggart) argued that existing offences under section 25 of the Immigration Act 1971 relating to persons who are knowingly concerned in assisting illegal entry and

harbouring could be accommodated or used against those who facilitate illegal working. We have looked at that argument very closely, and it does not work. No doubt the Liberal Democrats have looked at it, too, and concluded that it does not work. However, the problem is one of mens rea—proof of the requisite state of mind. Employers simply say, "I did not ask, so I did not know", and unless there is an obligation for them to do some checks—the nature of which I shall discuss in a moment—it is very difficult to use section 25 against an employer who poses as a facilitator or harbours illegal immigrants. Our advice is that the need to prove mens rea makes it very difficult to convict in those circumstances, and it is not possible to create a criminal law that will enable us to deal with that.

On the other hand, section 8 deals with the unscrupulous employer, yet affords the honest employer a defence based on a simple document check, which he must apply in a way that does not discriminate. We seek to retain that offence and want it to be further tested in tackling the growing problem of systematic abuse.

Members of the Chinese community have met the Home Secretary. They are concerned that Chinese illegal immigrants are paying traffickers as much as £14,000 to get them illegally into Britain and into jobs. They do that not by having £14,000 in a bank in China, but by becoming bound labour. They are bound for five years or more, and they come to Britain and work at appallingly low wages and often in dreadful conditions. The Chinese community is rightly concerned at the extent of that activity, and wants it stopped.

10.15 pm

We also have the problem of the gang masters, who use the lump system that was used on building sites in the past. It is now used on the land. The gang master sells a gang of illegal immigrants or asylum seekers—people from Poland and Lithuania seem to have been particularly involved in this exercise—and the farmer asks no questions and gets cheap labour, which undercuts the wages of agricultural workers in the area. Section 8 at least enables us to get at the gang master. We need to be able to tackle unscrupulous employers.

We did oppose section 8 in opposition, because we seriously feared that it would cause discrimination. That is a problem, but we need to be able to deal with exploitative employers. We say that at present section 8 is not operating properly. We refer an allegation to the prosecuting authorities after we have served an offending employer with a warning. That is because the measures were primarily designed to combat widespread abuse, not to penalise small employers who have made a simple mistake.

We do not intend to penalise small employers who have made a mistake and do not intend to facilitate on a large scale. To date, 40 warnings have been issued, but there has been only one prosecution, which was very recent. After long and hard thought, we took a decision to implement the legislation. The reason that we have not prosecuted more is that we were considering the issue carefully. We were extremely concerned about the implications of section 8. We finally decided that we needed to take action because the extent of the abuse was so considerable.

The recent prosecution involved the illegal employment of a number of people in the horticultural industry. Given the opportunity of mounting a defence against prosecution under section 8, the employer was unable to do so. The company pleaded guilty and was fined a total of £4,500 and ordered to pay costs.

Given the vast profits involved in employing cheap, exploitable, illegal labour, we must tackle the abuse. We are keen to bring more cases to court and to send a strong message to racketeers, who often employ quite large numbers of illegal immigrants, and to those who facilitate that. That is not only with a view to maintaining firm control of immigration, but in the interests of vulnerable employees, many of whom are badly exploited. Those who seek to remove section 8 would leave illegal immigrants to be exploited by unscrupulous employers in order to cut wages.

On amendments Nos. 150 and 157, clause 15 is designed to emphasise to employers their duty to avoid racial discrimination in their recruiting practices when they seek to secure the statutory defence under section 8. We will make it part of our statutory code to apply initial checks without discrimination, and we will enforce that.

The obligation is clear. I shall read from the current code, which is not statutory, but forms the basis on which we will consult. It states:

> "The best way to ensure that you do not discriminate is to treat all applicants in the same way at each stage of the recruitment process. You may ask for a document at any stage—but if you ask for a document from one applicant make sure you ask for a document from all applicants being considered at that stage."

That is a clear way in which employers can make sure that they do not discriminate.

Our code has the serious purpose of tackling discrimination where it occurs. It occurs in some employment practices. We accept that some employers might seek to use section 8 as an excuse for racially discriminatory purposes. We want to make it clear to all employers that they should not even begin to contemplate using the excuse of the statutory defence under section 8 to discriminate. We will not tolerate racism from employers.

That is why we need clause 15 and reject the amendment, which would remove the statutory code. We want to deal with these issues firmly. Our code will give a clear and simple message to employers who may be discriminating unintentionally, or who may attempt to discriminate. They will be unable to do so because the legislation will be enforced. Those who discriminate and use section 8 as an excuse to do so will know that the code will be used against them in the courts. It therefore provides the extra deterrent against discrimination that we need.

As I have said throughout the debate, there are two problems that we need to tackle: first, the mischief of unscrupulous employers exploiting illegal labour to drive down wages; and, secondly, the mischief of racist discrimination being excused by section 8. We will tolerate neither. Section 8 will be used to tackle gang masters and racketeers, and those who import illegal labour. It will be used to target serious criminals without warning in a much more concerted and focused way.

We will also use the new statutory code to tackle racism. The Liberal Democrat amendment would remove our ability to do that. The hon. Member for Hallam has been honest and open about how the Liberal Democrats have come to their conclusion, and I understand the logic of their argument. Indeed, I have a degree of sympathy

[Mr. Mike O'Brien]

with it. However, it leaves dangerously exposed many vulnerable people, who are either overstayers or illegal immigrants, and others, who may then face exploitation. Moreover, it does nothing about the fact that illegal working drives down wages and allows some unscrupulous employers to drive down the wages of people who might otherwise be able to work lawfully.

My hon. Friend the Member for Bethnal Green and Bow (Ms King) mentioned that Bangladeshis in her community face fivefold discrimination. We need to tackle discrimination and enforce the Race Relations Act 1976. We also need to enforce the statutory code that we are providing in the Bill. I remind my hon. Friend that her constituents also face the problem of exploitation in sweatshops. We need to deal with that, too. She said that the Government have an excellent record on race relations and race equality. We want to enhance that record. We have already said that we are examining the race equality legislation and we seek to move it firmly forward. What we cannot do, however, is allow the exploitation of vulnerable workers by the removal of section 8.

My hon. Friend the Member for Slough (Fiona Mactaggart) and the hon. Member for Worthing, West (Mr. Bottomley) asked whether we were still listening. My hon. Friend asked whether there was another way to skin a cat. We are still listening and if there are ways to deal with exploitative employers and to reduce discrimination, we want to hear them. This matter is still to be discussed in another place and we are more than willing to talk to the Commission for Racial Equality. I met Bob Perkiss of the CRE and discussed those matters at length. It is aware of our concerns, although it still has its views, as the Liberal Democrats and others have theirs. However, it understands that these are real issues, which the Government must address.

Mr. Peter Bottomley: Can the Minister answer directly the question that was put to him, which was: was the CRE consulted about section 8? Was it consulted about clause 15, which was previously clause 13, and has it put directly to the Minister, as it has to Back-Bench Members, its concerns about the present position? It has written to Members of Parliament saying that it is against it.

Mr. O'Brien: Yes. When we were considering this matter I met Bob Perkiss of the Commission for Racial Equality, who was representing Sir Herman Ouseley, and we discussed at length our concerns about the issue. Strong representations were made to me and it was clear that there were some arguments. Like the Liberal Democrats, the CRE took the view that the balance of the argument was in favour of removing section 8. Although it accepted that there was an issue of exploitative employers, it wanted to have section 8 removed. We have reached a different judgment. We do not think that we can leave the exploitative employers to continue to exploit vulnerable people, which would be the effect of removing the provision.

We have consulted widely. No organisation has yet come back to us to show us how we can effectively deal with both the mischiefs that we seek to tackle with the provision. We were faced with a dilemma. We have resolved it by strengthening the anti-racist provisions with a statutory code, which we will enforce. We have had to face up to the reality that section 8 is being used to discriminate and we have had to find a way of tackling that. We believe that the statutory code will achieve that.

The previous Government had a non-statutory code and, therefore, we needed to send a much tougher and stronger message. There is no panacea here, and this dilemma is difficult for all of us, but the hard realities have had to be faced. We have taken the view that the balance of the argument comes down in favour of retaining section 8, but improving the strength of the code by making it statutory, and making a firm commitment that the Government will take action if we find that employers are discriminating.

Mr. Allan: We do not want to encourage illegal working or the exploitation of workers in such a situation. We do not take that view; nor do those who share our position—the Commission for Racial Equality, the National Association of Citizens Advice Bureaux, the Trades Union Congress and the Confederation of British Industry. I hope that the Minister does not characterise all of us as wishing to encourage illegal working. We are talking about the best way to tackle that without the unnecessary consequence, and it is important that we get that straight.

I was grateful to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) for intervening to point out the discrepancy—or the movement—in the Government's position. We moved on to talk about skinning cats, which took me back to a comment made yesterday by the hon. Member for Hackney, North and Stoke Newington (Ms Abbott). She characterised the staff of the Immigration and Nationality Directorate as nice people who probably love animals and go to church. I wondered whether she was recommending the right hon. Lady for a job in the IND, she seems to be eminently qualified.

When the Minister opened the debate on Report yesterday, he said that many of the previous positions could be characterised as knee-jerk leftism, but we certainly feel that the opposition to section 8 which the Labour party showed during proceedings on the Asylum and Immigration Act 1996 was not knee-jerk leftism, but a principled and rational response to what turned out to be discriminatory. We are disappointed that, once again, firmer seems to have won out over fairer in measures relating to illegal working.

I was rather attracted to the suggestions made by the hon. Member for Slough (Fiona Mactaggart), who said that we ought to be considering new and better ways of making section 25 of the Immigration Act 1971 work. The situations described by the Minister, such as Chinese gang masters smuggling people in at great expense, should be dealt with under section 25. I should be horrified to find that such people are being dealt with under section 8 of the 1996 Act when we have a provision on the statue book under which we could sentence them to up to 10 years in jail, rather than imposing rather paltry fines under that section.

Mr. Mike O'Brien: I think that the hon. Gentleman misunderstands the point. Facilitators are able to do such things because some employers are prepared to employ

people at low salaries and in bad conditions. We need to be able to prevent them, not the people who import the workers, from doing that.

Mr. Allan: I do not disagree that there may be connivance and that that causes problems, but I should have thought that, because the National Criminal Intelligence Service is doing good work on such rackets and because we are taking many intelligence-led approaches, we could trace people through, take appropriate action and, if necessary, amend the 1971 Act.

The 1971 Act deals with intent, which is the crucial element. Section 8 of the 1996 Act refers to a strict liability, and intent does not have to be shown in the same way, which is a fundamental difference. I believe that, rather than coming up with new provisions which simply cast the net wider, provide lower penalties and have a lower standard of proof because that makes it easier to prosecute, it would be far better to use existing law to show intent.

It is not the business of government to revise the law in such a way. Rather, we should make existing law work when it is the appropriate law for dealing with the kind of the offences that we are discussing. Section 25 is the appropriate provision for such offences. If the Government were serious about tackling the racketeers, they would include in the Bill an amendment to section 25 of the 1971 Act. That would be a much better way of dealing with the problem than continuing the life span of section 8 of the 1996 Act.

If we are to deal with this problem, section 8 must be removed. Hon. Members face a simple choice: they can vote with us to lift the burden from citizens of this country and people who are legitimately seeking appropriate work, but happen to look foreign or have foreign-sounding names, or they can sit on their hands and allow the Bill to go through unamended and let the Government off the hook. The Government are retreating from the position that they took in opposition of fighting discrimination, and are hoping that a few more prosecutions will take place.

The code of practice that the Government have suggested as a solution would have to be operated and enforced against employers. It is difficult to see how we could seriously expect that code of practice to be enforced in an anti-discriminatory way if section 8 of the 1996 Act is not even enforced significantly. We will not move forward on anti-discrimination if section 8 remains in force. I urge Labour Members to stick to the position that they honourably took in opposition and vote with us for the repeal of section 8 of the 1996 Act.

Question put, That the clause be read a Second time:—

The House divided: Ayes 39, Noes 334.

Division No. 210] **[10.31 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bottomley, Peter *(Worthing W)*
Brake, Tom
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
Harvey, Nick
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kirkwood, Archy
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Welsh, Andrew
Willis, Phil
Wood, Mike

Tellers for the Ayes:
Dr. Evan Harris and
Dr. Vincent Cable.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul

Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Hanson and
Mr. Clive Betts.

Question accordingly negatived.

Clause 7

REMOVAL OF CERTAIN PERSONS UNLAWFULLY IN THE UNITED KINGDOM

Amendments made: No. 28, in page 5, line 14, leave out from beginning to 'has' in line 18 and insert

'has made an application for leave to remain in accordance with regulations made under section (*Treatment of certain overstayers*) which'.

No. 29, in page 5, line 28, leave out from beginning to end of line 29.—*[Mr. Mike O'Brien.]*

Clause 13

SUPPLY OF INFORMATION TO SECRETARY OF STATE

10.45 pm

Mr. Mike O'Brien: I beg to move amendment No. 30, in page 9, line 40, at end insert—

'( ) the provision of support for asylum-seekers and their dependants under Part VI;'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 16, in page 51, line 13, at end insert—

'"Secretary of State" means the Secretary of State for Social Security;'.

No. 19, in page 52, line 42, at end insert—

'(12) The Secretary of State shall within one year of this section coming into effect and every year thereafter make a report to Parliament on—

(a) the provision of support for asylum seekers and their dependants under this section; and

(b) the length of time asylum seekers wait for—

(i) his determination of their application; and

(ii) appeals against his decisions.'.

No. 153, in page 53, leave out lines 15 to 18 and insert—

'(3) The Secretary of State may provide support under subsection (1)(a), (1)(b) or (2) above, wholly, mainly or partly by way of cash payments made (by whatever means) to the supported person or his dependants (if any).'.

No. 154, in page 54, line 35, leave out

', or might reasonably be expected to be,'.

No. 155, line 36, at end insert—

'(3A) No personal possessions connected with marriage or religious beliefs and any other assets as are proscribed by the Secretary of State shall be taken into account under section 83(3) above.'.

Mr. O'Brien: This group of amendments deals with part VI of the Bill. Government amendment No. 30 will enable information held by police, the National Criminal Intelligence Service, the national crime squad, Customs and Excise and any person specified in an order made by the Secretary of State to be supplied to the Home Office for use in the provision of support to asylum seekers and their dependants. That will help us to identify and bring to justice those who seek to abuse the asylum support system, and allow us to receive information from other agencies, which are to be specified—such as the Benefits Agency—that we need to operate part VI of the Bill.

Although we certainly do not envisage any great use being made of the provision, it is necessary to assist in the prevention of fraud in particular cases. As the Government have stated on numerous occasions, it is intended that the power to supply information shall be operated in a manner that is consistent with other applicable legal requirements, most notably data protection legislation and article 8 of the European convention on human rights.

It may well be that, in tabling amendment No. 16, Conservative Members are trying to suggest that, against the background of the current and—perhaps thanks to the hon. Member for Hertsmere (Mr. Clappison)—well-publicised difficulties in the Immigration and Nationality Directorate, they lack some confidence in the Home Office's ability to deliver an efficient service to destitute asylum seekers.

Hon. Members will be well aware of the reasons for the problems faced by the IND, but those problems are being dealt with. On the latest figures, 67 per cent. more asylum decisions are being made this year than were made last year. Moreover, over the next three years, £120 million extra will be put into the IND's budget. We shall also recruit hundreds more staff, and are currently actively recruiting 200 more staff members.

On Monday, the long-lost Siemens computer system arrived. However, we think that it will take five or perhaps six months of testing before we are absolutely certain that it works as it was meant to when it was signed up to in 1996.

The number of cases being processed each month by the IND has started to rise again, with the target being that, by 1 April 2001, on average, decisions will be taken within two months, and that any subsequent appeal will be determined within another four months. My right hon. Friend the Home Secretary has given a commitment that, with effect from 1 April 2000, decisions on the asylum claims of families with children will be delivered within two months. If that cannot be achieved, they will not be brought into the new support arrangements on that date.

Giving the Home Office responsibility for supporting asylum seekers, in addition to processing their substantive asylum claims, will create a more focused approach in meeting the needs of asylum seekers than has existed in the past, and provides an added incentive in ensuring that the targets are achieved. By placing responsibility for the new support arrangements in the hands of the Secretary of State for Social Security—as Conservative Members propose doing—that advantage would be lost. We therefore cannot accept amendment No. 16.

One of the reasons for the growth of the backlog under the previous Government was that no one really had an incentive to deal with it, as the costs were met by the Department of Social Security or by local councils. The Home Office needed to have a vested interest in clearing the backlog, but did not have one. Under the new financial arrangements, in which all funding—including support funding—will be with the Home Office, the Home Office will indeed have a vested incentive to process cases quickly and on a sustainable basis. We shall have to employ the people that we need to ensure that that objective is achieved.

It is important also that the arrangements provided by part VI of the Bill should be kept separate from the main social security system. The new system will be designed to provide support for limited periods and in different ways from the social security system to people who have distinctive needs that are quite different from those who are in the UK on a long-term basis.

Amendment No. 19, tabled by the Conservatives, appears to be directed at the commitment to reduce the time taken to reach an initial decision on asylum claims to an average of two months and the average time taken to determine an appeal to four months. Despite the problems that the IND has experienced in recent months—indeed, for the past decade—action is being undertaken to deal with the backlog, and we are making progress towards reaching our targets for processing cases.

Information on the average times in which claims are processed and appeals are determined is not published routinely, but it is in the public domain. By way of replies to parliamentary questions on the subject, which appear to be asked quite regularly, not least by the hon. Member for Hertsmere, the information can be obtained at any time by Members of Parliament. However, there is a case for the information being published on a more regular basis, and because the proposals in the amendment are not the best way of achieving that, we shall consider other means of making the information more widely available.

As the hon. Gentleman is aware, the Government now publish regular bulletins on asylum and immigration trends, so one of the means that we shall consider is inserting in that statistical bulletin a category detailing

[Mr. O'Brien]

how quickly decisions are made. That would go further than an annual report to Parliament, in that it would provide a more regular bulletin. I give no commitment now to introduce such a measure, but I acknowledge the argument for making the information more readily available and have no objection to doing that. Our intention is to tackle the issues and ensure that we hit our targets, and we are well prepared to be held accountable for that.

The basic safety net that the new support arrangements for asylum seekers will provide assumes that the period of time an asylum seeker needs to rely on the safety net is to be kept to a minimum. However, it must be borne in mind that, under the current arrangements, many asylum seekers receive little in the way of back-up and general assistance. Under the new arrangements, the voluntary sector will be of fundamental importance, providing a considerable degree of back-up and assistance to asylum seekers. The Bill contains provisions to encourage the voluntary sector to do that. Hon. Members may be assured that the overall conditions experienced by most asylum seekers will be improved from current standards. The rather chaotic system that we inherited left a lot to be desired, and we are strongly committed to improving it.

We went over the ground covered by the Liberal Democrats' amendment, No. 153, at some length in Committee. As I explained then, the Government's view is that the availability of cash benefits is a significant pull factor to some people, who choose to use the asylum process as a means of supporting themselves while visiting this country for reasons wholly different from a well-founded fear of persecution. I do not suggest that that is true of all asylum seekers or even of the majority, but it is true of a significant minority, and substituting vouchers for cash payments is a disincentive to those who would exploit the system.

As my right hon. Friend the Home Secretary has already made clear, we do not believe that people who are genuinely fleeing for their lives are likely not to flee because they would enter a system in which vouchers and cash were a combined element. That would not be a factor that influenced their decision. We propose to allow £10 per person per week by way of cash, with the balance in vouchers. On the illustrative figures that we published earlier this year, a family of two adults and two children would receive £40 by way of cash and more than £50 by way of vouchers.

There might have been some confusion about the fact that there will be an element of choice for the asylum seekers. They will have a choice of accommodation plus support, or just the support. They may initially accept the accommodation, but decide not to continue with it after a while, perhaps because they have found accommodation with relatives. They may wish to move to London. My hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) has expressed concern about that. Provided that we have a registered address for them, they can decide whether to accept the one-off offer of accommodation and support or just the support. Some asylum seekers may choose to live with relatives in my hon. Friend's constituency. That is up to them. Our concern is that they provide us with a registered address.

Mr. Allan: It was not made clear in Committee whether the support provided to someone who lived with friends of relatives would be identical to that provided to someone living in accommodation that was provided for them.

Mr. O'Brien: The support will be paid in a different way if people are accommodated. One of the aims of the accommodation system is to provide for the heating and lighting costs, as well as other factors. Those who choose the support without the accommodation will pay their own utility costs, which will no doubt be shared if they are living with relatives. However, the offer of accommodation and support will still be open to them. They can choose whatever they feel is most appropriate.

Mr. Corbyn: The Minister seems to be saying that there would be no impediment to the continued payment of the support system apart from the housing cost if someone chose to live somewhere other than the place that they were initially allocated. Is that correct?

Mr. O'Brien: We shall offer an asylum seeker accommodation plus support. That will include payment of utilities bills and payments for various other temporary needs such as kettles, cutlery and the like. That choice remains open at all times. However, some may choose not to take that option and will live elsewhere, taking just the cash plus vouchers. The choice will be theirs and it will not be forced on them by us.

Mr. Peter Bottomley: The Home Secretary said that people who took the offer of accommodation had their utilities paid for. What happens in respect of the utilities for those who make their own accommodation arrangements? Will those people be able to uplift the standard vouchers and cash to be able to pay for their utilities themselves?

Mr. O'Brien: They will be offered accommodation plus support. If they decide not to accept that, they will have chosen to accept only vouchers plus cash. Some may choose to go one way and others another. They may change their mind at some point in the process. That will be a matter for them.

11 pm

The vouchers will be exchangeable at a wide range of outlets throughout the United Kingdom and there will be no restriction on the items for which they may be used, although we would expect them to be used only by the person or household to whom they are issued. We are actively considering the possibility of their being redeemable at charity shops.

It was pointed out in Committee—and we listened carefully—that some people may feel that clothing and other items are too expensive in supermarkets. Many people buy clothing and low-cost items at charity shops, and we are considering with the charities whether they could help by accepting vouchers.

Our aim is that the asylum seekers will be in the support arrangements on average for no more than six months, and often for much shorter periods. If they are recognised as genuine refugees under the 1951 convention, we would want that to happen as soon as possible, within two months or less; the sooner the better, from our point of view. The only restriction is the five-day

period that we have agreed should be allowed for people to present their case, after which we will want to proceed to a decision unless there is good reason for not doing so, such as that the asylum seeker or his legal representative wants to provide further evidence.

Audrey Wise (Preston): The big principles about the vouchers have already been well rehearsed, but a smaller point bothers me. The fact that they are in bigger units than our normal currency will almost inevitably cost people more. If the smallest unit is 50p, for example, is there any way of arranging that change could be given? It would not be a lot of cash, but it would save people losing some of their meagre resources.

Mr. O'Brien: In due course, we will consider the detail of the regulations. Throughout our proceedings, right from the start of the consultation process on the White Paper, we have agreed to listen to representations, and we are actively considering the point that my hon. Friend raised. The units of the voucher could be as little as 25p, and we are considering whether it would be useful to have a small amount of cash in change.

We do not want to get into a position in which people buy a newspaper to get all the cash, because that would go against the whole spirit of the exercise, but we want to take a reasonable approach. Allowing some change to be given and ensuring that the denominations are small enough is one way of trying to ensure that the system works effectively. We are continuing to listen, and I will consider the matter as we develop the criteria for the regulations.

Mr. Corbyn: What representations has the Minister had from the supermarket chains about the use of these vouchers, and are they concerned about them?

Mr. O'Brien: I am not aware that they have expressed concerns to us. I know that others have, particularly about the fact that the way in which the local authorities have run some of their voucher schemes has meant that the vouchers were restricted to particular supermarkets in an area. We want to set up a national scheme so that, if the asylum seeker has to move for a period, visit relatives, or whatever, the voucher can be used at any major national supermarket and, in due course, if we can negotiate the arrangements, with various charity organisations.

The aim is to ensure that we create a system that works and we shall be discussing closely with the supermarkets any concerns that they may have about how the system might operate. We shall be anxious to listen to them and to see whether there are ways in which we can more effectively ensure that the system deals with the proper needs of those seeking asylum.

Liberal Democrat amendment No.154 seeks to leave out the provision that would allow the new Asylum Support Directorate to make assumptions about what support might be available to an asylum seeker if he chose to seek it. We need the provision. Asylum support from the Home Office is supposed to be the last resort to prevent destitution, not the first port of call for the Imelda Marcoses or the Shahs of Iran contemplating an asylum claim.

Without the provision, we would have difficulty in asking asylum seekers what other resources or assets might be at their disposal. They may, for example, have relatives already established in this country who are offering them accommodation, so that they would need to rely on the ASD only for other support. In general, the ASD would not expect those relatives to provide essential living expenses, or anything like that. The purpose of the provision is not to attempt to offload responsibility onto any unwilling third party.

Amendment No. 155 is also unnecessary. In assessing an applicant's assets, we may wish to take into account certain valuables including, if it is a substantial amount, gold or other jewellery. That represents a significant source of wealth in some communities. However, I have made it clear that we shall not be taking into account wedding rings or personal devotional objects. That is not the objective of the exercise. That will be made clear in the regulations on the ASD support system that we shall produce in due course. We shall consult on just what to prescribe in that way in due course.

As I have already said, there are examples of people bringing in substantial amounts of gold. I have spoken to some myself. The woman to whom I spoke at Waterloo said that she was carrying the equivalent of £4,000 worth of gold. She had come from a country in some turmoil, so we usually grant asylum to its people if they apply. In many ways, it is an unsafe country. I never ask the names of people to whom I speak, so I do not know the name of the lady in question, although no doubt it would be possible to trace her. She was coming here to set up a business, but she was also fleeing from a country with a civil war; she had sold her business to come here, bringing with her the proceeds of that sale.

Someone with £4,000 is not destitute. We would expect to be able to take that into account. To exclude whole classes of objects in primary legislation, as the Liberal Democrats propose, rather than on the basis of a more detailed test, which we can consider when we produce the regulations in due course, would be wrong. This is the wrong time and the wrong legislation for such an amendment. If Liberal Democrats have a view about this, we can discuss it when the regulations come before the House.

Mr. Clappison: I wish to speak to amendments Nos. 19 and 16. As has been correctly anticipated, amendment No. 19 is designed to introduce a much-needed element of accountability into the new system. Amendment No. 16 deals with a different point: it explores the wisdom of giving responsibility for the new asylum support system to the Home Office.

The Government propose the creation of a brand new administrative arm of the Home Office for the management of asylum support. Given that there is no tradition of Home Office experience in such matters, and that the administrative machinery will be wholly new, the background is hardly propitious. The backlog of cases being managed by the asylum determination system, which is a Home Office responsibility, is now reaching record levels. It rose from 64,000 at the end of last year to 76,000 at the end of April, and is still growing.

I shall not go further into those figures, although the Under-Secretary of State has referred to my interest in such matters. Indeed, we are very familiar with each other's speeches on them, as my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) said yesterday. To be fair to the Under-Secretary, he was good

[Mr. Clappison]

enough not to give us the full version of his speech, in which he sets out his perception of responsibility for those issues.

However, we could reach common ground. The system has got much worse—I shall resist the temptation to say that that has happened in recent months—and the backlog is at a record high. The waiting times for asylum determination appeals taken together are miles away from the Government's targets. The evidence given in the Special Standing Committee shows that hardly anyone seriously believes that the Government will achieve their targets. The officials who naturally said that the Government would achieve those targets did so with a knowing look or a wry smile.

I recently received a letter from the Under-Secretary about the current state of the passport system. Members of the public who want a passport so that they can go on holiday abroad this summer are facing long delays. The letter states:

"I am sorry that the current arrears are resulting in calls to MPs' offices."

That is not entirely surprising, but the wording seemed rather familiar. In my file of letters from the Minister, I found one on the subject of the backlog in the Immigration and Nationality Directorate. The long queues of people wanting to stay in this country prove that there is no discrimination in the Government's policy: backlogs are affecting people who want to leave the country and those who want to stay in.

That earlier letter stated:

"One final category of work that is causing problems in Croydon results from MPs' letters chasing progress on particular cases. On 12 January, I asked colleagues to forward only the most urgent enquiries . . . Nonetheless, it is disappointing to note that the number of enquiries from MPs has risen over the recent period by a factor of 25 per cent."

How very disagreeable it is of Members of Parliament to have the temerity to write letters to Ministers, let alone to expect answers.

Mr. Gapes: Will the hon. Gentleman give way?

Mr. Clappison: No, as I am just about to conclude my remarks.

If he is fair, the Minister must agree that the background to the matter is hardly propitious. After all the Government's broken promises, it would take a brave man to say that they will achieve their targets. We might have more confidence in predicting that it is highly likely that, in the end, the British taxpayer will be asked to pick up the bill.

11.15 pm

Mr. Allan: I am pleased to hear that the Siemens computer system has been delivered, but if there is a five-month testing period, it will come on-line on about 1 January 2000, which may not be the best of ideas. The system is so delayed that it may calculate people's vouchers in pounds, shillings and pence. While that may be proper money, it would not be useful to asylum seekers to receive vouchers for half a crown or three bob and sixpence. *[Interruption.]* I shall not rise to remarks about matters European as, if I did so, I should stray well away from the amendments.

Amendment No. 153 seeks to assist the Secretary of State by offering him a "Get out of jail free" card if administrative problems arise. It does not prevent him from using vouchers, but allows flexibility to choose whatever balance he wants between vouchers and cash payments. The Bill limits him to paying up to 49 per cent. in cash and a minimum of 51 per cent. in vouchers. It states that he must not provide wholly or mainly by means of payments.

The amendment reverses that provision, saying that the Secretary of State can provide wholly, mainly or partly in cash. I have to ask why the Secretary of State, who is so keen on flexibility elsewhere, is unwilling to have it in this area. If the Asylum Support Directorate works out as we suspect, I fear that the Bill will, in 18 months' time, prevent him from replacing the vouchers with cash, even if that appears to be the most sensible decision and the best deal for the taxpayer. The Government have admitted that the voucher system will be expensive. The more we explore the system, the more concerned we become about its implications and expense and the hassle of running it.

Amendment No. 153 is not an aggressive attempt to divert the Government from their path, but an effort to help by giving additional flexibility to the Secretary of State, who has virtually pinned his political future—or, perhaps, the career of the Minister of State—to the success of the Asylum Support Directorate.

The Under-Secretary has failed to answer our questions about people in accommodation of their own choosing who will not be supported. Clause 18 makes it clear that if other accommodation is available for someone, the Secretary of State will not provide accommodation, but will judge whether that person already has adequate accommodation. Sometimes, people will have chosen their accommodation, but sometimes they will not. If people are living with relatives, the Secretary of State will be able to say that he does not need to give them accommodation.

In either case, the critical point is not the individual's choice, but the rate paid. Will people receive the same 70 per cent. as those in accommodation provided by the Secretary of State? Or will they receive 70 per cent. plus a small uplift to pay the utility costs that would not arise in supported accommodation? I hope that the Minister knows how he intends to handle that point, particularly as accommodation may not be a matter of personal choice. Clause 80 makes it clear that if a person has friends or relatives, he may be required to stay with them if the accommodation is deemed to be adequate.

The final two amendments arose from concerns about comments made in Committee by the Under-Secretary. He has since moved on, and we appreciate his reassurances that some of our fears will not be realised. However, assets remain a grey area. The Government must flesh out their proposals, perhaps when the Bill proceeds to the other place. They cannot simply leave matters to regulations. People want a clear idea of what assets will remain to them. It is not as simple as saying that someone who has £4,000 in gold should have it taken away and that he can start again from scratch once his claim has been recognised.

The Minister referred to an individual with £4,000 who wanted to start a business. If that person was given refugee status, the public interest would arguably be

served if he retained his assets and started a business rather than being a burden on the public purse because he had no means of supporting himself.

We recognise that argument in social security legislation, which provides for a £3,000 floor: we enable people to keep their last £3,000-worth of assets because we hope that at some point they will no longer need social security benefits and will play an active role in our economy. There is no justification for stripping away asylum seekers' assets until they are left with next to nothing if we have a realistic expectation that they will be recognised as asylum seekers.

The Minister will have to flesh out that provision. It is not an issue that we shall press tonight, but the hon. Gentleman will run into further trouble with people who share my concerns if he is unable to clarify exactly what level of assets the Government intend to specify in the regulations for deciding whether to declare someone destitute.

Mr. Douglas Hogg (Sleaford and North Hykeham): I want to speak to amendment No. 19 in support of the remarks of my hon. Friend the Member for Hertsmere (Mr. Clappison). Producing a report would be extremely valuable because there is no doubt that the two issues with which the report would be concerned are very important, but a report is a report is a report, and it is not enough. I say to my hon. Friend that his amendment should have provided for a debate. If the Bill is debated in another place, there will be an opportunity to provide that the report should be debated.

There are two issues, both of which were touched on by my hon. Friend. The first is that the Bill provides a new form of social support, and it seems to be wholly right that, on a periodic basis, the House—whether this Chamber or another—should debate that. The second and quite different issue is the appalling delay associated with applications by asylum seekers. Incidentally, I admit that the delay is no worse than that for passports. The report would have much greater force if the amendment specified that the Government should provide time for a debate on the report. Although I support the amendment, it does not go far enough, and I hope that if a similar amendment is tabled in another place, it will make provision for a debate so that the House will have to be given an opportunity to discuss issues that I, for one, deem to be important.

Fiona Mactaggart: I want to make a couple of points about amendment No. 30, which relates to the collection and sharing of information. I am concerned about the significant powers in clauses 13 and 14 to collect and pass around information. Clause 13 states that the information may be used for

"the prevention, detection, investigation or prosecution of criminal offences",

and

"such other purposes as may be specified."

Many asylum seekers are concerned about providing information that may be significant to the determination of their case if they think that there is any risk of its reaching their national authorities, which may, in the past, have treated them as criminals. I am certain that there is no intention to pass on information in a way that might put an asylum seeker at risk, but we need more clarity about what organisations could receive that information and what controls exist for confidentiality.

I seek an assurance that the Minister shares my concern about confidentiality and that he will speak to the Refugee Legal Centre and the Immigration Law Practitioners Association—I know that he spoke to them during discussions on the Bill—to find out whether public assurance can be given to ensure that asylum seekers feel free to give information. They must feel confident that it will not be used, for example, by being passed through the European criminal detection system in a way that might, if their asylum claim failed, put them at risk in their country of origin.

My second point relates to the amendment in the name of Opposition Members which provides for a report on the length of time in which decisions are made. I am pleased that decision making has been speeded up, although I used figures on current outstanding cases to calculate that, even at the improved rate of decision making and even if there were no extra applications, it could take us two years merely to get through the backlog.

I am pleased that the Minister is putting extra investment into ensuring that the backlog is reduced, but I am concerned that we are seeing a false picture of progress on present decisions. In April, under the announcement that the Minister made some time ago, there was a backlog of 960 cases. The decisions on those cases will be made quickly. In addition, a very large number of them concern Kosovans. The very low number of refusals is an indication of the number of backlog cases and the number of Kosovans. I am concerned to be able to discover the quality of decisions being made.

Rather than using a ritual reporting system, perhaps the Minister can make a couple of statements that would help to reassure us on the progress that is being made on speeding up decisions. The first is some assurance about avoiding the danger of forcing quick decisions on difficult cases once the easy decisions have been made. I am concerned that there might be a risk—I, more than many, have argued for speed—of making a quick and easy decision and leaving the matter to be sorted out on appeal, which may prolong the case for the individual. Will the Minister reassure us about what quality control mechanisms he will be using to ensure that there are no refusals that cannot be justified, which will lead to successful appeals and thereby create delays?

As well as speeding up the average time to make a decision to two months, which is the Minister's target, will he consider managing a system a little like that for health service waiting lists? The right hon. Member for Maidstone and The Weald (Miss Widdecombe) has often repeated the mantra that the length of time, rather than the number of cases waiting, is significant. Will the Minister assure us that if, for example, following the achievement of his target average, a family case up to initial decision takes six months, he will institute some mechanism to ensure that the Home Office's administrative procedures are not adding to the length of such cases? I am sure that such a statement would reassure a number of people about the way the system would work in practice.

Dr. Cable: I should simply like to make a few additional comments on amendment No. 153 and the issue of flexibility. We have already had a very important debate on the principles of vouchers, and the Minister has already said that the regulations will take care of much of the technical detail. I shall ask some specific questions about the principles that will govern the voucher system and its administration.

What principles will govern the determination of which outlets will manage the scheme? This important issue was touched on by the hon. Member for Islington, North (Mr. Corbyn), who asked a question about the supermarket system. When the Home Secretary described what he saw as the integrity of the voucher system, he said that it will work because the people who are given the vouchers are the only ones who can redeem them. That means that supermarket check-out assistants will be the last defence of the voucher system; they will have to enforce it.

I imagine that only the large supermarkets will have the capacity to impose the system. Presumably, therefore, supermarkets will be given a large national captive market as a result of the operation of scheme. Supermarkets are almost certainly the least appropriate outlet for many forms of ethnic cooking, and for the foodstuffs that many refugees will seek. Charity shops are relevant for clothes, but we are talking about food. There is a continuum of possibilities between large supermarket chains and the variety of outlets that are needed for flexibility. Where on that scale will the balance lie? Who will take that decision?

11.30 pm

A second question is: what approach will the Government take to the so-called black market in vouchers? Perhaps as a result of my economist's background, I take a very charitable view of black markets; in many cases, they represent the triumph of the human spirit over bureaucracy. A black market gives flexibility, enabling people to trade their real needs in the market—but how will the Government deal with a black market in vouchers? Will there be strict enforcement? Will the emergence of a black market cause great concern, or will the Government allow flexibility?

The third question concerns the link between vouchers and dispersal. Many communities will be relatively small. One dilemma that I encountered many years ago, when I was in local government and involved in an original dispersal policy for Ugandan Asians in Scotland, was that many of the areas where council housing was available were extremely poorly served by retail outlets. Will a directorate in London decide which shops in Scottish towns are appropriate avenues for the distribution of vouchers?

The system is highly inflexible and highly inequitable. Surely it would be much more sensible to build flexibility into the legislation, by saying that, at certain times, or in certain parts of the country, cash should be used instead of vouchers, to allow flexibility.

Mr. Allan: It emerged in Committee that this business of the package of accommodation seems to suggest that the people in London who are negotiating with shops in Scotland will also have to negotiate with landlords in Scotland to change light bulbs and do all the other little things around the accommodation that the asylum seekers, unlike everyone else, are not being given cash to cover.

Dr. Cable: I thank my hon. Friend, and conclude by emphasising our basic point. We are not, in this debate, trying to rehearse the basic issues of principle, but we suggest that, now that the Government are proceeding with a voucher system, for their own protection in the long term they must build sufficient flexibility into the law.

Mr. Wardle: Before the Minister responds to the debate, I want to endorse what the hon. Member for Slough (Fiona Mactaggart) said. She has a long and impressive track record in this field. I emphasise that it is crucial to the efficiency and effectiveness of the asylum screening process that asylum applicants have confidence in the integrity and the confidentiality—the secrecy—of the information gathered and assessed. If they are to impart their knowledge of what is happening in their home country, it is vital that that confidence exist.

My hon. Friend the Member for Hertsmere (Mr. Clappison) alluded to backlogs in the asylum process, as well as at Lunar house generally, because of the attempted switch to information technology. He mentioned the problems in the UK Passport Agency. They are all indicative of a clogged system. If the Minister wishes to introduce fairness to the system, he must persuade the Treasury to spend the money to sweep out the whole queue, so that phoney applicants for asylum are not attracted and do not say, "We can come and there is a queue, so we can stay in the queue." That is the best way to serve the genuine applicants, who have a well-founded fear of persecution under the Geneva convention.

Mr. Mike O'Brien: I shall respond to the points that were raised, although perhaps not in the order in which they were put to me.

First, I give my hon. Friend the Member for Slough (Fiona Mactaggart) an assurance that I share her anxiety that any information about the identity of an asylum seeker, genuine or not, should not get back to their home country, where it might prejudice their future. Obviously, in some countries, even the simple knowledge that they have claimed asylum may prejudice them. I will therefore speak to the Refugee Legal Centre and others, and discuss how best we can ensure that use of the power does not compromise information that we, too, wish to keep secret.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg)—rather unfairly, I thought—reprimanded the hon. Member for Hertsmere (Mr. Clappison) for the inadequacy of his amendment. I do not want to intrude on private grief, but let me defend the hon. Member for Hertsmere. He did very well. He got a commitment from me that we would consider how more information could be brought forward. The right hon. and learned Member for Sleaford and North Hykeham was extremely unfair to his colleague.

Let me deal with some of the points raised by the hon. Member for Sheffield, Hallam (Mr. Allan). Amendment No. 153 is not needed. There are powers to suspend or repeal the voucher powers in clause 81 (4) and (5). Accordingly, I ask him not to press the amendment to a Division.

We do not intend to force people on their relatives. That would not be practical. Vouchers and cash will be paid at a standard rate. The utility costs will not be met as an addition. We assume that if the relatives are willing to provide accommodation, they will also be willing to meet the marginal extra costs of utilities while the asylum case is considered.

The hon. Member for Twickenham (Dr. Cable) spoke about the black market in vouchers—

Mr. Gerrard: Will my hon. Friend give way?

Mr. O'Brien: May I not give way? I know that a number of hon. Members want to deal with points in subsequent debates. I have been generous in giving way up to now, and I want to make some progress.

The black market in vouchers is a matter of concern to us. We will discuss with supermarkets how to deal with it. We will need to deal with it during the course of the regulations. I can tell the hon. Member for Twickenham that we want to ensure flexibility.

My hon. Friend the Member for Slough asked whether, if a case took longer than six months, we would ask why. Yes, we will want to know why. There will be some cases that take more than six months because there are legal backlogs for various reasons. If the delay is due to some failure on the part of the Immigration and Nationality Directorate, we will want to know that and rectify it.

My hon. Friend the Member for Slough and the hon. Member for Bexhill and Battle (Mr. Wardle) rightly spoke of the need for fast decisions and sustainable decisions. The legal cost of making unsustainable decisions is too great. The hon. Gentleman is also right to say that we need to get the Treasury on board. I am glad to say that we have the Treasury fully on board with regard to the Bill. The Treasury will commit extra resources—more than £100 million—to the IND over the next three years to ensure that we can employ the hundreds of extra staff whom we need to clear the backlog.

I very much agree with the hon. Gentleman that the backlog is a major impediment to creating a system that works. The best deterrent to abuse of the asylum system is fair, sustainable and quick decision making so that people know that if they do not have a right to be in this country, they will quickly be removed.

On the points made by the hon. Member for Hertsmere, the recovery at the IND is slow, but it is sure. Asylum decisions are up. We will hit our output targets by April 2000 and April 2001. The problem is that the IND never recovered from the increase in asylum claims that took place after 1988. By 1991, the number was up to 45,000. Since then, the backlog has grown and the problems have got worse. In our view, the previous Government ignored them. This Government are determined to sort out the mess that we inherited.

The hon. Gentleman mentioned the UK Passport Agency. I shall not dwell on that, but I share his concern about the temporary problems. They are temporary problems—nothing like the situation that we inherited at Croydon. Although the processing of non-urgent applications is taking longer than usual, the Passport Agency is prioritising applications to meet urgent and declared travel dates. It is meeting travel dates in 99.9 per cent. of cases, and expects to continue to do so throughout the summer. The agency is recruiting 300 extra staff to reduce the arrears. The work is seasonal, and intake falls from July onwards. That fact, and the new staff, will enable the agency to bring turn-around times down to 10 days by September. I hope that that gives some reassurance to hon. Members.

I hope that the Government amendment will be supported and the other amendments in the group will not be pressed.

Amendment agreed to.

Clause 17

DUTY TO REPORT SUSPICIOUS MARRIAGES

Amendment made: No. 31, in page 13, line 34, leave out from beginning to end of line 36.—*[Mr. Mike O'Brien.]*

Clause 18

PROVISION OF FACILITIES FOR IMMIGRATION CONTROL AT PORTS

Amendments made: No. 32, in page 13, line 38, after 'a' insert 'control'.

No. 33, in page 14, line 3, after first 'a' insert 'control'.

No. 34, in page 14, line 6, after first 'a' insert

'control port which is a'.

No. 35, in page 14, line 13, at beginning insert '"Control".—*[Mr. Mike O'Brien.]*

Clause 19

DECEPTION

Amendments made: No. 36, in page 14, line 21, leave out from beginning to 'leave' in line 22 and insert—

'(a) he obtains or seeks to obtain'.

No. 37, in page 14, line 23, after '(b)' insert

'he secures or seeks to secure'.—*[Mr. Mike O'Brien.]*

Clause 20

FALSE STATEMENTS

Amendment made: No. 38, in page 15, line 10, leave out from beginning to 'or'.—*[Mr. Mike O'Brien.]*

Clause 22

CODE OF PRACTICE

Amendment proposed: No. 39, in page 16, line 21, leave out 'may' and insert 'must'.—*[Mr. Mike O'Brien.]*

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 9, in page 16, leave out lines 24 to 27 and insert—

'( ) The code shall not come into operation unless a draft of the code has been laid before Parliament and approved by a resolution of each House.'.

Government amendments Nos. 40 and 41.

No. 11, in clause 24, page 17, line 37, at end insert—

'(8A) If a person on whom a penalty notice is served or who is treated as having had a penalty notice served on him, admits that he is liable for one or more, or all, of the penalties specified in the penalty notice but considers that there are grounds for mitigating all or part of the penalty, he may give written notice of such grounds to the Secretary of State.

(8B) Notice under subsection (8A) ("a notice of grounds of mitigating the penalty") must be given before the end of such period as may be prescribed.

(8C) If a notice of grounds for mitigating the penalty is given before the end of the prescribed period, the Secretary of State must consider such grounds and determine whether to mitigate all or part of the penalty.'.

Government amendments Nos. 42 and 45.

Miss Widdecombe: I thank the Minister for his courtesy in moving the amendment formally. I therefore do not intend to elaborate on amendment No. 9, but I wish to push it to a vote.

Amendment No. 9 simply provides for the laying of the code before the House before the implementation of Government amendment No. 39. Amendment No. 11 provides only for mitigation.

Mr. Hogg: I wish to speak on this amendment, because the code is important. It goes to the heart of whether or not an offence is committed. One sees from the Bill that the onus is cast on the carrier to establish that there has been a good defence. One of the considerations that arise is whether the provisions of the code are satisfied. The code is therefore relevant to whether the carrier can establish a defence. It seems wholly unsatisfactory that a code can be established other than by an affirmative resolution of the House. *[Interruption.]* I see that the Whip has come to sit in front of me. I am afraid that it makes no difference at all.

We have a right to determine in this House whether matters that are relevant to establishing a defence are debated by this House. I hope, therefore, that the relevant code will indeed be laid before the House and approved only by affirmative resolution. If not, people's legal rights could be affected without a positive vote of this House. I regard that as very unsatisfactory.

Amendment agreed to.

Amendment proposed: No. 9, in page 16, leave out lines 24 to 27 and insert—

'( ) The code shall not come into operation unless a draft of the code has been laid before Parliament and approved by a resolution of each House.'.—*[Miss Widdecombe.]*

Question put, That the amendment be made:—

The House divided: Ayes 143, Noes 326.

Division No. 211] **[11.44 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chidgey, David
Clappison, James
Clifton–Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and Mrs. Jacqui Lait.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger

Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
W[illegible] Robert N
Wa[illegible], David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*

Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. David Hanson and
Mr. Clive Betts.

Question accordingly negatived.

It being Twelve o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to Order [15 June], to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 23

DEFENCES TO CLAIM THAT PENALTY IS DUE UNDER SECTION 21

Amendment made: No. 40, in page 17, line 2, leave out 'any' and insert 'the'.—*[Mr. Mike Hall.]*

Clause 24

PROCEDURE

Amendment made: No. 41, in page 17, line 18, after 'steps' insert '—

(i) that P must take if he objects to the penalty; or

(ii)''. —*[Mr. Mike Hall.]*

Clause 26

EFFECT OF DETENTION

Amendment made: No. 42, in page 18, line 39, leave out '56' and insert '84'.—*[Mr. Mike Hall.]*

Clause 28

CHARGES IN RESPECT OF PASSENGERS WITHOUT PROPER DOCUMENTS

Amendments made: No. 43, in page 20, line 39, at end insert—

'(4A) No charge is payable by a train operator, or by the owner of a road passenger vehicle, in respect of a person ("A"), if he shows that—

(a) he had in place satisfactory arrangements (including, where appropriate, arrangements with other persons) designed to ensure that he did not carry passengers who did not, or might not, have documents of the required kind;

(b) all such steps as were practicable were taken in accordance with the arrangements to establish whether A had the required document or documents; and

(c) all such steps as were practicable were taken in accordance with the arrangements to prevent A's arrival in the United Kingdom where—

(i) A refused to produce the required document or documents to a person acting in accordance with the arrangements; or

(ii) for other reasons it appeared to that person that A did not, or might not, have the required document or documents.

No. 44, in page 20, line 40, leave out 'this section' and insert 'subsections (4) and (4A)'.—*[Mr. Mike Hall.]*

Clause 30

POWER TO DETAIN VEHICLES ETC. IN CONNECTION WITH CHARGES UNDER SECTION 28

Amendment made: No. 45, in page 22, line 15, leave out '56' and insert '84'.—*[Mr. Mike Hall.]*

Clause 31

INTERPRETATION OF PART II

Amendments made: No. 46, in page 22, line 26, at end insert—

' "aircraft" includes hovercraft;'.

No. 47, in page 22, line 31, after 'Wales,' insert 'the county court or'.

No. 48, in page 22, line 32, after 'Scotland,' insert 'the sheriff or'.

No. 49, in page 22, line 33, after 'Ireland,' insert 'the county court or'.—*[Mr. Mike Hall.]*

Clause 43

ADJUDICATORS

Amendment made: No. 50, in page 30, line 7, leave out from beginning to end of line 11.—*[Mr. Mike Hall.]*

Clause 55

CLAIMS FOR ASYLUM

Amendments made: No. 51, in page 36, line 7, leave out 'a special' and insert 'an'.

No. 52, in page 36, line 13, after second 'decision' insert 'to an adjudicator'.

No. 53, in page 36, line 21, leave out 'a special' and insert 'an'.

No. 54, in page 36, line 28, leave out 'a special' and insert 'an'.

No. 55, in page 36, line 32, leave out 'a special' and insert 'an'.—*[Mr. Mike Hall.]*

Clause 57

REMOVAL OF ASYLUM CLAIMANTS TO SAFE THIRD COUNTRIES

Amendments made: No. 56, in page 37, line 38, leave out

'2 of the Asylum and Immigration Act 1996'

and insert

'*(Removal of asylum claimants under standing arrangements with member States)* or *(Removal of asylum claimants in other circumstances)*'.

No. 57, in page 37, line 41, leave out 'a special' and insert 'an'.

No. 58, in page 37, line 42, leave out from beginning to 'was' in line 43 and insert

'applicable to that certificate was not satisfied when it'—*[Mr. Mike Hall.]*

Clause 58

MISCELLANEOUS LIMITATIONS ON RIGHTS OF APPEAL

Amendments made: No. 59, in page 38, line 2, leave out from beginning to first 'the' in line 3 and insert

'Unless a certificate issued under section (*Removal of asylum claimants under standing arrangements with member States*) or (*Removal of asylum claimants in other circumstances*) has been set aside on an appeal under section 51 or 57 or otherwise ceases to have effect,'.

No. 60, in page 38, line 6, leave out from beginning to end of line 8 and insert

'(2) A person who has been, or is to be, sent to a member State or to a country designated under section (*Removal of asylum claimants in other circumstances*)(1)(b) is not, while he is in the United Kingdom, entitled to appeal—

(a) under section 51 if the Secretary of State certifies that his allegation that a person acted in breach of his human rights is manifestly unfounded; or

(b) under section 57.'.—*[Mr. Mike Hall.]*

Clause 60

DUTY TO DISCLOSE GROUNDS FOR APPEAL

Amendments made: No. 61, in page 39, line 10, leave out 'has a right of' and insert

', while he is in the United Kingdom, is entitled to'.

No. 62, in page 39, line 17, leave out 'has a right of' and insert 'is entitled to'.—*[Mr. Mike Hall.]*

Clause 62

"ONE-STOP" APPEALS: ASYLUM CLAIMS

Amendments made: No. 63, in page 40, line 27, leave out 'special'.

No. 64, in page 40, line 34, leave out 'special'.—*[Mr. Mike Hall.]*

Clause 63

"ONE-STOP" APPEALS: OTHER CASES

Amendments made: No. 65, in page 41, line 1, leave out from 'against' to end of line 2 and insert '—

(a) a decision to refuse an application for leave to enter or remain in the United Kingdom;

(b) a decision to vary, or to refuse to vary, any limited leave to enter or remain in the United Kingdom, which has the result mentioned in section 60(2)(a).

No. 66, in page 41, line 5, leave out from 'decision' to '; and' in line 6.—*[Mr. Mike Hall.]*

Clause 64

TRANSFER OF APPELLATE PROCEEDINGS

Amendment made: No. 67, in page 41, line 31, leave out from beginning to end of line 35.—*[Mr. Mike Hall.]*

Clause 69

PROVISION OF IMMIGRATION SERVICES

Amendment made: No. 68, in page 45, line 25, leave out from beginning to end of line 27.—*[Mr. Mike Hall.]*

Clause 80

PERSONS FOR WHOM SUPPORT MAY BE PROVIDED

Amendment made: No. 69, in page 52, line 42, at end insert—

'(12) Schedule (*Asylum Support: interim provisions*) makes temporary provision for support in the period before the coming into force of this section.'.—*[Mr. Mike Hall.]*

Clause 83

SECRETARY OF STATE'S SCHEME

Amendment made: No. 70, in page 54, line 45, at end insert

'(including circumstances in which the Secretary of State would otherwise be under a duty to provide support).'.—*[Mr. Mike Hall.]*

Clause 101

EXCLUSION FROM BENEFITS

Amendments made: No. 71, in page 62, line 42, leave out 'an EEA national' and insert

'a national of an EEA State'.

No. 72, in page 63, line 7, leave out beginning to end of line 9.—*[Mr. Mike Hall.]*

Clause 108

THE CHILDREN ACTS

Amendment made: No. 3, in page 66, line 29, leave out clause 108.—*[Mr. Mike Hall.]*

Clause 118

ENTRY AND SEARCH OF PREMISES FOLLOWING ARREST

Amendment made: No. 74, in page 74, line 34, leave out from beginning to end of line 42.—*[Mr. Mike Hall.]*

Clause 120

SEARCHING ARRESTED PERSONS

Amendments made: No. 75, in page 76, line 17, leave out

', glove, footwear or headgear'

and insert 'or glove'.

No. 76, in page 77, line 9, leave out

', glove, footwear or headgear'

and insert 'or glove'.

No. 77, in page 77, line 26, leave out from beginning to end of line 33.—*[Mr. Mike Hall.]*

Clause 124

EXECUTION OF WARRANTS

Amendments made: No. 78, in page 84, line 6, at end insert—

'(bb) if issued by a justice of the peace in Scotland, to the clerk of the district court for the commission area for which the justice of the peace was appointed;'.

No. 79, in page 84, line 8, leave out 'or (b)' and insert

'must be retained for 12 months by the justices'

chief executive.

(10A) A warrant issued under subsection (9)(b) or (bb)'.—*[Mr. Mike Hall.]*

Clause 125

INTERPRETATION

Amendment made: No. 80, in page 84, line 28, at end insert—

'( ) In the 1971 Act, in Schedule 2, after paragraph 25D insert—

"25E. Section 28L applies for the purposes of this Schedule as it applies for the purposes of Part III." '.—*[Mr. Mike Hall.]*

Clause 127

FINGERPRINTING

Amendments made: No. 81, in page 85, line 26, after 'officer' insert

'on his arrival in the United Kingdom'.

No. 82, in page 86, line 20, at end insert—

'( ) No fingerprints shall be taken from A if the immigration officer considers that A has a reasonable excuse for the failure concerned.'.—*[Mr. Mike Hall.]*

Clause 134

CONTRACTING OUT OF CERTAIN DETENTION CENTRES

Amendment made: No. 83, in page 90, line 4 at end insert

':

(g) section 14 of the Conveyancing Act 1881;

(h) the Conveyancing and Law of Property Act 1892;

(i) the Business Tenancies (Northern Ireland) Order 1996.'.—*[Mr. Mike Hall.]*

Clause 144

ABOLITION OF CERTIFICATE BY LICENCE

Amendments made: No. 84, in page 94, line 36, leave out '"twenty-one" substitute "15"' and insert

'"said period of twenty-one days" substitute "waiting period in relation to each notice of marriage"'.

No. 85, in page 94, line 37, at end insert—

'( ) In section 31 of the 1949 Act, after subsection (4) insert—

"(4A) "The waiting period", in relation to a notice of marriage, means—

(a) the period of 15 days, or

(b) such shorter period as may be determined by the Registrar General under subsection (5A) or by a superintendent registrar under any provision of regulations made under subsection (5D),

after the day on which the notice of marriage was entered in the marriage notice book."'.

No. 86, in page 95, line 2, leave out ',(2) and (4)' and insert 'and (2)'.

No. 87, in page 95, line 4, leave out 'references' and insert 'reference'.

No. 88, in page 95, line 4, leave out '75(2)(d) and (3)(a) are' and insert '75(3)(a) is'.

No. 89, in page 95, line 5, leave out 'references' and insert 'a reference'.—*[Mr. Mike Hall.]*

Clause 149

REGULATIONS AND ORDERS

Amendments made: No. 90, in page 98, line 32, after '82(3),' insert—

'( ) section 130,'.

No. 91, in page 98, line 35, at end insert—

'(3A) No regulations are to be made under—

(a) section (*Treatment of certain overstayers*), or

(b) section 60(3),

unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.'.

No. 92, in page 98, line 37, after '(3)' insert 'or (3A)'.—*[Mr. Mike Hall.]*

Clause 150

INTERPRETATION

Amendments made: No. 93, in page 99, line 9, at end insert—

' "EEA State" means a State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as it has effect for the time being;'.

No. 94, in page 99, line 32, at end insert—

' "port";'.—*[Mr. Mike Hall.]*

Clause 153

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendments made: No. 95, in page 100, line 5, at end insert—

'(1A) Section 80(1) comes into force on such day as the Secretary of State may by order appoint and section 101 comes into force with it.'.

No. 96, in page 100, line 8, after 'Act' insert

', except section 7 and paragraph 6 of Schedule 13 (which come into force in accordance with section (*Treatment of certain overstayers*)).'.—*[Mr. Mike Hall.]*

New Schedule 1

ASYLUM SUPPORT: INTERIM PROVISIONS

Support before the appointed day

1.—(1) The Secretary of State may by regulations make provision requiring prescribed local authorities to provide support, during the interim period, to asylum-seekers and their dependants who are destitute.

(2) For the purposes of sub-paragraph (1), in Northern Ireland, a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972 is to be treated as a local authority.

2. The regulations must provide for the question whether a person is destitute to be determined by the local authority concerned.

3. Subsections (3) and (5) to (8) of section 80 apply for the purposes of the regulations as they apply for the purposes of that section, but for the references in subsections (5) and (7) to the Secretary of State substitute references to the local authority concerned.

4. The regulations may prescribe circumstances in which support for a destitute person—

(a) must be provided; or

(b) must or may be refused.

5. The regulations may provide that support—

(a) is to be provided in prescribed ways;

(b) is not to be provided in prescribed ways.

6. The regulations may make provision for—

(a) the determination by the Secretary of State of the maximum number of asylum-seekers to whom a local authority is required under the regulations to provide support; and

(b) the referral by one local authority to another of a claim for support made to it under the regulations if the referring authority is providing support to a number of asylum-seekers in excess of that maximum number.

7.—(1) The regulations may make provision for the referral of a claim for support made to the Secretary of State to such prescribed local authority as he may specify in a direction.

(2) A direction may not specify a local authority which is providing support to a number of asylum-seekers in excess of the maximum number determined in accordance with provision made by virtue of paragraph 6(a).

(3) The regulations may make provision for the payment by the Secretary of State of any reasonable travel or subsistence expenses incurred as a result of a referral made by him as a result of provision made by virtue of sub-paragraph (1).

8. The regulations may make provision requiring prescribed local authorities or other prescribed bodies to give reasonable assistance to local authorities providing support under the regulations.

9. The regulations may make provision for the procedure for making and determining claims for support.

10. The regulations may make provision for a person who has received, or is receiving, support from a local authority under any other prescribed enactment to be taken to have been accepted for support under the regulations by a prescribed local authority.

11. A person entitled to claim support under the regulations is not entitled to claim support under any other prescribed enactment.

Definitions

12. "The appointed day" means the day appointed under section 153(1A).

13. "The interim period" means the period beginning with day on which paragraph 1 comes into force and ending on the appointed day.'.—*[Mr. Mike Hall.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 2

THE IMMIGRATION APPEAL TRIBUNAL

Amendments made: No. 97, in page 102, line 6, after 'of' insert

'legally qualified members and of other'.

No. 98, in page 102, line 8, leave out 'qualified for appointment only' and insert 'legally qualified'.

No. 99, in page 102, line 15, after 'one' insert 'legally qualified'.

No. 100, in page 102, line 16, after 'another' insert 'such'.

No. 101, in page 103, line 1, leave out from beginning to end of line 4 and insert—

'( ) The jurisdiction of the Tribunal may be exercised by such number of members as the President may direct.

( ) A direction may be given in relation to a specified case or category of case.

( ) A specified number of members may include a specified number of legally qualified members.'.—*[Mr. Mike Hall.]*

Schedule 3

ADJUDICATORS

Amendments made: No. 102, in page 103, line 16, at end insert—

'*Deputy Chief Adjudicator and Regional Adjudicators*

.—(1) The Lord Chancellor may appoint one of the adjudicators as Deputy Chief Adjudicator.

(2) The Lord Chancellor may appoint as Regional Adjudicators such number of the adjudicators as he may determine.

(3) A person appointed under sub-paragraph (1) or (2) is to have such functions as the Chief Adjudicator may assign to him.

(4) If the Chief Adjudicator is temporarily absent or otherwise unable to act, the Deputy Chief Adjudicator may act on his behalf.'.

No. 103, in page 103, line 16, at end insert—

'*Qualification for appointment*

. A person is qualified for appointment as an adjudicator only if—

(a) he has a 7 year general qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990;

(b) he is an advocate or solicitor in Scotland of at least 7 years' standing; or

(c) he is a member of the Bar of Northern Ireland or solicitor of the Supreme Court of Northern Ireland of at least 7 years' standing.'.

No. 104, in page 103, line 42, at end insert—

'( ) The Chief Adjudicator may direct that, in a specified case or category of case, an appeal to an adjudicator is to be heard by such number of adjudicators as may be specified.

( ) "Specified" means specified in the direction.'.—*[Mr. Mike Hall.]*

Schedule 4

APPEALS

Amendments made: No. 105, in page 104, line 30, leave out from beginning to end of line 32.

No. 106, in page 105, line 24, at end insert—

'( ) In this Schedule "rules" means rules under this paragraph.'.

No. 107, in page 105, line 24, at end insert—

'*Practice directions*

.—(1) The President of the Tribunal may give directions as to the practice and procedure to be followed by the Tribunal in relation to appeals and applications to it.

(2) The Chief Adjudicator may give directions as to the practice and procedure to be followed by adjudicators in relation to appeals and applications to them.'.

No. 108, in page 106, line 8, leave out from beginning to end of line 12.

No. 109, in page 106, line 14, leave out

'on any of the grounds mentioned in subsections (1) to (5) of'

and insert 'under'.

No. 110, in page 106, line 19, leave out 'or (4)' and insert

', (4), (4A) or (4B)'.

No. 111, in page 106, line 21, leave out 'special'.

No. 112, in page 106, line 30, after 'claim' insert 'under the Refugee Convention'.

No. 113, in page 106, line 35, at end insert—

'(4A) This sub-paragraph applies to a claim under the Human Rights Convention if—

(a) it does not disclose a right under the Convention; or

(b) it does disclose a right under the Convention, but the claim is manifestly unfounded.

(4B) This sub-paragraph applies to a claim if–'

No. 114, in page 107, line 2, leave out from 'under' to end of line 6 and insert

'the Refugee Convention or the Human Rights Convention'.

No. 115, in page 109, line 10, after second 'appeal' insert

'other than an appeal under section 57'.

No. 116, in page 109, line 45, leave out '(1)(d)' and insert '(1)(c)'.—*[Mr. Mike Hall.]*

Schedule 9

DETAINEE CUSTODY OFFICERS

Amendment made: No. 117, in page 122, line 5, leave out

', glove, headgear or footwear'

and insert 'or glove'.—*[Mr. Mike Hall.]*

Schedule 11

ESCORT ARRANGEMENTS

Amendment made: No. 118, in page 126, line 18, leave out

', glove, headgear or footwear'

and insert 'or glove'.—*[Mr. Mike Hall.]*

Schedule 12

CONSEQUENTIAL AMENDMENTS

Amendments made: No. 119, in page 127, line 30, leave out 'and'.

No. 120, in page 127, line 31, at end insert

'; and

( ) in subsection (6), for "either" substitute "each".'.

No. 121, in page 129, line 10, at end insert—

'( ) In subsection (3), for "twenty-one" substitute "15".'.

No. 122, in page 130, line 5, leave out from second 'for' to end of line 6 and insert

'from "(not being" to "book" substitute "before the expiry of the waiting period in relation to each notice of marriage";'.

No. 123, in page 130, line 8, at end insert—

'( ) After subsection (2), insert—

"(2A) In subsection (2)(d) "the waiting period" has the same meaning as in section 31(4A).".'.

No. 124, in page 132, line 15, leave out 'did not have' and insert 'had'.

No. 125, in page 133, line 36, leave out from 'in' to end of line 38 and insert

'order to provide accommodation under Part VI of the Immigration and Asylum Act 1999'.

No. 126, in page 134, line 21, leave out from beginning to end of line 22 and insert—

'power, or under an arrangement, to provide accommodation under Part VI of the Immigration and Asylum Act 1999.

( ) A tenancy mentioned in sub-paragraph (1) becomes a secure tenancy if the landlord notifies the tenant that it is to be regarded as a secure tenancy." '.

No. 127, in page 134, line 35, after 'asylum-seekers' insert 'or dependants of asylum-seekers'.

No. 128, in page 135, line 3, after 'asylum-seekers' insert 'or dependants of asylum-seekers'.

No. 129, in page 135, line 37, at end insert—

'*The Courts and Legal Services Act 1990 (c. 41)*

.—(1) The Courts and Legal Services Act 1990 is amended as follows.

(2) In Schedule 10 (judicial and other appointments), omit paragraph 34.

No. 130, in page 136, line 16, at end insert—

'*The Judicial Pensions and Retirement Act 1993 (c. 8)*

.—(1) The Judicial Pensions and Retirement Act 1993 is amended as follows.

(2) In Schedule 1 (offices which may be qualifying judicial offices), in Part II, for "Chief, or any other, immigration adjudicator under the Immigration Act 1971" substitute "Immigration Adjudicator".

(3) In Schedule 6 (retirement date for certain judicial offices), omit paragraphs 37 and 38.'.

No. 131, in page 136, line 19, leave out from beginning to end of line and insert—

'. Omit section 3 (fingerprinting).

. Omit sections 4 and 5 and Schedule 1 (housing of asylum-seekers and their dependants).

. Omit section 7 (curtailment of leave).

. Omit sections 8, 9, 10 and 11 and Schedule 2(which relate to appeals).'.

No. 132, in page 136, line 27, leave out from beginning to end of line 28 and insert—

'. Omit section 12 (carriers' liability).'.

No. 133, in page 136, line 30, leave out from beginning to end of line 32 and insert—

'. The Asylum and Immigration Act 1996 is amended as follows.

. Omit section 7 (power of arrest and search warrants).

. Omit section 9 (entitlement to housing accommodation and assistance).

. Omit section 10 (entitlement to child benefit).

. Omit section 11 (saving for social security regulations).

. Omit Schedule 1 (modifications of social security regulations).

. In Schedule 2, omit sub-paragraphs (2) and (3) of paragraph 1, paragraph 3 and paragraph 4(2) (which are spent as a result of this Act).

. In Schedule 3, omit paragraphs 1, 2 and 5 (which are spent as a result of this Act).'.

No. 134, in page 137, line 14, leave out 'a special' and insert 'an'.—*[Mr. Mike Hall.]*

Schedule 13

TRANSITIONAL PROVISIONS AND SAVINGS

Amendments made: No. 135, in page 139, line 8, after '28K(9)(a)' insert 'and (10)'.

No. 136, in page 139, line 18, leave out from beginning to end of line 26.

No. 137, in page 139, line 28, at beginning insert

'Section 15 of the 1971 Act,'.

No. 138, in page 139, line 31, leave out

'that section by this Act'

and insert 'those sections'.

No. 139, in page 139, line 31, at end insert—

'6.—(1) Sub–paragraph (2) applies if, on the coming into force of section 7, sections 15 of the 1971 Act and 5 of the Immigration Act 1988 have been repealed by this Act.

(2) Those sections are to continue to have effect in relation to any person—

(a) who applied during the regularisation period prescribed under section (*Treatment of certain overstayers*), in accordance with the regulations made under that section, for leave to remain in the United Kingdom, and

(b) on whom the Secretary of State has since served a notice of his decision to make a deportation order.'.—*[Mr. Mike Hall.]*

Schedule 14

REPEALS

Amendments made: No. 140, in page 141, line 21, at end insert—

'1993 c. 8.	The Judicial Pensions and Retirement Act 1993.	In Schedule 6, paragraphs 37 and 38.'.

No. 141, in page 141, line 33, column 3, at end insert—

		'Section 2. Section 3.'.

No. 142, in page 141, line 49, at end insert—

'1997 c. 68.	The Special Immigration Appeals Commission Act 1997.	Section 7(4). In Schedule 2, paragraph 5.'.

—*[Mr. Mike Hall.]*

Order for Third Reading read.

Motion made, and Question put, That the Bill be now read the Third time.—*[Mr. Mike Hall.]*

The House divided: Ayes 310, Noes 41.

Division No. 212] **[12.2 am**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric

Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheffld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. David Hanson and
Mr. Clive Betts.

NOES

Abbott, Ms Diane
Allan, Richard
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Benn, Rt Hon Tony *(Chesterfield)*
Brake, Tom
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Gerrard, Neil
Harvey, Nick
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kirkwood, Archy
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
McDonnell, John
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Simpson, Alan *(Nottingham S)*
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Willis, Phil

Tellers for the Noes:
Dr. Evan Harris and
Mr. Don Foster.

Question accordingly agreed to.

Bill read the Third time, and passed.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. May I raise with you the consequences of the guillotine motion that has been applied? You will appreciate that there remain outstanding eight groups of amendments; the last group of amendments, relating to the code of practice, were debated in about one minute; moreover, there was no debate on Third Reading. The cause of all that was the guillotine motion. The result is that a substantial part of the Bill has not been debated on Report. I recognise that you are bound by the guillotine motion and that I cannot complain about that. However, I can point out—and I do point out—that one of the reasons why time was eroded was that, yesterday, a statement on the London underground was made by the Deputy Prime Minister—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman is an experienced Member of Parliament and I think that he recognises that the answer to his point of order lies in what he has already said. The Chair is indeed bound by the terms of yesterday's guillotine motion, as is the House. What he has said so far is a matter of comment and debate, which should have been said at the time of the guillotine motion. It is not a matter for me.

Mr. Hogg: I am coming to my substantive point. I was laying the background. One reason why the debate has been truncated tonight is the statement that the Deputy Prime Minister made yesterday about the London underground. The practice is for a Minister to inform the Speaker of his intention to make a statement. The consent of the Speaker is not required, even though the Minister always begins with the phrase, "With permission, Madam Speaker". However, it is within the discretion of the Speaker to seek to dissuade the Minister. Furthermore, it is certainly within the discretion of the Speaker to ensure that the question and answer session that follows is kept very short. My point of order is that when there is a guillotine motion the Speaker should seek to ensure that there is not—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman should resume his seat when I have risen to my feet. He is getting dangerously close to criticising the decision of the Chair. If there was a moment to do that it was yesterday, not now.

Mr. Hogg *rose—*

Mr. Deputy Speaker: Order. I think that I have heard sufficient in two bursts from the right hon. and learned Gentleman to know that this is not a matter on which I can rule now. It relates to the decision of the Chair that

was taken yesterday. If the right hon. and learned Gentleman wishes to pursue that matter, it will have to be on a substantive motion criticising the Chair.

Mr. Hogg: Further to that point of order, Mr. Deputy Speaker. I am not in any way criticising the Speaker. I am bringing a point to your attention so that you can have an opportunity to discuss it with Madam Speaker. When there is a guillotine motion that constrains debate, the Speaker should seek to consider whether—

Mr. Deputy Speaker: Order. There is little that I can add to the point of order that the right hon. and learned Gentleman is seeking to make, because he is implicitly criticising the decision taken by the Chair yesterday. The Speaker must be presumed to be aware of all the relevant matters. If an hon. Member wishes later to challenge a decision taken by the Speaker, it must be done on a substantive motion.

Miss Widdecombe: On a point of order, Mr. Deputy Speaker. I acknowledge that the Government went to considerable lengths this evening to ensure that we had a vote on amendment No. 9, but that was achieved only by sacrificing any debate on an important subject. There were other important issues to be debated on Report, as well as a tranche of other matters that could have been addressed on Third Reading but were not scheduled for debate on Report. Those subjects were guillotined out of debate not as a result of any lack of progress on the Immigration and Asylum Bill, which was conducted in an exemplary manner, but because of a perceived lack of progress on another Bill. As the guardian of Back-Bench rights and the rights of debate, does the Chair have a view, or will you be taking a view, on the use of a guillotine to curtail not the debate in question, but a separate debate?

Mr. Deputy Speaker: The question whether there is a guillotine and the terms of it are not a matter for the Chair. It is a matter for debate on the substantive motion put down by the Government and the decision of the House on it.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONSTITUTIONAL LAW

That the draft Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999, which was laid before this House on 26th May, be approved.

That the draft Scotland Act 1998 (Modification of Schedules 4 and 5) Order 1999, which was laid before this House on 26th May, be approved.

That the draft Scotland Act 1998 (Modification of Functions) Order 1999, which was laid before this House on 26th May, be approved.

That the draft Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999, which was laid before this House on 26th May, be approved.

That the draft Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999, which was laid before this House on 26th May, be approved.

That the draft Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999, which was laid before this House on 26th May, be approved.

That the draft Scotland Act 1998 (Border Rivers) Order 1999, which was laid before this House on 26th May, be approved.—*[Mr. Clelland.]*

Question agreed to.

PETITION

Medicines Control Agency

12.19 am

Mr. Brian Cotter (Weston–super–Mare): I present a petition on behalf of 682 constituents. The petitioners request that the House of Commons urge the Department of Health to reconsider its proposals regarding the Medicines Control Agency and introduce an

immediate moratorium preventing the MCA from declaring these safe products to be medicines, except on grounds of illegal claims of safety, and, further, to introduce new legislation appropriate to the special needs of safe natural health products.

To lie upon the Table.

Flooding (Lewes)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

12.20 am

Mr. Norman Baker (Lewes): I welcome the opportunity to raise the problems of flooding in my constituency and especially in Seaford. Each problem is different, but there is a common thread: lines of responsibility are not clear, so action that everyone agrees should be taken is left undone. My central call to the Government will be: please acknowledge the problem; please undertake to rectify it; and, in the meantime, please knock some heads together to ensure that the very real problems are not allowed to drag on any further.

Mr. Lembit Öpik (Montgomeryshire): Is my hon. Friend aware that we have also had serious flooding problems in Montgomeryshire? Does he accept that the issues that he is raising call for a strategy across the United Kingdom, including Wales?

Mr. Baker: I certainly agree that we need a national strategy.

Let me deal first with the problems in Cliffe high street, Lewes, which is one of the town's main shopping streets. Regular flooding occurs, with water invading private properties and the church of St. Thomas à Becket, the oldest church in the historic town. The cause is an ancient culvert that has silted up and for which no body will accept responsibility.

I have had sight of correspondence initiated by my constituent Mary Chandler, who is church warden at St. Thomas à Becket. It will be instructive to run through it. In October 1993, she wrote to the highway authority, East Sussex county council, after flooding to the church had occurred. It told her a month later, having investigated the matter, that it was the responsibility of the National Rivers Authority—which has now been superseded by the Environment Agency—and its agent, Lewes district council.

In December 1993, Lewes district council wrote to say that the county council was wrong and it was a matter of surface water drainage, which is the responsibility of Southern Water. Sensibly, my constituent suggested that the NRA, Southern Water and the two councils should get together to sort the matter out. No such meeting took place at that point, but, throughout 1994, the church continued to flood, the NRA continued to maintain that it was a matter for Southern Water, and Southern Water continued to maintain that the culvert was not a public service water sewer and therefore not maintainable at its expense, suggesting that the district council use its powers under the Land Drainage Act 1991 and the Public Health Act 1936.

By May 1995, the district council was suggesting that it might be a matter for the riparian owner. The various bodies were by now talking to each other and some without prejudice work had been done by both the county council, in respect of the culvert, and the NRA, in respect of the discharge point into the River Ouse; but the church was still flooding.

By the beginning of 1997, the Environment Agency and the two councils had appeared to conclude that Southern Water was responsible, and I understand that a letter to that effect was sent by the agency to the company on 17 April 1997; but the position was not accepted by Southern Water in its reply of 25 July. Meanwhile, the church flooded again on 23 June and on 8 October 1997.

Some basic work was done on 9 October by Southern Water to alleviate the problem. Meanwhile, Ofwat had been dragged into the matter and declared that it was unable to resolve the issue. The matter was brought to my attention on 4 July 1998, when Mary Chandler attended one of my surgeries. I immediately wrote to the Department of the Environment, Transport and the Regions and received a reply from the Under-Secretary, the hon. Member for Mansfield (Mr. Meale), offering sympathy and telling me that there was a difference of opinion between Southern Water and the Environment Agency. I think that I had already worked that one out.

The two sides met again shortly after the Minister's letter and agreed on a closed circuit television survey of the channel in principle, but they could not agree who should pay for it. Meanwhile, the church continued to flood, including on Christmas day 1998.

I then tried writing to the chairman of the Environment Agency, Lord De Ramsay, who, in his reply dated 25 February this year, gave me some interesting and useful information about the history of the culvert, but could offer no real solution.

I am also indebted to another of my constituents, Bruce Yorke, for the valuable historical information that he has been able to give me. He makes a reasonably convincing case that the county council might be responsible. I shall be happy to send the Minister a copy of his letter if that would be helpful.

What is the latest position? East Sussex county council has written to me this week and it says:

"The County Council sought legal opinion in 1996 regarding responsibility for the culvert. This indicated that there was enough evidence to show that it was a public sewer and not the responsibility of the then Southern Water Authority."

The Environment Agency, in a note to me dated 11 June, denied that it is responsible and suggested that Southern Water should pick up the responsibility. But it also offered to work with various parties—Southern Water, the district and county councils—to share responsibility and clear the culvert.

However, Southern Water does not take that view. It says:

"a Queen's Counsel has advised that the problem culvert is still a land drainage channel, probably the responsibility of the Environment Agency."

It concludes:

"it would seem appropriate for Lewes District Council and East Sussex County Council to join in"

efforts to solve this matter.

Meanwhile, the church continues to flood, most recently earlier this month. Not only has the church been affected; local residents have suffered too. One lady tells me that her property is now badly affected by damp and that her valuable grand piano is at risk.

The problem has gone on for at least six years, with continual flooding of an historic church, damage to other properties and numerous calls to East Sussex fire brigade, which has been superb, as always. Public money has been spent, not least as a result of all the fire brigade call-outs,

but six years on we still have no solution—not for technical reasons, but because of a demarcation dispute. We are little further on than we were in 1993.

This really must be sorted out. In the short term, will the Minister intervene to knock heads together and to require that the problem be solved without any further delay? I hope that he will do that. Let the parties argue afterwards about who should pay. My constituents have suffered long enough.

I have spent a long time on that specific example because I owe it to my constituents and because I suspect that if this is happening in Lewes, it must be happening elsewhere as well, and be a problem for other hon. Members.

I come now to the second and in some ways potentially even more serious problem which I raised during another hon. Member's Adjournment debate on 24 February 1999, since when nothing has happened to deal with the problem that I then identified for the House.

I refer to two connected issues in my constituency. The first is also in Lewes, also, as it happens, in Cliffe high street, albeit at the other end, and also caused by unsatisfactory and muddied lines of accountability and responsibility. It relates to the banks of the River Ouse, which flows through the centre of Lewes and which is marked in Lewes by the lovely Cliffe bridge.

The Environment Agency has identified work which needs to be undertaken urgently and has warned that if it is not done the river walls are at risk of collapsing. Those walls are right in the middle of town, abutting listed buildings. Were they to collapse, the effect would be serious, not just for the property owners but for the town itself.

I visited properties abutting the river on Monday in the company of Peter Midgely, the area manager of the Environment Agency. He impressed on me yet again his concern and that of the Environment Agency about the position.

The second matter relates to the sea defences at Seaford. That work has been undertaken every year by the Environment Agency, but this year it is not taking place. A press release issued by the Environment Agency on 9 December 1998, said:

"essential maintenance will halt. The Agency will be unable to carry out work at Seaford which it considers is essential to the security of the Ouse Valley."

It is also essential to all those properties along Seaford sea front that have now been left defenceless and at the mercy of the waves.

The problem has arisen because the Environment Agency is the specialist body responsible for identifying works, but local flood defence committees fund them—or not, as in this case. So essential sea defence works at Seaford have simply been stopped. The start date of the works at Lewes, far from being accelerated because of the condition of the walls, were already late and now have been put back a further year.

In a letter dated 15 February, Lord De Ramsay, chairman of the Environment Agency, wrote:

"We have an overall shortfall of some £4 million in the funding which flood defence committees have made available for 1999-2000 . . . Under current arrangements for funding flood defence the agency has no powers to interfere in the democratic process whereby Flood Defence Committees approve their levies."

So the Environment Agency blames the flood defence committees, while East Sussex county council, which supplies some of the committee's members, blames the Government and says that levies from external bodies should be ring-fenced and taken into account in the Government's funding and capping decisions. I hope that the Minister will address that point in his reply. That is a ludicrous arrangement. The Environment Agency has responsibility without power, while the flood defence committees have power without responsibility.

I shall repeat a point that I made on 24 February, to which the Minister on that occasion did not have time to respond. Either the flood defence committees should be abolished and their work passed to the Environment Agency, or they should take on the relevant responsibilities that rest with the agency. The present arrangements are a hotchpotch and do not work. There is also a need to clarify the respective powers of the Environment Agency, the county councils and the district councils. I spent some considerable time last year trying to sort out another flooding problem in my constituency, in Plumpton. It dragged on for far too long, mainly because of the unclear legal position of the three bodies involved.

However, I return to the problems in Lewes. What happens if the river wall collapses? Who is responsible? I raised this matter with John Crawford, chief executive of Lewes district council and a qualified lawyer. In a letter dated 1 March, he said:

"It is still not clear to me what specific obligations arise if a local flood defence committee refuses to levy for the amount of money required to fulfil the Environment Agency's recommendation to them that certain works must be done to avoid flooding."

I hope that the Minister will deal with that point also.

The situation becomes even more complicated when private frontages are involved. Peter Midgely, Sussex area manager of the Environment Agency, wrote to me on 3 September 1998 about this matter. In respect of the position in Lewes, he wrote:

"The necessity for flood defence in this area is clear, but the legal position is not."

If two such key people, both of whom I hold in high regard, are unclear about matters as basic as that, we have a mess—in terms of accountability, responsibility and legality. That mess threatens the basic river defences in the county town of East Sussex in the middle of my constituency, and all the listed buildings that abut that river. It is a mess that means that essential sea defence works are not being carried out at Seaford. A similar mess has allowed the St. Thomas à Becket church to flood regularly for six years. While the various bodies fiddle, Lewes floods.

There is a very clear role for the Government if they will take it. In the short term, they need to bang heads together and twist the arms of the various bodies to force them to do the work that has to be done and which can be done with no great technical problems. In the medium term, the lines of accountability and responsibility for flooding matters must be recast, so that the incidents that I have described cannot happen again.

I know that the Minister will respond sympathetically to the points that I have raised, and I hope that he will promise me some action.

12.34 am

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I congratulate the hon. Member for Lewes (Mr. Baker) on securing the debate and raising an important matter of concern to his constituents. I appreciate the problems that they have faced and shall try to deal with them.

It may help if I run through some general responsibilities. The Ministry of Agriculture, Fisheries and Food has policy responsibility for flood defence—that is, measures to reduce the risk of flooding from rivers and the sea—and we provide substantial grants for approved capital projects. Responsibility for maintaining flood defences generally remains with those whose property fronts the river or the sea—a point relevant to Lewes. The defence does, after all, protect their property and if they gain the most benefit, it is difficult to see that the costs should be met by the taxpayer. That is one of the difficulties arising over ownership and responsibility.

In many areas, a more collective approach to flood and coastal defence has been adopted and responsibility for making and maintaining defences has been taken on by one of the flood defence operating authorities, particularly where defences provide benefit to the wider community. The largest operating authority is the Environment Agency, which may take on flood defence works on designated main rivers. Local authorities may act on ordinary watercourses, as may internal drainage boards where such bodies have been created in areas of special drainage need. However, in reply to the hon. Gentleman's point about legal responsibility, I must stress that flood defence legislation is permissive. There is no obligation on the operating authorities either to take on defences or to maintain them to a particular standard.

The Environment Agency is required to carry out its flood defence responsibilities through statutory regional or local flood defence committees. The committees are responsible for agreeing the programme of flood defence works to be carried out in their area, based on a business plan provided by the agency. The committees provide the majority of funding for the flood defence programme through levies on constituent local authorities. To reflect these funding arrangements, local authority representatives form a majority on flood defence committees.

I understand the hon. Gentleman's criticism of that system. However, the present arrangements contain an important measure of local democratic input, requiring those who represent the local community to determine appropriate levels of flood defence service and provide requisite funding. Nevertheless, in response to a recommendation in last year's report by the Select Committee on Agriculture on flood and coastal defence, MAFF and the Department of the Environment, Transport and the Regions are carrying out a joint review of the funding mechanisms. That will provide an opportunity to examine some of the hon. Gentleman's points and to see whether the current funding mechanism is appropriate, effective and delivering all that it is intended to. I regularly meet representatives of the Local Government Association and flood defence committee chairmen to discuss these matters, and I shall raise the hon. Gentleman's concerns, particularly over spending.

The hon. Gentleman discussed the blocked culvert in Cliffe high street. I understand the frustration that can be caused where problems with flooding are left unresolved because of what may seem to be eternal wrangling between different bodies. The hon. Gentleman will understand, however, that those bodies are anxious not to incur expenditure that does not properly fall to them. I understand that a long culvert takes water run-off from various sources including roads, roofs and gardens. The culvert is prone to blocking and overflowing, particularly during storms.

Responsibility for maintaining the culvert is disputed, which, as the hon. Gentleman said, is the core problem. Without prejudice to the final resolution of where responsibility lies, or the possible need for longer-term work, the Environment Agency is attempting to put together a plan to clear the culvert, in partnership with Southern Water and local authorities. I welcome the agency's efforts and encourage others to support its initiative. I shall take a personal interest in the progress of the project.

The culvert probably goes back to Victorian times. Originally, it was maintained by the local commissioner for sewers—a grand-sounding title. He was the forerunner of the Environment Agency and, to some degree, of Southern Water and the local authorities. There was no clear transmission of responsibility when the various agencies were set up. There is anecdotal evidence of maintenance in the dim and distant past by the agency's predecessor, by the water company and by the local authority.

In theory, maintenance could be partly the responsibility of the owners of properties that lie above the culvert line, which confuses matters a little more. By accident of history, the culvert system has not been taken over by the agency, water company or local authority. Conflicting legal views about maintenance therefore remain to be resolved.

The main culvert is now badly silted and will not pass storm flood flows. After heavy rain, as the hon. Gentleman rightly said, there are floods, particularly around St. Thomas à Becket church. I understand that Southern Water is trying to alleviate the problem by temporary chamber pumping. The structural state and, indeed, parts of the culvert line are uncertain. However, as I said, without prejudice to the final resolution, the agency is putting together a jetting exercise to clear the culvert. The agency's partners will be Southern Water, which has agreed to the proposal, and possibly the local authority. The cost is estimated to be around £30,000. If the project goes ahead, work could commence quickly, which would certainly help the situation in the short term. In the longer term, the issues of ownership must be resolved.

The hon. Gentleman referred also to flood defence in Lewes generally. I explained the relationship between the Environment Agency, which develops business plans for flood defence, and the regional and local flood defence committees, which are responsible for determining the level of service and providing the funding. I explained also that maintaining flood defences generally remains the responsibility of riparian owners, unless that responsibility is taken over by an operating authority such as the Environment Agency. One of the problems in Lewes is that there is very little agency ownership of the town's walls and the buildings abutting them. The majority of them are in private, riparian ownership.

In setting its flood defence levy for the current year, the Sussex flood defence committee did not agree the full increase sought by the agency. As a result, the agency's business plan has had to be adjusted and the committee decided that the greatest priority should be given to sea defences. However, there are plans to carry out a strategy study of the flood defences in Lewes in 2001-02. Dependent on that, work on the town walls might start a year or two later. Funding of any such work will clearly be an issue for the local flood defence committee and may need to reflect the respective benefits of the work to the private owners of the town walls and to the wider community. Some contribution from private owners may therefore be appropriate.

The agency cannot normally maintain private frontages if, in a cost-benefit analysis, no clear benefits can be attributed to the wider community. There will therefore have to be an assessment of who will benefit from the work.

The hon. Gentleman referred to Seaford sea defences, which I know he is concerned about. He is right to say that funding by the Sussex flood defence committee this year has been insufficient to fund further work on recycling shingle. However, I can reassure him that the beach frontage is currently in good condition, and provision has been made for low-level maintenance such as reprofiling the beach. I accept that the Sussex flood defence committee will have to deal with that issue, and I emphasise that it must realise that it has responsibilities to the local community to fund such work. The standard spending assessment has been considerably increased in this financial year to assist local authorities with their levy.

I hope that I have given the hon. Gentleman an indication of what action is being taken. The issues are complicated by the confusion about ownership. I am sure that the hon. Gentleman understands that no agency or local authority wants to commit expenditure when it is not absolutely clear that it is its responsibility to do so. Having said that, there are issues that need to be resolved, and I have outlined the action that is being taken on those. I shall certainly raise with the chairs of the regional flood defence committees the wider funding issue, and I shall take an interest in the progress that is being made on raising the money for the work.

Mr. Baker: Will the Minister reply to my question about what will happen if a local flood defence committee refuses to levy for the amount of money required to fulfil the Environment Agency's recommendations that certain works must be done to avoid flooding?

Mr. Morley: I am not a legal expert on this point. I may have to take some advice on it and write to the hon. Gentleman in order to give him a definitive answer. I return to the point that flood defence powers are not statutory but permissive responsibilities. I therefore suspect that, if the funding that the Environment Agency considers necessary is not forthcoming, there are no legal powers to require such provision.

I would stress, however, that I am a great believer in local democracy. The hon. Gentleman has heard me say that before when debating the strategy for providing flood and coastal defence. I believe that local authorities have a very important role to play. On balance, the structure that involves local authorities in determining the level of service and raising funds towards financing it from a precept is the right one. If local authorities do not take their responsibilities seriously and reflect the needs of local people, whom they are ultimately supposed to serve and represent, the argument for a review of the operation of the funding and local authorities' role is strengthened.

As I have said, we have given a commitment to review the structure and funding in the light of the Select Committee report, and we will certainly give consideration to that.

Question put and agreed to.

Adjourned accordingly at fourteen minutes to One o'clock.

House of Commons

Thursday 17 June 1999

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Market Distortions

1. **Mr. Phil Sawford** (Kettering): What action he is taking against market distortions that result in consumers having to pay more for products in the United Kingdom than in the rest of the European Union. [86490]

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): Before I answer my hon. Friend's question, may I say what a great pleasure it is to see the hon. Member for Tiverton and Honiton (Mrs. Browning) at her new post as spokesperson for trade and industry? I am sure that it is well deserved. She has always displayed a remarkable independence of spirit. Her views and hostility to the euro, for example, make those of her leader, the right hon. Member for Richmond, Yorks (Mr. Hague), seem Solomon-like in their measured judgment.

To return to my hon. Friend's question, the Competition Act 1998 will provide a tough new regime for dealing with anti-competitive activities across the United Kingdom economy. The Government are committed to ensuring fair and vigorous competition in UK markets so that prices are set at competitive levels.

We need to know, first, whether prices are so very different. Current information is inadequate. The Government will shortly announce the start of the commissioning process for a study of international price comparisons to provide robust and up-to-date evidence of international price differences.

Mr. Sawford: I thank my hon. Friend for that reply. Many of my constituents in Kettering know that they are paying over the odds for many of the goods that they purchase—not just cars, but many other consumer goods. I welcome and applaud the steps that my hon. Friend is taking to give higher priority to consumers—unlike the previous Government, who talked an awful lot about market forces and competition, but failed miserably when it came to taking action in the interests of the British consumer.

Dr. Howells: We are absolutely determined that where there has been a weakness in the supply of statistics, it will not be filled by sometimes worthy and sometimes less worthy speculation in the press about rip-off Britain and so on. When I took on my present job, I was extremely surprised to discover that there were no mechanisms for comparing prices. We are determined to put them in place so that the people of Britain know whether, in international market comparisons, they are paying higher rates than they should for the goods that they purchase.

Mr. Michael Fallon (Sevenoaks): Is not the major market distortion due to the extra burden of taxation and new regulation from the Government, which feeds directly through to consumer prices? Instead of hearing speeches about red tape, why do we not see some action from the Government to reduce the biggest burden on business, which is the Department of Trade and Industry?

Dr. Howells: I am still hacking my way through the red tape that the hon. Gentleman left when he was in government. Such comments are a bit rich, coming from a party that ran this country for 18 years, during which time car manufacturers referred to the UK as "Treasure Island." The Conservative Government did very little to drive down prices or increase competition. Our Competition Act 1998, which kicks in from March next year, will ensure that there is no price fixing and that there are no cartels and no mergers that are designed to distort markets. With increased competition, we will see prices fall.

Fiona Mactaggart (Slough): I am pleased that the Government are taking tough action on behalf of the consumer. Our achievement in getting record low inflation is the best thing that a Government can do for the consumer.

Will my hon. Friend give me an assurance that he will not allow big companies to delay and defer the process of investigation by competition authorities? The wrapped ice cream market, which for many years has given rise to concern, is currently under investigation. The major company in that market is once again doing its best to kick the investigation into the long grass. I urge my hon. Friend to make sure that that cannot happen.

Dr. Howells: I cannot comment on the investigation being conducted by the competition authorities into the ice cream market. It is an important market and a sensitive issue. However, we have engaged in talks with the Office of Fair Trading and the Competition Commission to ensure that there are proper time limits and that those limits are assessed and adhered to with proper rigour, so that companies are not kept waiting, jobs are not put in jeopardy and the innovative efforts of companies are not sabotaged.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Does the Minister think that the massive increases in diesel duty levied by his Government, which have increased the price of diesel by 21 per cent. since the Government came to power, and which have added enormously to the cost of transporting food and consumer goods, have helped or hindered consumers in what they pay for products in the United Kingdom?

Dr. Howells: I had discussions recently with a number of companies, which told me that that increase was not a

great hindrance to prices and competition. We have an extremely efficient transportation system in the UK and it is well used. Given that the previous Government introduced the fuel escalator, it is a bit rich for the hon. Gentleman to ask such a question now.

Oil and Gas Industry Task Force

2. **Mr. Bob Blizzard** (Waveney): If he will make a statement on progress made by the oil and gas industry task force. [86492]

The Minister for Energy and Industry (Mr. John Battle): The oil and gas industry task force is making good progress. We intend to finalise our proposals in July and publish a full report in September. I am confident that the work that has been done during the past few months will make a significant impact on the future prospects of the UK's oil and gas industry both at home and in export markets.

Mr. Blizzard: The establishment of the task force has been welcome, demonstrating, as it does, the Government's commitment to the offshore oil and gas industry. Does my hon. Friend agree that the main challenge facing us is to ensure that it remains economically viable to exploit the remaining 20 or 30 years'-worth of reserves which exist in marginal fields? Is it not important that investment continues to support jobs and the valuable storehouse of expertise and innovation that Britain has built up? To that end, will he urge the Chancellor to avoid taking a narrow fiscal view of the North sea tax regime and to ensure that we have a framework that will encourage further investment?

Mr. Battle: I congratulate my hon. Friend on recently forming an all-party group on the oil and gas industry. Our fiscal regime is recognised as one of the most helpful in the world, particularly at a time when oil prices have been low. The task force's role is to ensure that the 30,000 people who work offshore, and the 300,000 people throughout the industry who support it onshore, remain in employment even when the oil price is low. The key to delivering that is to consider all aspects of training, the fiscal regime, regulation and licensing and, in particular, innovation and new technologies. We obtain oil and gas in the incredibly difficult circumstances of the rough terrain in the North sea and our expertise remains world class. We continue to build on that expertise in the North sea even in a low-cost environment, and that will allow us to continue winning jobs abroad.

Mr. John Bercow (Buckingham): With regard to the gas industry, are the Minister and task force aware of the important fact that there is no proposed energy tax in Belgium, France, Norway or Sweden, and that that which applies in Germany carries a substantial rebate for important energy sectors? If so, will he reflect on the damage that is being done to our industry? Given that British Steel estimates that the proposed climate change levy will increase gas prices by 40 per cent. in the United Kingdom, will the hon. Gentleman tell the House when he will stop helping our competitors and start helping British businesses and British consumers?

Mr. Battle: The climate change levy proposals are out for consultation and representations are being made now. There is much comment on their impact, some accurate, some over-hyped. I recall the 1996 and 1997 Budgets. In 1996, the Conservative Government, without any notice, slapped an intangible cost tax on the North sea which priced out precisely the developments that we wanted. It was the hon. Gentleman's Administration who made things more difficult. We have consulted and said let it be, and the industry feels that there is a good tax regime for oil and gas exploration offshore. That contrasts markedly with the previous Administration's approach. The Opposition have somewhat short memories of the damage that they did when they were in government.

Telephone Charges (Internet)

3. **Mr. Andrew Mackinlay** (Thurrock): If he will make it his policy to take powers to enable him to reduce telephone charges for schools, volunteer organisations and residential users of the internet; and if he will make a statement. [86493]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): The Government's policy is to make fast and affordable internet access available as widely as possible, and competition is the best way to deliver that. It drives innovation, reduces prices and increases choice, and we are now seeing the beneficial results of that in the UK internet market.

We accept that we need to help ensure that the advantages of this liberating and empowering new technology are spread as widely as possible to those who might otherwise not be able to enjoy them. A number of initiatives have been taken. As my hon. Friend knows, Oftel is responsible for regulating the telecommunications industry. It has negotiated with the industry reduced tariff packages for schools. I understand from Oftel today that a number of operators have now agreed, in principle, to develop similar lower-priced service packages for public libraries, further education colleges, university for industry learning centres and citizens advice bureaux. Those new tariffs should be available from next year.

Mr. Mackinlay: I am almost lost for words, which is frustrating. I thank the Minister for that, but I hope that he will not put too much trust in competition to keep prices down. The rigorous and vigorous watching of cable and telecommunication providers should continue because, as more and more people seek to exploit the internet for recreational and learning purposes, it could be a licence to print money for those people unless there is intervention by the various agencies referred to and by government.

Mr. Wills: I thank my hon. Friend for such a useful question and such a useful contribution to the debate.

Business Advice Services

4. **Mr. David Drew** (Stroud): What plans he has to increase the number of business advice services in rural areas. [86494]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): In March we announced the setting up of the Small Business Service, which will provide a

strong voice for small businesses at the heart of Whitehall and help to improve the quality and coherence of the delivery of support.

The Small Business Service will be for all businesses, including those in rural areas. We envisage enhanced support for start-ups and for the self-employed, which will have a beneficial impact in rural areas. We will shortly be issuing a consultative document and I would welcome views from anyone on the special needs not currently addressed under existing provision. I would particularly welcome views from my hon. Friend, who is an authority on rural issues.

Mr. Drew: I welcome my hon. Friend's remarks and, like me, he will welcome the launch this afternoon of the rural audit conducted by the rural group of Labour Members of Parliament, which has been well-reviewed in today's press. Among the many issues that it highlights is the need for job creation in rural areas and, although we obviously congratulate the consortium of rural training and enterprise councils on the much good work that it has done, we emphasise the need for additional resources in rural areas and, in particular, more localised help and specific assistance with IT, planning and marketing. When the Minister visits my constituency tomorrow, would he perhaps make a statement on how that assistance could be brought to bear?

Mr. Wills: I am looking forward to my visit to Stroud tomorrow, and I welcome the findings of the report that my hon. Friend and his colleagues have put together, which I am sure will make a valuable contribution. We are deeply aware of the needs of rural areas, and we have made a specific commitment to rural regeneration. For example, there is an identified rural regeneration element in the single regeneration budget, and I am sure that we will not let down my hon. Friend and all our rural colleagues.

Mr. Brian Cotter (Weston-super-Mare): I, too, congratulate the hon. Member for Tiverton and Honiton (Mrs. Browning) on her new post on the Opposition Front Bench.

The Liberal Democrats are concerned not only about the rural delivery of business services, but about their delivery nationally. A lot of public money is already spent on the TECs, Business Links, regional development agencies and many other service delivery organisations. The Department of Trade and Industry could be about to add to the confusion with the Small Business Service. As part of the consultation about the SBS, will the Minister undertake to conduct a full review of all other business services?

Mr. Wills: Of course we will do that; it is part of the process on which we have been embarked since March, when we announced the establishment of the SBS. The hon. Gentleman obviously has certain views on that and we look forward to hearing about them in more detail.

Mr. Jeffrey Donaldson (Lagan Valley): It is our experience in Northern Ireland that the rural economy has suffered significantly, particularly because of the difficulties in agriculture. Will the Department give us a commitment that it will put pressure on planners throughout the United Kingdom to facilitate change-of-use applications for redundant farm buildings, which would make it easier to establish new businesses in the rural economy? It is our experience that people have great difficulty when applying for change of use to establish businesses and it would certainly help if the Department exerted such pressure on planners to help the rural economy.

Mr. Wills: The hon. Gentleman makes an important point. We know that planning can be a key issue, particularly for small businesses. We are setting up the SBS precisely because we want to make sure that the views of small businesses on that and other issues are heard clearly in Whitehall when policy is made. When the hon. Gentleman sees the consultation document he will realise how determined we are that those issues are discussed properly in Whitehall and that all policies think small first.

Mrs. Angela Browning (Tiverton and Honiton): I thank both the Minister for Competition and Consumer Affairs and the hon. Member for Weston-super-Mare (Mr. Cotter) for their kind words. At least, I think they were kind words. I am disappointed that the Secretary of State is not present; I understand that he is in Japan, and I hope that he is securing some British business there.

Mr. John Bercow (Buckingham): He is scared of the hon. Lady.

Mrs. Browning: I must say that, when I was shadowing the Secretary of State as an Education and Employment spokesman, we had one or two sparring matches; but if I had to come back and haunt any member of the Government, there is no one whom I would wish to haunt more than the right hon. Gentleman. I look forward to seeing him on future occasions.

Rural businesses are very dependent on the farming community, and on its prosperity. The Secretary of State has had the Monopolies and Mergers Commission report on Milk Marque on his desk since 20 April. This does not just concern farmers; it concerns the many businesses and industries that rely on them, and desperately want to be able to process milk into viable products that we can sell in this country.

Will the Minister guarantee, on behalf of his right hon. Friend the Secretary of State, that an announcement will be made before the next milk selling round, which will begin in July? I know that it is on record that a statement, or an announcement, will be made before the House rises for the recess, but the timing is critical for farmers. If the announcement is not made before the beginning of the selling round, many small dairy farmers will see that day on their calendars as the day when they must decide whether to stay in farming or get out.

Will the Minister also confirm—because it is so important to rural businesses—that the announcement will be made on the Floor of the House, rather than outside?

Mr. Wills: I welcome the hon. Lady to her new responsibilities. I am well aware of the issue that she has raised—I have received representations in my constituency from farmers who are clearly concerned about the outcome—and I can tell her that an announcement will be made shortly. As I am sure she will understand, I cannot go further at this stage, but I assure her that the Secretary of State considers the issue to be very important.

Social Exclusion (Energy Policy)

5. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on the significance that energy policy has in the Government's social exclusion agenda. [86495]

The Minister for Energy and Industry (Mr. John Battle): Given that more than 5 million households in the United Kingdom are spending over 10 per cent. of their incomes on fuel bills, fuel poverty is a serious matter. It is a crucial aspect of the social exclusion agenda, and we are tackling it. I had a meeting with the industry on 18 May to press it to take action, and to develop and pool ideas for best practice. I also pressed the regulator to present a revised social action plan to deal with fuel poverty, so that all consumers—not just those who have access to good deals by means of direct debit—benefit from competition.

Mr. Chapman: Is my hon. Friend aware that Scottish Power and MANWEB—the Merseyside and North-West electricity board—have introduced pilot schemes, along with the Energy Action Grants Agency, to help low-income consumers to spread their payments and weatherproof their bills? Those organisations have distributed more than 100,000 low-energy light bulbs through Age Concern. Surely that is a serious contribution to the social exclusion agenda.

Will my hon. Friend ensure that any legislation that is introduced places a burden on the regulator to ensure that the interests of low-income consumers are promoted and protected?

Mr. Battle: I know of the scheme to which my hon. Friend refers. It includes not only specific packages for low-income families, but advice on benefits, budgetary advice and the supply of fuel on terms that give such families an extra deal: lower bills, along with fixed weekly payments at an agreed rate. That is a very good offer.

If those companies can do this, why cannot others? I know that Centrica and Help the Aged, along with the gas industry, have launched a two-year plan to combat fuel poverty, but we need to widen that best practice network. In our White Paper "A Fair Deal for Consumers", we announced that we would include in any Bill on energy regulation statutory guidance for the regulator on fuel poverty, social obligation and environmental responsibilities. We may produce such a Bill in early autumn; at this stage, I merely ask the companies to get together, to anticipate the legislation and to act now. If they do so, regulation may be lighter. Indeed, ultimately we may not need it. Companies should exercise common sense in tackling fuel poverty, rather than dismissing the poor.

Mr. Owen Paterson (North Shropshire): One of the most dramatic ways in which to be excluded from society is to be made unemployed. Ninety-seven per cent. of goods in rural areas are transported by diesel-powered vans and lorries, and haulage businesses throughout the country are making workers redundant because of the Government's energy policies. When will they wake up to the real damage being done to real people on the ground?

Mr. Battle: I know that the main question is on fuel poverty, but I do not mind widening the debate to a discussion of social exclusion because I remember when we were losing a company every three minutes under the Tories. I remember unemployment escalating then, not only in urban but in rural areas. A total of 400,000 new jobs have been delivered under our Government. We have a new deal to put people back into work that reaches all Britain. The hon. Gentleman's party set up the regulation mechanism for gas and electricity, according to which only price mattered. I look forward to Conservative Members' support when we introduce a Bill on energy which acknowledges that tackling fuel poverty and recognising environmental responsibilities are important to the generation of new jobs and combating social exclusion.

Mr. David Chaytor (Bury, North): I congratulate the Government on the work done so far on fuel poverty, but does the Minister agree that one of its key causes is the standing charge, because it is inevitable that low-income households pay disproportionately more for their gas and electricity than the rest of the population? Will he assure the House that he will continue to press the regulator to tackle the inequities of that system?

Mr. Battle: I agree with my hon. Friend about standing charges. He may know that we have already asked the regulator to examine, for example, the wide regional variations in charges. Some companies do not have a standing charge, but low-volume customers can pay a high price.

Tackling fuel poverty is complex, because it involves investing in homes to ensure that they are energy-efficient. Therefore, the energy and resources that we are putting into energy-efficiency schemes—for example, home improvement schemes—should match action to reduce fuel bills for poorer consumers.

It is unnecessary and unacceptable that people should die from cold—what is euphemistically referred to as excess winter deaths. I do not want that to appear on death certificates in the 21st century. Our combined actions can do something to tackle that.

Minimum Wage

7. **Mr. Desmond Swayne** (New Forest, West): If he will make a statement about the abatement in respect of the minimum wage payable where an employer provides full board. [86497]

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): Following the recommendations of the Low Pay Commission, there is no offset allowed for the provision of board when calculating whether the national minimum wage has been paid. There is a limited offset of up to £19.95 a week allowed against the national minimum wage to recognise the benefit of the provision of accommodation.

Mr. Swayne: Is the Minister of State aware of the thousands of seasonal jobs that are provided for young people and students by activity holidays, and of the disaster now faced by the industry? In his tour of the country, when he will reconnect with his core supporters, will he check whether he can find accommodation at £20 quid a week anywhere in the country?

Mr. McCartney: I would be delighted to travel around the country and to talk to the 2 million people who have

already benefited from the national minimum wage. The hon. Gentleman's "let them eat cake" attitude is out of date. If someone has to remain on his employer's premises to the benefit of that employer, that person should receive a minimum wage as well as accommodation and food. That is why the recommendation is set out as it is.

Since the hospitality industry implemented the national minimum wage, more than 100,000 new jobs have been created, most of them full time. The national minimum wage is a job creator, not a job loser.

Mr. Jim Murphy (Eastwood): My right hon. Friend will be aware that the introduction of the national minimum wage faced two great challenges: one political and one in implementation. The political one was made by the Conservatives, who said that it would destroy jobs and create inflation. The second referred to employers paying the fair wage. My right hon. Friend may choose to comment on the spectacular failure of the Opposition's scare stories, but I ask him to say what efforts are being made to ensure that the fair wage is being paid and properly enforced.

Mr. McCartney: I thank my hon. Friend for his comments, and assure him that we have the world's most professional and organised system of minimum wage enforcement. Before 1 April, nine out of 10 employers indicated their total support for the minimum wage, and 40 per cent. of them were already paying it. Since then, I have had to have detailed discussions with 1,200 employers about non-implementation of the minimum wage, and half of them immediately implemented it and apologised for their failure in not doing so before. About 300 of the remaining 600 employers are still being investigated. Only this week, however, a media company had to repay £750,000 to its employees in wages backdated to 1 April.

To anyone not receiving the minimum wage, I say: "Phone up anonymously, we'll get the minimum wage for you—that's what it's there for." I also pay tribute to those employers who telephone us daily to tell us about other employers who are not paying the minimum wage. Employers are joining low-paid workers in ensuring that the minimum wage is paid.

Miss Julie Kirkbride (Bromsgrove): Why does the Minister have such a blinkered and belligerent approach to the specific question on abatement of the minimum wage when full board is provided? I have a constituent who runs an activity holiday company, and he tells me that, because of the Government's approach, he can no longer offer a job to the young people and students who usually man his United Kingdom sites, but that he is able to continue employing young people and students abroad, where the minimum wage is implemented more flexibly and realistically.

Mr. McCartney: The hon. Lady should know that her constituent's employees, if they are 16 or 17-year-olds, do not qualify for the minimum wage, although people who are not in training will qualify for it. The sector that she mentioned is not losing jobs, but has a shortage of potential employees—because some of the employers are absolutely miserly and want people to work for them for nothing. That is no longer possible, however, because the Government have introduced the national minimum wage, which has been supported by the overwhelming majority of employers.

European Space Agency

8. **Dr. Doug Naysmith** (Bristol, North-West): What assessment he has made of the scientific and industrial advances that have resulted from Britain's participation in the European Space Agency. [86498]

The Minister for Energy and Industry (Mr. John Battle): The United Kingdom has a world-class scientific community in several major spheres of space research, not least Earth observation. Our scientists have played an important part in the European Space Agency's Soho satellite, which has extended our knowledge of the sun's energy dynamics. Last week, my noble Friend the Minister for Science announced that ESA had selected a United Kingdom proposal to study the thickness of Earth's ice sheets as the very first mission in its new earth science research programme, living planet.

Dr. Naysmith: I thank my hon. Friend for that reply. I am sure that he will agree that last week's announcement demonstrates the importance of working with our partners in Europe in the European Space Agency, and the benefit of positive leadership in Europe. However, he and other Trade and Industry Ministers will be aware that I have made representations, and even led a delegation to the Department, about closure of the site at Filton. Will he confirm the assurances that we have been given that, when the transfer is made to Portsmouth and Stevenage, every attempt will be made to ensure that none of the workers or expertise available at Matra Marconi Space will be lost, particularly in space vehicle construction and Earth observation? There have also been many assurances that every attempt will be made to find employment for those who choose to stay in the Bristol area. Will he ensure that those attempts are made?

Mr. Battle: My hon. Friend champions the industry in the House, and knows well that ESA membership provides a very wide range of opportunity for both British industry and our scientific and technological community to develop our expertise in Earth observation, which is crucial in the practical work of tackling the challenges of environmental pollution, for example. Although, as he said, the work being done at Filton by Matra Marconi Space—which is a world leader in the design and manufacture of advanced communications satellites, and in every development in the Earth observation market—will be transferred to Stevenage and Portsmouth, the British National Space Centre has received assurances that Matra Marconi Space's expertise in Earth observation will be maintained. It is important to remember that the units are being relocated, not disbanded.

I appreciate that some employees may choose to remain in Bristol, or have no option but to remain there. I hope that there will be alternative employment for those who cannot move—Honda recently announced 125 new jobs—and we shall work to ensure that those employees have such opportunities. Meanwhile, our job is to ensure that we remain world leaders in that science and technology, and continue to make that contribution to Earth observation.

British Inventions

9. **Mr. Robin Corbett** (Birmingham, Erdington): What financial and other assistance his Department makes available to assist the assessment and commercial evaluation of inventions by British nationals. [86499]

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): A large part of the Department of Trade and Industry's work is to create an environment in which good ideas can be converted into innovative products and services. We have worked closely with the Department for Culture, Media and Sport to develop the national endowment for science, technology and the arts, known by its unglamorous acronym NESTA. One of its programmes is designed to promote invention and innovation.

Mr. Corbett: I thank my hon. Friend for that reply and commend the fresh emphasis on encouraging inventors. Will he focus particularly on the local lone inventor, often working in his garden shed, who feels isolated? I am not making this up, because I have two examples in my constituency. Will my hon. Friend encourage chambers of commerce, industry and trade to offer initial mentoring services to such inventors, perhaps even before they have applied for patents, to ensure that the hundreds of thousands of inventions that are patented every year, on which people have spent a lot of time working, are given proper assessment? We do not want to let things out of the front door only to have to buy them later through the back door.

Dr. Howells: My hon. Friend is right. Now that Business Links can deal with sole traders through its personal business advisers and innovation and technology counsellors, we have an opportunity to take up some of my hon. Friend's proposals. The NESTA programme will capture those people, and not before time.

Dr. Vincent Cable (Twickenham): I am a little disappointed that the Minister made no reference in his reply to the Government's backing for the idea of an academy of inventors—which has been proposed for the purpose that he has mentioned—led by my constituent Trevor Baylis, the inventor of the clockwork radio. Is the Department investigating the role of invention promoters, which are mainly American companies that are here to take cheaply—in effect, to steal—the ideas of British inventors? Some of them are under investigation in the United States for possible criminal charges.

Dr. Howells: Mr. Baylis, the hon. Gentleman's constituent, has met my hon. Friend the Minister for Energy and Industry several times. His proposals are being encompassed in the NESTA arrangements. The hon. Gentleman makes an important point about American companies making incursions into this country looking for innovations. The problem is not just Government quangos. It has to do with private enterprise, banks and the way in which venture capital works in this country. We are not entrepreneurial or innovative enough and our financial back-up arrangements are not designed to promote start-ups as they should be.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): My question has been partly answered, because I intended to ask about Trevor Baylis and the academy of inventors. Trevor Baylis's idea is that patenting, intellectual property rights and very expensive matters of which inventors have no experience could be provided free by the academy. Will my hon. Friend elaborate on how NESTA could help to develop that capital?

Dr. Howells: My hon. Friend the Minister for Energy and Industry is meeting the organisation of inventors as well as Mr. Trevor Baylis to try to bring some cohesion and co-ordination to the issue. I am keen that we should begin to advertise the recent price reductions of the Patent Office in Newport. We have reduced costs for inventors and new patents by more than 18 per cent. We now have one of the most robust and least expensive patent systems anywhere in the world, and that is a great boon for British science and invention. I will ensure that the progress that has been made continues.

Mrs. Angela Browning (Tiverton and Honiton): The question asks about assessment and commercial evaluation. The Minister will know that when all the other questions have been asked in the evaluation of a product the last test is whether that product can be brought to market profitably. In the light of the comments in the press today about the Competition Commission, will the Minister assist me—as a new member of the Conservative Front-Bench team—and outline the Government's attitude to profitability in certain sectors? If today's reports are correct, and we are to have companies dissected in open session, will the Government eventually determine what is an acceptable profit level within business sectors? Nothing will kill innovation quicker than such a policy.

Dr. Howells: I heard the news about the Competition Commission's proposals and I asked what they would mean. They will not mean that companies have to give up commercial information, but they will affect transparency of prices—something in which I am very interested. I would like to know why certain branded goods are sold in this country at much higher prices than those at which they are sold in comparable markets in America or the European Union. British consumers have a right to know how much the mark-up is and how much more they are paying than if they bought those products in France, Germany or America. The best companies will be glad to tell consumers why that is.

Mrs. Browning: Depending on whether the questions are asked in open session—I do not challenge whether the questions should be asked—the consequence of the proposals must be that eventually the Government will make some public announcement about what they deem to be an acceptable profit level in an industry or sector and what they deem to be excessive. Suppose that someone has made a real breakthrough in innovation. That has happened throughout our history and it is how big moves forward happen in the introduction of products to the market: some new technology suddenly allows a new company, sometimes a very small one, to make a product that allows it to make what might be termed a big profit. Will we have benchmarks for profits? That would stifle innovation and would mean that people would go abroad

to make products that should be made in this country. The Government must have some idea how they intend to handle the information when it is available.

Dr. Howells: There is no intention to set benchmarks for prices. I recognise the need for companies to have flexibility and targets which cannot be judged by civil servants in Whitehall, still less by politicians in this Chamber. The Competition Commission's proposals, as I understand them, will relate only—in the first instance—to its inquiry into car prices. That is a sufficiently big and controversial subject to allow such tactics to be used if the commission is to arrive at something like the truth. It will want to know about a wide range of variables in that pricing equation. The open sessions will not be mandatory and companies will not have to give up confidential, commercially sensitive information, but they will have an opportunity to put the record straight publicly. That cannot be bad for anyone.

E-commerce

10. **Mr. Nigel Griffiths** (Edinburgh, South): What account he has taken of representations received from the IT industry in framing his policy on e-commerce. [86501]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): We work extremely closely with the industry in developing our e-commerce policies. Let me give just three examples: we listened to industry concerns about key escrow, and have announced that our e-commerce Bill will contain no such requirements; my right hon. Friend the Chancellor announced in the Budget that, as recommended by industry, he was introducing tax breaks aimed at encouraging companies to provide their employees with personal computers for use at home; and three weeks ago, following a recommendation from the IT industry, we announced the launch of a major initiative to raise the e-commerce skills of small business advisers, which we are implementing in close partnership with BT, Intel, Microsoft and Compaq.

Mr. Griffiths: Is my hon. Friend aware of the industry's widespread hostility to the previous Government's proposals for the compulsory registration of encryption codes, and will he confirm that the Government have rejected any such proposals?

Mr. Wills: I can confirm that key escrow will be no part of our e-commerce Bill; I am indeed aware of the industry's widespread hostility to the proposals.

Miss Anne McIntosh (Vale of York): If we are not to have compulsory registration of encryption codes, can the Minister assure us that we will find a balance between allowing people to access and do business on the internet by e-commerce and maintaining security and safeguarding the information that is available? Is the Minister following the developments of the e-commerce directive being considered by the Council of Ministers and will he ensure that there is no conflict between the Bill and the directive?

Mr. Wills: I am happy to say that I can give an assurance on all those matters. Our proposals will be compatible with European legislation. Of course we are concerned to ensure that the needs of the law enforcement agencies are met as well as the needs of the rapid roll-out of e-commerce, which is to the overall benefit of this country. That is as far as I can go at the moment, so I hope that the hon. Lady can wait to see the details when we publish the e-commerce Bill.

Madam Speaker: Mr. White.

Mr. Derek Wyatt (Sittingbourne and Sheppey): E-commerce is underscored first by the local loop cost of a telephone call and secondly by the server technology. BT controls 85 per cent. of local loop costs and 90 per cent. of the servers are in America. If we cannot have free local calls, we cannot develop an e-commerce economy, and if the servers are in America, we cannot collect corporation tax. What does my hon. Friend intend to do about that?

Mr. Wills: I understand my hon. Friend's concern. It has been voiced before in the House: there was recently an Adjournment debate on this very subject. Oftel has been holding consultations on precisely this issue and it will announce the results and recommendations shortly. I will have to see those before I can comment further.

Madam Speaker: I called Mr. White and Mr. Wyatt stood up, so I shall call Mr. White again.

Mr. Brian White (Milton Keynes, North-East): Thank you, Madam Speaker.

My hon. Friend the Minister will be aware that the speed of technological change is far outpacing the ability of the House to deal with it, and that our infrastructure is being caught up by that of countries such as Singapore and the Scandinavian countries. What does he intend to do to ensure that we stay ahead and that we have adequate skills, with programmers and developers who can take advantage of e-commerce? How are we to fill the skills gap?

Mr. Wills: I can offer my hon. Friend comfort on all those points. We are taking steps to ensure that we are the best environment in the world for e-commerce. The e-commerce Bill is only the beginning of a series of initiatives. I will give further details in due course, when we are ready to announce them.

Small Business Service

11. **Mr. John Healey** (Wentworth): What representations he has received on his plans for setting up the Small Business Service. [86502]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): There has been a range of inquiries in response to the initial announcements about the Small Business Service by my right hon. Friends the Chancellor and the Secretary of State for Trade and Industry. I have had meetings with small business organisations and other interested parties. A formal consultation document will be published shortly.

Mr. Healey: Does my hon. Friend accept that there is considerable scope for the use of information and communication technology in improving access to

information for small firms? What consideration is he giving to making forms, registration documents and contracts available through the SBS electronically, from day one?

Mr. Wills: I thank my hon. Friend for that important contribution. It is crucial for all small businesses to get hooked up to digital networks as soon as possible. There are enormous advantages in cost and in terms of dealing with bureaucracy, as my hon. Friend suggested. That is why, in the modernising government White Paper, we have suggested a range of initiatives to help small businesses in that way. We have pledged that 25 per cent. of Government services will be available electronically by 2002, and that 100 per cent. will be so available by 2008.

I assure my hon. Friend that we shall continue to make progress on these matters, and that the SBS will be tasked with doing so.

Working Time Directive

12. **Mr. David Amess** (Southend, West): If he will make a statement about the impact on seasonal workers and employers of the working time directive. [86504]

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): There has been no specific assessment of the impact that the regulations will have on seasonal workers. A regulatory impact assessment of the costs and benefits resulting from the implementation of the working time regulations has been made, a copy of which is held in the Library of the House.

The regulations do provide flexibility, which takes account of the needs of those working in areas dictated by seasonal demands by setting a 13-week qualifying period in respect of the provision of the paid annual leave entitlement. The regulations also take into account those who employ staff in the short term.

Mr. Amess: After Southend's verdict last week that it wanted to be in Europe but not run by Europe, is the Minister aware that many businesses there are suffering as a result of the Government's policies? The problem is so bad that I shall meet the Minister for Small Firms, Trade and Industry shortly to try to secure assisted area status for Southend. The impact of the bureaucratic costs incurred by Southend businesses as a result of the hasty introduction of the directive means that many people are suffering. Will the Minister undertake to conduct a study into the effects of the working time directive on the viability of businesses in Southend?

Mr. McCartney: The hon. Gentleman is the most celebrated seasonal worker in Britain. He travels every day between Basildon and Southend.

The hon. Gentleman surprises me. He represents a constituency whose economy is based on people's ability to take holidays and visit places such as Southend. The directive gives 2.5 million of the lowest-paid workers in Britain the absolute right—for the first time—to three weeks' paid annual holidays, which they can spend this summer in Southend. By Christmas, the right will be to four weeks' annual paid holidays.

As well as being against the minimum wage, the Tory party is against low-paid workers having paid holiday breaks. The hon. Gentleman is mean-minded and tight-fisted. The measure will give people in Southend and in the hotel trade jobs and opportunities to expand the industry. This is one of the most popular policies that we have introduced. For the first time, everyone in Britain is entitled to a paid holiday.

Mr. Bill Rammell (Harlow): I assure my hon. Friend the Minister that I have not met anyone—in Basildon, Southend or anywhere else—who opposes the principle of the working time directive. Is not the absolute principle that it is wrong to force people to work for more than 48 hours in a week one that any decent, civilised society should accept?

Mr. McCartney: I agree with my hon. Friend. Perhaps we should ask the hon. Gentleman, a part-time Tory MP running between Basildon and Southend, how many weeks' paid holiday he will take this summer. Business supports the Government in the introduction of the measure. The Government gave a commitment last year that the regulations would be allowed to bed down to ensure that they operate effectively. That is what we are doing and what we shall continue to do, but the fact remains that the Tories are opposed to paid holidays for workers in Britain.

Diesel Engines

13. **Mr. Bob Russell** (Colchester): What plans he has to support companies engaged in the manufacture of diesel engines. [86505]

The Minister for Energy and Industry (Mr. John Battle): The Government are providing support to develop diesel engine technology in a number of different sectors, not least through the science budget. The Engineering and Physical Sciences Research Council is providing £1.15 million to fund research covering diesel engine development, and an additional £1.2 million for research into the general development of the internal combustion engine.

Mr. Russell: I welcome that reply, as far as it goes. I draw the Minister's attention to a company in my constituency, Paxman Alstom, which is suffering because orders from the privatised rail industry and the Ministry of Defence have fallen. I urge the Minister and his colleagues in his Department and in the Department of the Environment, Transport and the Regions to implore the rail companies to invest more in new diesel locomotives. Will he also urge the Ministry of Defence to place its orders with British manufacturers?

Mr. Battle: The Paxman division of Alstom Engines manufactures compact high-speed diesel engines for a wide variety of uses, including commercial, naval marine, high-speed rail traction, off-road, onshore and power generation applications. We are keen that its technological expertise should be enhanced and developed, and that purpose underpins our science and engineering programme. In making appropriate representations to the Ministry of Defence and other Departments on where to place their contracts, the DTI highlights technological expertise and the impact on jobs

Libya

14. **Mr. Tam Dalyell** (Linlithgow): Pursuant to his oral answer of 6 May 1999, *Official Report*, column 1073, on Libya, what conclusions he has come to in relation to restoration of Government services, following the suspension of United Nations and EU sanctions. [86506]

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): I am pleased to announce that within the limits of resources available, Government services to exporters to Libya are being restored following the suspension of United Kingdom and European Union sanctions. British Trade International is taking a proactive role in collating and making available market information on Libya, both on paper and through the internet, just as it does for all our other trading partners.

Country managers have already taken part in trade events to inform UK companies about trade opportunities with Libya. British Trade International is actively encouraging UK firms to consider joining trade missions to Libya. However, the full range of export services—particularly Government financial support—will not be restored until satisfactory progress has been made on the case of WPC Yvonne Fletcher, which could lead to normalisation of bilateral relations and the re-establishment of a full commercial operation in Tripoli.

Mr. Dalyell: I have been deeply involved in the case of WPC Yvonne Fletcher. Is not the case so complex that the time has come for a ministerial visit?

Dr. Howells: Normalisation cannot occur while a young police officer has been murdered on our streets in uncertain circumstances. We have a duty to find out the truth of that murder and to find the guilty parties.

Entrepreneurial Culture

15. **Valerie Davey** (Bristol, West): What action he is taking to promote a more entrepreneurial culture among academic scientists. [86507]

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): I refer my hon. Friend to the competitiveness White Paper published last December. A number of initiatives set out in that paper will help academic scientists to become more entrepreneurial, including the £25 million science enterprise challenge, which will create up to eight university centres to equip scientists and engineers with entrepreneurship and business skills.

Valerie Davey: I welcome that response. Will my hon. Friend congratulate Bristol university on becoming one of the 12 that have succeeded in the first round of the bid for the science enterprise challenge?

Mr. Eric Forth (Bromley and Chislehurst): It says here.

Valerie Davey: Does my hon. Friend agree that helping universities to develop long-term strategies for interaction with business is good for individuals, the economy and Britain?

Mr. Forth: Who wrote that one out for the hon. Lady?

Dr. Howells: I congratulate Bristol university on a tremendous achievement that builds on the great reputation of the university, a reputation that does not deserve to draw heckling from the right hon. Member for Bromley and Chislehurst (Mr. Forth). For too long, the UK has been adept at locking away intellectual capital in our universities, rendering it commercially redundant. The Government are determined to break with the past, and to see companies spin off from our universities in the way that they should have done long ago. The indolence of the Conservative party during its long years in Government wasted many of our innovative and entrepreneurial skills. That will not happen under our Government.

Working Time Directive

16. **Helen Jones** (Warrington, North): What assessment he has made of the number of people entitled to annual leave as a result of the working time directive. [86509]

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): The entitlement to paid annual leave is available to all workers, apart from those in sectors currently excluded from the working time directive—namely, those involved in transport, sea fishing, and other work at sea and doctors in training. When the regulations came into force on 1 October 1998, it was anticipated that 2.5 million workers would benefit for the first time from an entitlement to leave.

Helen Jones: One key to implementing the working time directive fully will be to ensure that people are fully aware of their entitlements. What steps is my right hon. Friend taking to see that people know what the directive entitles them to? In view of his earlier remarks, will he reassure my constituents that they will not be forced to spend their annual leave in the company of the hon. Member for Southend, West (Mr. Amess)?

Mr. McCartney: I defend the landladies of Southend. I have visited Southend on numerous occasions and I would welcome the opportunity to have a few days off and a break there. Unfortunately, Ministers are not covered by the working time directive.

As with the national minimum wage, we have put £1 million into a campaign to supply information and help to businesses and employees respectively on how to implement the working time directive and get holiday pay. We have also provided workers for the first time ever with protection against being sacked or disciplined for claiming their right to paid holiday leave. We have also provided special protection for young and night workers. It is interesting to note that, other than a few Tory Arthur Daley-style employers, employers in Britain back this proposal for good minimum standards because it means that workers will be more committed to their enterprise, will stay with it and will help to make it successful.

Business of the House

12.31 pm

Sir George Young (North-West Hampshire): Will the Leader of the House give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 21 JUNE—Second Reading of the Food Standards Bill.

Motion on the Appropriation (No 2) (Northern Ireland) Order.

TUESDAY 22 JUNE—Consideration of Lords amendments to the Tax Credits Bill.

Remaining stages of the Access to Justice Bill *[Lords]*.

WEDNESDAY 23 JUNE—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Opposition Day [14th Allotted Day] (First Part). There will be a debate entitled "Proportional Representation" on an Opposition motion—no doubt in favour.

Motion on the Church of England Cathedrals Measure.

Motion on Care of Places of Worship Measure.

THURSDAY 24 JUNE—Opposition Day [15th Allotted Day].

Until about 4 o'clock there will be a debate entitled "Government's Policy for Widows" followed by a debate entitled "Food and Supermarkets". Both debates arise in the name of the Liberal Democrats.

FRIDAY 25 JUNE—Debate on innovation and enterprise on a motion for the Adjournment of the House.

The provisional business for the following week—at this time of year it tends to be particularly provisional—will be as follows:

MONDAY 28 JUNE—Second Reading of the Financial Services and Markets Bill.

TUESDAY 29 JUNE—Opposition Day [16th Allotted Day].

There will be a debate on an Opposition motion. Subject to be announced.

WEDNESDAY 30 JUNE—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Remaining stages of the Disability Rights Commission Bill *[Lords]*.

THURSDAY 1 JULY—Debate on armed forces personnel on a motion for the Adjournment of the House.

FRIDAY 2 JULY—There will be a debate on drugs on a motion for the Adjournment of the House.

Sir George Young: The House is grateful for next week's business and an indication of the business for the following week. I welcome the announcement of an early debate on drugs, which I called for last week. That leaves outstanding the debate on the royal commission on long-term care, which I also mentioned last week. It reported three months ago and there is growing concern that the important issues that it raised are being ignored. An early debate would allay those fears. I welcome the third and final debate on the services. I believe that the new structure has been well received.

Might we expect a statement on Monday from the Prime Minister after this weekend's G8 meeting? The Prime Minister has recognised that there is a crisis in Northern Ireland. As we approach the deadline of 30 June the House would welcome a statement from the Secretary of State for Northern Ireland about recent developments. Might the Leader of the House facilitate that?

Wednesday's debate on proportional representation has been chosen by the Opposition because of widespread concern at the form of last week's elections, but not at the results. Can she tell the House who will answer for the Government? Might it be the right hon. Member for Makerfield (Mr. McCartney)?

Finally in the interests of all who work in the House, can the Leader of the House shed any further light on the summer recess beyond saying what she said last week—that she hoped it would be in August?

Mrs. Beckett: I thank the right hon. Gentleman for his welcome for the debate on drugs. Indeed, we have now dealt with a fair number of the outstanding issues, despite having all the extra debates and statements as a result of Kosovo. I am mindful of the request for a debate on long-term care; however, I know that the right hon. Gentleman is aware that the Government are giving careful and full consideration to the recommendations before them.

I am grateful to the right hon. Gentleman for welcoming the pattern of debates on defence. I agree with him that that is an improvement—even at this early stage, the House realises that. I anticipate that my right hon. Friend the Prime Minister will make a statement on Monday as to the outcome of the G8 summit, which, as I said last week, is indeed in Cologne—to my relief. I will bear in mind the remarks of the right hon. Member for North-West Hampshire on Northern Ireland; I shall draw them to the attention of my right hon. Friend the Secretary of State for Northern Ireland.

At present, I cannot tell the right hon. Gentleman who will open the PR debate, but it is unlikely to be my right hon. Friend the Member for Makerfield (Mr. McCartney). I cannot add anything to what I said last week about the summer recess. However, in view of the right hon. Gentleman's remarks on PR, I congratulate him and his hon. Friend the Member for South Staffordshire (Sir P. Cormack) on the increase in their responsibilities to bring them further into line with some of mine. I invite them to be pleased that they do not undertake the full range of those responsibilities; they are not yet responsible for the Euro-elections or for the millennium bug.

Mr. Alan Simpson (Nottingham, South): Will the Leader of the House ask the Secretary of State for Health if he intends to make a statement about yesterday's press release on the national health service performance indicators? In the figures published yesterday, those from the hospitals and the health authority in Nottingham were absent, although the data had been sent in. The problem

may be that, although I know that the data had been sent in, in order to ensure confidentiality in the transmission of electronic data, the hospitals were advised to omit the last three digits of the postcode.

It would be helpful to clarify the terms on which NHS hospitals are expected safely to contribute data for the national collection of performance indicators.

Mrs. Beckett: I am grateful to my hon. Friend. I understand that it is possible that some of the returns from Nottingham arrived a little late. However, the difficulty as to the clarification of terms that he identifies may well have contributed to any problems. I shall certainly draw his remarks to the attention of my right hon. Friend the Secretary of State for Health. My hon. Friend is right to point out that to make available information that should be in the public domain is an important new initiative. It is important that we develop it and get it right.

Mr. Paul Tyler (North Cornwall): Following on from the concerns expressed about various aspects of the national health service, may I again draw the attention of the Leader of the House to the fact that we urgently need a statement from the Secretary of State about NHS dentistry? The situation is deteriorating in many parts of the country.

I endorse the request by the right hon. Member for North–West Hampshire (Sir G. Young) for an early statement and debate on the royal commission on long-term care. We appreciate that the Government must consider the matter carefully, but many weeks have passed since the publication of the royal commission's report and there is considerable concern about the matter.

Can the Leader of the House give us any indication of the likely timetable for freedom of information legislation? Again, there is widespread concern among many Members of the House that there seems to be a major deficiency as between the proposals in the White Paper and those currently being made. I hope that there will be an opportunity for the House to debate them sooner rather than later.

Finally, as we are now two years into this Government, will the Leader of the House give us a progress report on the election pledges on gender discrimination? Will she tell the House how many differential impact assessments have been made? Who will make statements on that matter? Is the Leader of the House directly involved in the Cabinet sub-committee on women, and how often does the sub-committee meet?

Mrs. Beckett: I will draw the hon. Gentleman's remarks about dentistry and about the need for a debate on long-term care—and the remarks made by the right hon. Member for North-West Hampshire on that subject—to the attention of my right hon. Friend the Secretary of State. As the hon. Member for North Cornwall is aware, some work has been done on improving the standard of NHS dentistry, although we realise that a great deal of work remains to be done to redress the problems that we inherited.

At present, I can give the hon. Gentleman no further information about the timing of the Freedom of Information Bill. However, we look forward eagerly to that debate, as we do not accept that it will reveal any major deficiency; indeed, we believe that many of the criticisms made of the Bill are misplaced.

I do not have to hand the information requested by the hon. Gentleman on gender discrimination and the measurement of differential impacts. However, I shall draw his remarks to the attention of the Leader of the House of Lords, who has responsibility for the matter.

Mr. Frank Cook (Stockton, North): Will my right hon. and compassionate Friend look at early-day motion 637?

[*That this House applauds the decision of Her Majesty's Government to initiate in December 1997 a review of the causal factors related to the alleged Gulf War Syndrome and the physical state of the service personnel and civilians who allegedly suffer its ill effects; applauds the level of concern and degree of logic that led to this decision; expresses the hope that the results of this review will be published in the near future; and calls on the Secretary of State for Defence to apply the same measures of concern and logic to the equally pressing but longer running cause of the British nuclear test veterans.*]

Both that early-day motions and early-day motion 659 stand in my name and have gathered considerable support from hon. Members on both sides of the House. They refer to British nuclear test veterans: one calls for a review of veterans' circumstances consequent on their attendance at nuclear tests; the other calls for the institution of a meritorious ribbon. Will my right hon. Friend try to find Government time for a short debate this side of the summer recess, so that the House can form a view that might prompt the inclusion of some sort of sensible suggestion in the Queen's Speech?

Mrs. Beckett: My hon. Friend has campaigned vigorously on that issue for many years, and many have paid tribute to his efforts. The Government have made clear our recognition and appreciation of the service given by those veterans and, as my hon. Friend knows, the issue has been considered exhaustively over a number of years. However, I remind my hon. Friend that, although we did say that the arrangement was provisional, we anticipate that there will be a debate on armed forces personnel on 1 July. If he is able to catch Madam Speaker's eye, he will be able to raise such matters on that occasion.

Mr. Peter Viggers (Gosport): Following the question on hospital league tables, does the right hon. Lady agree that those might require further analysis and refinement? One point is absolutely clear: the crucial importance of keeping to an absolute minimum the time between heart attack and hospital admission. Does she accept that, if the Royal Hospital Haslar in my constituency, with its accident and emergency unit, were to be closed, there is no doubt that lives would be lost on the congested road between Gosport and the remaining hospitals? Does she agree that, because of that and because of the overwhelming need to solve the crisis in the defence medical services, which the closure of that hospital would

[Mr. Peter Viggers]

make worse, we should have a debate on that subject next week?

If, for any reason, the right hon. Lady finds it difficult or impossible to provide a debate next week, will she at least ask her right hon. Friends the Secretaries of State for Defence and for Health to respond to the request that I made a month ago for an urgent meeting to discuss the matter with both Departments?

Mrs. Beckett: I shall certainly draw the hon. Gentleman's remarks to the attention of my relevant right hon. Friends. As he knows, at least one of them has had some heavy operational responsibilities of late. We accept that there are difficulties, which we inherited, in both the health service and the defence medical services. However, the debate on armed forces personnel might give the hon. Gentleman an opportunity to raise that issue from the defence angle, which I know he has pursued in the past.

Joan Ruddock (Lewisham, Deptford): My right hon. Friend may have read in *The Independent* today that the Ministry of Agriculture, Fisheries and Food is to publish this afternoon a report from the respected John Innes Centre on cross-pollination and other contamination of organic crops by genetically modified test crops. MAFF has confirmed to me that the report will be published at 3.30 pm. Has my right hon. Friend received any indication that there will be a statement made in the House? If not, will she make inquiries about, and give consideration to, the possibility of having a debate in the very near future on the possible need to modify the Government guidelines on distances between such crops, and on organic farming and organic food products, for which there is now clear and strong public support?

Mrs. Beckett: I have not seen the story to which my hon. Friend refers—Thursday tends to be a slightly hectic day for me—but I was aware that the John Innes Centre report was to be published shortly, so my hon. Friend might be right. I fear I cannot undertake to find time for an immediate debate on the matter, but I realise that it is one in which hon. Members on both sides are interested, and I have no doubt that they will continue to pursue it.

Mr. Robert Syms (Poole): Will the Leader of the House put urgent pressure on the Secretary of State for Health to make a statement to the House on the NHS clinical advisory committee proposals to reduce the number of cleft lip and palate units from 57 to 15 nationally, which is causing great concern in Poole? In the south-west region, units at Plymouth, Exeter and Poole would be closed, yet the Poole unit is one of the best in the country and it publishes its results. A major petition has been signed by several thousand people and a campaign is being run by that fine Bournemouth newspaper *The Daily Echo* to keep the unit open. My constituents believe that the matter should be discussed on the Floor of the House.

Mrs. Beckett: I will obviously have a busy correspondence with my right hon. Friend the Secretary of State for Health this week. I will certainly draw the hon. Gentleman's remarks to his attention. The purpose of the clinical advisory unit is to allow decisions to be made after weighing up what is in the best clinical interests of patients. However, I understand the hon. Gentleman's concern and that of his constituents—and note his advertisement for his local newspaper.

Mr. Gordon Prentice (Pendle): Has my right hon. Friend seen the mischievous valedictory article by the right hon. Member for Yeovil (Mr. Ashdown) that appeared in *The Guardian*, in which he claims as a fact that members of the Labour Cabinet refer to the Prime Minister as "the Liberal"? Why would the right hon. Gentleman say something that we know to be untrue? Now that the leadership baton is about to be passed to the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy)—who is never here—who was reported in yesterday's press as saying that pensions reform is a suitable subject for discussion within the Cabinet joint consultative committee, is it not time to have an early debate on the role, functions and purpose of the joint consultative committee and where all of this is taking us?

Mrs. Beckett: All I can say to my hon. Friend is that I have never heard anyone so describe the Prime Minister—in the Cabinet or outside it. As for the reason behind the remark, perhaps it is because, given the Liberal Democrats' showing in the Euro-elections, the right hon. Member for Yeovil is trying desperately to claim expanded membership for his party from anywhere he can.

Rev. Martin Smyth (Belfast, South): Will it be possible to have a debate or a statement in the near future about the relationship between the territories around these islands? I have just returned from a British islands and Mediterranean Commonwealth Parliamentary Association conference where we discovered that, in this era of joined-up government, there are some gaps in relations between the islands and central Government. It would be useful to explore that matter. In that context, I support the plea by the right hon. Member for North-West Hampshire (Sir G. Young) for a statement about Northern Ireland in the near future because, as I understand it, there are slippages in legislation that should be dealt with by the House.

Mrs. Beckett: I know the Government will be most interested to hear a report of the visit to which the hon. Gentleman refers—particularly if it exposes gaps in our relationships of the kind that he identifies. As for a statement on Northern Ireland, I will certainly add the hon. Gentleman's name to the list of representations to be made to my right hon. Friend.

Mr. John Cryer (Hornchurch): Did my right hon. Friend see last month's reports of the British Medical Association's comments about genetically modified food, which appeared shortly after the Science and Technology Committee reported on GM food? Although the American giant Monsanto spends millions of pounds every year in an attempt to convince us that GM foods are nice and cuddly and that we can live with them quite happily, public opinion is moving in the opposite direction. People

are becoming more and more concerned about this issue and debate is increasing in the country. Is not now a good time to hold an urgent full-day debate on GM food?

Mrs. Beckett: My hon. Friend makes an interesting suggestion. He is right to say that there is on-going discussion and debate about this matter. I wish that that discussion and debate were better informed, but it is the task of hon. Members—from whatever side of the argument they come—to inform the debate. I hope that all hon. Members will continue to do that. Particularly at this time of year when time pressures are great, I fear that I cannot undertake to find time for a debate in the near future, but I will certainly bear in mind my hon. Friend's remarks.

Mr. Peter Atkinson (Hexham): Could the Leader of the House arrange for the Secretary of State for Health—yet another obligation upon him—to come to the House and make a statement about the Government's plan to bring forward the ban on the advertising of tobacco products to December this year? Leaving aside the rights and wrongs of the argument, the issue is significant in that it involves censoring the advertising of a legally marketable product. It would also prohibit tobacco companies from communicating with their clients via direct mail. The first that we heard about that was, as usual, in a press release and on the radio this morning. The regulations that are to be laid today are not yet in the Vote Office, so we have no idea whether they will be subject to the negative or affirmative resolution procedure. We have no idea whether regulations will be laid in August, after the consultation period, or whether the House will have any opportunity to debate the matter.

Mrs. Beckett: Discussion of the tobacco advertising ban has been under way for some considerable time. I understand that there are those who have a principled objection to such ban, but the hon. Gentleman will know that a decision has been made that a ban should be imposed across the European Union. My understanding is that there is not necessarily a prohibition on direct mail, but there is a strong attempt to try to hinder tobacco companies in using direct mail specifically to target vulnerable younger customers. I am sorry to hear that the regulations are not available, and I shall take that up with the Department of Health.

Mr. Phil Hope (Corby): Is my right hon. Friend aware that the social exclusion unit has just published a report on teenage pregnancy? Will she arrange for an early debate on that report in the House because it is an unpalatable fact that this country has the highest rate of teenage pregnancies in western Europe? I am sure that she shares my concern that too many young people leave school unaware of the responsibilities and obligations of parenthood. I should seek assurance in such a debate that the report was being acted on swiftly, that young people are being made aware of how hard it is to be a parent, and that we shall achieve a substantial reduction in the number of teenagers who become pregnant.

Mrs. Beckett: My hon. Friend is entirely right in identifying that serious problem, about which hon. Members on both sides of the House are concerned. Although I am very cautious about drawing the attention of Adjournment debates to all hon. Members—such debates are for the hon. Members who applied for them—I point out that a one-and-a-half-hour debate on that subject, in the name of the hon. Member for Billericay (Mrs. Gorman), is scheduled for Wednesday 23 June. That demonstrates that the matter is an all-party concern, and if my hon. Friend is particularly nice to the hon. Lady, she may not mind if he speaks in her debate.

Mr. Eric Forth (Bromley and Chislehurst): The Leader of the House will of course be aware that yesterday, in response to a question from the right hon. Member for Chesterfield (Mr. Benn), the Prime Minister said:

"My view is that, in the modern world as we move closer together, there will be a pooling of national sovereignty."—[*Official Report*, 16 June 1999; Vol. 333, c. 391.]

He said not that there has been but that there will be, a pooling of national sovereignty, so he obviously envisages further pooling of national sovereignty.

Does the right hon. Lady share my view that the Prime Minister's pronouncement is sufficiently momentous to justify an urgent debate so that we may hear from him what he meant by those words? I hope that the Leader of the House recognises the significance of the Prime Minister's statement and that we deserve to learn a lot more about it very soon, so that we can all make up our minds what on earth he was talking about.

Mr. Dennis Skinner (Bolsover): He went to Brussels and took the money.

Mrs. Beckett: I am sorry to disappoint the right hon. Gentleman, who was indeed himself an MEP, no doubt in times when it was less unpopular in the Conservative party to be at all involved with Europe. However, I am afraid that I do not share his view that my right hon. Friend the Prime Minister said anything momentous or with an unknown meaning. Our membership of the European Union, or the Common Market as it then was, has involved a pooling of national sovereignty over the years. We have all known that since 1972, and most of those steps were, for good or ill, taken by Conservative Governments. The right hon. Gentleman's view that the idea is astonishing and new is not borne out by the facts.

Mr. David Atkinson (Bournemouth, East): Anticipating the right hon. Lady's statement on the millennium bug, which is to follow, and with 198 days to go before it hits us, will she arrange for an early, full debate on that threat to our public services and the private sector and on the consequent disruption to our daily lives?

Mrs. Beckett: I have no plans to stage a debate in the near future, although if, over time, there is a demand for such a debate, I shall take it into account, as I try to take into account all other such demands. I know the hon. Gentleman's keen interest in the subject. May I remind him that we have been making quarterly statements, as I shall do shortly, and that we intend to give a progress update monthly from now on? Unless there is some dramatic new development, the House may find that that meets the demand for information; in fact, it may over-egg it.

Mr. David Chaytor (Bury, North): In the next couple of weeks, we understand, the Government will publish

[Mr. David Chaytor]

their long-awaited and important White Paper on post-16 education and training. In the previous Session, the Government provided in their own time a debate on further education and training. As I recall, the then Minister gave an assurance that he would do everything possible to ensure that each year in Government time there was a formal debate on the subject. Will my right hon. Friend ensure not only that when the White Paper is published, probably within the next two weeks, there will be a Government statement to go with it, but that this important subject will be debated in Government time?

Mrs. Beckett: I will certainly take on board and draw to the attention of my right hon. Friend the Secretary of State for Education and Employment my hon. Friend's request for a statement on what he rightly says is an important subject. I am glad to know that Ministers at the DfEE are giving away time on the Floor of the House and saying how many formal debates there should be. That is a bad habit that Ministers in several Departments are getting into. I understand of course that Ministers in every Department think that their Department's business is so important that it should dominate the House.

I assure my hon. Friend that I shall bear in mind his request, and that I recognise the importance of his remarks, but the debates for which we can find time on the Floor are an issue for a wider range of responsibilities, including the usual channels.

Mr. Graham Brady (Altrincham and Sale, West): I wonder whether the Secretary of State for Health could be encouraged to make a statement on the serious problem of growing waiting lists for heart bypass surgery, as was highlighted in the *Daily Mail* on Wednesday, particularly in the light of remarks made by Mr. Ben Bridgewater, a consultant thoracic surgeon at Wythenshawe hospital, which serves my constituents, to the effect that some 500 people are dying unnecessarily every year in Britain because of over-long waiting lists for heart bypass surgery, and that the problem is worse now than it was a year ago?

Mrs. Beckett: I shall certainly draw that matter, too, to the attention of my right hon. Friend the Secretary of State for Health. I will not disguise it from the hon. Gentleman—I hope that I am not doing wrong by saying this, so I stress that, very incorrectly and very unusually, I am giving my personal opinion—that I have long thought it unfortunate that we cannot do more to encourage people to carry donor cards—*[Interruption.]* Sometimes, as the hon. Gentleman knows, organ donation is involved. I recognise the scale of the problem, as does my right hon. Friend.

Mr. Desmond Swayne (New Forest, West): The right hon. Lady has just announced yet another day's debate for the minority parties, despite their extraordinary record in that respect recently. Has she seen early-day motion 713?

[That this House expresses its admiration and respect for the Leader of the Opposition who despite a multitude of criticism, poor opinion poll ratings and warnings of electoral disaster had the courage and determination to adopt and fight for a policy designed to prevent further surrenders of sovereignty to the non-democratic institutions of the European Union; and believes that, following the election results on 13th June, with the help of the British people, he will prevent the final surrender over the single currency.]

Furthermore, does she think that it might be within her power to persuade the Liberal Democrats to debate that next week, rather than one of the motions that they have chosen? It might help them to focus on their own leadership election.

Mrs. Beckett: The amount of time allotted among the Opposition parties for Opposition-day debates is covered by tried and tested general guidance. The reason the Liberal Democrats get more debates than they may have done in the past is that they did rather better at the last general election, at the expense of the Conservative party.

Mr. Owen Paterson (North Shropshire): May I offer my sympathy to the Leader of the House for the miserable week that she has had? She was forced to lead an election campaign under a system that she does not believe in, sundry spin doctors put about stories that she had disappeared into her caravan during the campaign, and she has since been blamed for the disaster that engulfed the Labour party when the results were announced.

It is clear that the British electorate found the PR system repulsive. It became clear yesterday that the Prime Minister did not understand that. We know that he is a busy man, but could he detain himself for half an hour after Prime Minister's questions next Wednesday to explain his personal position on the question of introducing PR for this Parliament?

Mrs. Beckett: I suppose that I am grateful to the hon. Gentleman for his sympathy, although the notion that we took a week's holiday in our caravan, which was entirely misplaced, was not, as far as I am aware, the invention of any spin doctor. If the hon. Gentleman wants my frank opinion, I suspect that it started as a newsroom joke and spread because it was too good a story to resist.

One of the most worrying things about the European elections, which should genuinely trouble all hon. Members, was the low turnout. It was not unpredicted, but it was alarming. The hon. Gentleman says that it is because of the system. It has always been a feature of the European Parliament elections that turn-out is lower than at local elections, and turn-out at the local elections this year was only 29 per cent.; so, again, that is part of the pattern. But it is a source of serious concern to all of us. One thing that we should be doing, and the Government are doing, is giving much thought to how we can make it easier, not more difficult, for people to vote. That could apply across the board.

As to the notion that the low turn-out was due simply to the voting system, given the understandably extensive coverage of the important issue of the war in Kosovo, and a range of other factors of that kind, it is, perhaps, less surprising than it ought to be. I would not myself lay the blame at the door of the system, but I am sure that all those factors will be considered. My right hon. Friend's position on proportional representation is entirely plain.

Mr. John Bercow (Buckingham): Further to the highly pertinent inquiry from my right hon. Friend the Member

for Bromley and Chislehurst (Mr. Forth), may we have an early statement from the Prime Minister to clarify whether he intends to lead the campaign by the federasts to abolish Britain's national currency and to hand over the running of our economy permanently to people whom we do not elect and cannot remove?

Given that only today in the *Daily Mirror* that newspaper's chief political commentator, Mr. Paul Routledge, has described the Prime Minister, following his risible performance yesterday, as a startled deer who limped off the stage, does the right hon. Lady not accept that it is crucial that the Prime Minister, instead of sitting on the fence and playing the role of the chameleon, which he so enjoys, should instead stand up for the principle in which he believes, argue the case to abolish our national currency and be prepared for the fact that, when he does so, this Conservative Opposition will come back at him with arguments and force infinitely greater than anything he can offer?

Mrs. Beckett: I congratulate the hon. Gentleman on his promotion.

Sir Patrick Cormack (South Staffordshire): It has not shut him up.

Mrs. Beckett: No, it has not. I wondered whether it might mean that we would have the pleasure of the hon. Gentleman's company less frequently, or at less length—but apparently not.

With regard to the campaign and the issue of the single currency, the Government are positive that the stance that we have taken is right in Britain's national interest; we shall therefore continue to take it.

Mr. Patrick McLoughlin (West Derbyshire): Will the Leader of the House arrange next week for the Home Secretary to come to the House and make a statement on the progress of the Criminal Cases Review Commission? Is she aware of the growing concern of a number of people about the length of time that the review board is taking in dealing with a number of cases? One particular case that I have in mind, and which the right hon. Lady may know of, is that of Stephen Downing. That has now been with the Criminal Cases Review Commission since its inception; or rather, in the first instance it was with the Home Office, but it was rightly transferred to the Criminal Cases Review Commission. I have no objection to that. It was a good move to set up that board. But the fact that it is taking so long to arrive at a decision on the case is causing concern.

Mrs. Beckett: The hon. Gentleman will know that we inherited long delays in many part of the criminal justice system. That is a source of concern to the Government, as it rightly is to the public, and we are trying to take steps to diminish those delays. That applies, too, to the Criminal Cases Review Commission. Ministers are aware of and concerned about the delays, and we are considering what can be done to ease the position.

Mr. Christopher Gill (Ludlow): Further to the question from my hon. Friend the Member for Buckingham (Mr. Bercow), may I also urge the Leader of the House to try to persuade the Prime Minister to come to the House to explain one or two things about the single currency? Yesterday he told us yet again that we have record employment and alluded to record low inflation and very low interest rates. Will he explain how that legacy of 18 years of Conservative government can be improved on by joining the single currency?

Mrs. Beckett: The hon. Gentleman's memory is a trifle faulty. The legacy of 18 years of Conservative government was interest rates and inflation in double figures and, usually, unemployment well into double figures. On the single currency, I have nothing to add to what my right hon. Friend said yesterday or to what I have said today.

Millennium Compliance

1.6 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I am announcing today the results of the sixth quarterly review of progress in tackling the millennium bug for Departments, agencies and key parts of the wider public sector. I have arranged for the completed questionnaires on which the statement is based to be placed in the Libraries of the House and published on the internet.

To allow people to see at a glance how well individual Departments and agencies are doing, I shall also be publishing tables showing their performance against a number of key criteria. There are still areas of concern, which I will highlight, but the most important message of the review is that, overall, the Government are on course to be millennium compliant well before the end of the year.

When I made the previous statement, I said that most Departments expected to have finished work on their business-critical systems by July. That remains the case, although there has been slippage in some Departments. I remind the House that completion is defined as all systems being corrected, tested and back in service. By that definition, more than 80 per cent. of government's business-critical systems are now completed. Of the programmes that are running into the second half of the year, most have already completed the bulk of their work.

That is welcome, but my principal focus in this statement, naturally, is on those Departments and agencies that plan to complete their programmes in the last quarter of the year. I am concerned that these are tight deadlines that allow little room to deal with unexpected problems.

All Departments and agencies that have planned completion dates in October or later need to pay particular attention to such planning. The target is that all Departments and agencies should have full business continuity plans in place and tested by the end of October. I am pleased to report that, already, three quarters of Departments have considered how to ease pressure over the new year period. Over the coming months, we shall be working closely with Departments to ensure that they all have appropriate management plans in place to deal with particular pressures over the new year period. These millennium operating regimes will be reported on as part of the quarterly monitoring process within government and the wider public sector and will be included in the infrastructure programme of Action 2000.

I will be writing to ministerial colleagues about the completion dates for business-critical systems of the Inland Revenue, the National Insurance Contributions Office and the Planning Inspectorate and about the slippage in the Driver and Vehicle Licensing Agency programme. I have asked colleagues to keep tight management control of work on the remaining systems and to ensure particular focus on business continuity planning in the time that remains.

I have also written to all ministerial colleagues to suggest that they consider whether they can ensure that key staff working on year 2000 issues in Departments and agencies should not be moved between now and the end of the critical period, in line with good practice in the private sector.

I am pleased to be able to report that the Foreign and Commonwealth Office has made up the slippage reported last quarter, although I still have concerns because it operates in nearly every country across the world, and that poses a particular challenge in ensuring continuity of service.

The progress of the Ministry of Defence and the armed forces has been sustained, and I am particularly encouraged that some elements are ahead of schedule despite the impact of events in Kosovo. In other areas there is little room for slippage, and they will need to be kept under close review. However, the Ministry is confident that Royal Navy, Army and Royal Air Force front-line units will be compliant by late summer. Overall cost estimates remain relatively stable, with only a slight increase since the last review—from £420 million to £430 million. Nearly half the returns show no change in total estimates.

Key parts of the wider public sector are now subject to independent assessment as part of the infrastructure project. I shall continue to report on them here, and they will report regularly to the national infrastructure forum.

The results of the most recent health service quarterly review in England were announced on 21 May 1999, covering the period up to 31 March. The number of organisations reporting good or satisfactory progress was consistent with earlier reports, at 90 per cent. The estimated cost of their remedial year 2000 work has been slightly reduced, to about £310 million for the whole project.

All NHS organisations are required to be fully prepared, with compliant equipment or effective contingency plans, by 30 September 1999. Organisations that are lagging behind are being visited by teams from the NHS executive regional offices and the NHS year 2000 central team, and are being required to develop action plans to enable them to be on schedule. Her Majesty's fire and police inspectorates are now completing the first stages of their programmes of independent assessment of the fire and police services in England and Wales, and the results of those inspections will be made public in the national infrastructure forum on 13 July. The aim is that, by September, no risk of disruption involving the millennium date change can be identified in any force or brigade.

Summary information provided by the Audit Commission indicates that, while all types of local authority have made progress during the last six months, there is still a wide variation between the best-performing and poorest-performing authorities. The results of independent assessments of individual local authorities will be presented by Government offices to the national infrastructure forum on 13 July.

We are now fewer than 200 days away from the date change—an event which, I am sure, is now beginning to seem more real to many people as they start to make their preparations and plan their own celebrations. It is clear from the overall picture of central Government and the wider public sector that a huge amount of work has been done, and in many instances that work has been almost completed, but much needs to be done in the time that remains. Departments that plan to finish their programmes in the last quarter must ensure that they have robust continuity plans which have been tested, and we shall monitor their progress in that regard.

I know that the House is likely to take an increasing interest in progress on these issues. Hon. Members may find it helpful to be reminded that I intend to report on a monthly rather than a quarterly basis in future.

The hallmark of the Government's approach has been our practice of being open and forthcoming with information, and encouraging others to follow our lead. We intend to pursue that approach.

Mrs. Angela Browning (Tiverton and Honiton): I thank the right hon. Lady for making her statement available to me earlier today.

As the right hon. Lady will know, the Government inherited a clear target: in the public sector, including Government Departments, the criteria for 2000 compliance were to be met by December 1998. It is worrying, therefore, that in June 1999 we should still be receiving reports of instances in which Government and public agencies have yet to comply with those criteria—although I accept that the right hon. Lady's report was upbeat in comparison with some of her previous reports.

I am glad that the right hon. Lady has now decided to report on a monthly rather than a quarterly basis, as we have now entered the last six months of the year, but how will that be dealt with? When the House is sitting, will the right hon. Lady continue to report from the Dispatch Box? How will the matter be handled over the long summer recess? When the House reconvenes in October, we shall be close to the target date.

Will the right hon. Lady comment on some of the concerns that she herself identified? Will she in particular respond to the concern about the Inland Revenue and National Insurance Contributions Office? There is already concern about the failure of NIRS2—the national insurance recording system—which is causing much distress to many people, particularly those who are seeking to draw their state retirement pension. Has she been able to identify how that might be compounded if that Department does not meet its target, or to make the necessary arrangements? Those who wish to claim disability benefits for the first time, often as a result of injury and accident, will be particularly distressed if that facility is under pressure.

The statement referred to the Ministry of Defence. It recognised that, despite the huge demands of the war in Kosovo, the MOD has made progress, but, in December 1998, the MOD put out a press release about RAF aircraft being mission capable. It said that the RAF would be compliant in that regard by 31 May this year. Was that target met? The right hon. Lady has expressed concern about some areas in the MOD. How will those be affected by its new commitments in respect of the continuing presence of British forces in Kosovo and the Balkans generally?

The right hon. Lady will be aware that, in the fourth report, Britain was first in the league of European countries that were already undertaking compliance preparations for 2000, but that, by the fifth report, Britain had slipped to eighth. Is she able to tell the House that the position has been restored and that the progress that she has mentioned in her statement means that we are back at the top of the league, above our competitors and partners elsewhere in the world?

The right hon. Lady mentioned that she hoped that staff in Government Departments would be retained by those Departments to see their work through, but what flexibility is there in those Departments? If a particular Department needs more assistance to meet its target date, will there be some transfer of key staff to help it to do so?

I ask one additional thing—and it is relevant. The document entitled "The Millennium Bug: Facts Not Fiction", which has been distributed to every household, is easy to read and is designed to help to answer questions from consumers about domestic matters relating to the millennium bug. It gives an Action 2000 website for further information for the public. It also gives a telephone number, a helpline.

Is the right hon. Lady aware that, when members of the public telephone that helpline—0845 601 2000— there is no one to answer the telephone? The line simply refers them to the website address that is already printed in the document. Clearly, many people, particularly elderly people who are worried about a hospital operation, for example, or people who are worried about whether they should travel on an aircraft, want to talk to someone about what is happening. If they do not have access to a website, the helpline will be pretty ineffective.

Mrs. Beckett: First, I welcome the hon. Lady to her new responsibilities; I am sure that she is particularly delighted with them in respect of the millennium bug. May I take this opportunity to offer her and the new Front-Bench team a briefing on much of the detail of millennium bug matters, which I hope will be helpful to her, and which we are happy to give to all hon. Members?

The hon. Lady said that we inherited a compliance target of December 1998. That is true, but—with no disrespect to her, because she is new to these responsibilities—a target was about all that we did inherit. We inherited a rather small organisation with a very small budget of £500,000 and the job of raising awareness, but not much else.

One feature of this particular delightful issue is that, as time goes by, everyone realises that the problems caused by millennium compliance are more complex than had been anticipated. I am pleased to see that the hon. Member for Bournemouth, East (Mr. Atkinson) is nodding, as he is very familiar with the issues.

The problems, therefore, are taking longer to deal with than had been anticipated. Moreover, people who had not shown sufficient foresight are finding that the problems are costing more to deal with than they had thought. Therefore, although we certainly hoped to meet the December 1998 target, we are doing much more than people anticipated would have to be done when the original targets were set.

I confirm that I shall come to the Dispatch Box to make the quarterly statement, unless we receive strong representations to the effect that no one wants to hear anything more about the issue. Over the summer recess, we plan to make information available, perhaps in the Library and on the internet. However, if the hon. Lady or other Opposition Members have other views on how best to make information available to Members, perhaps in a circular, I should be more than happy to listen and perhaps to take them on board.

The concern that has, quite rightly, been expressed about the Inland Revenue relates to a number of specific systems with later delivery dates. However, the majority of remedial work being done for the Revenue has

[Mrs. Beckett]

been completed, and much of what has been fixed is already running live. Much work has been done in addressing those issues.

NIRS2 was built to be 2000 compliant, and the work that is still being done is to test interfaces with other systems. The testing that has been done to date has not revealed significant problems, and we hope that that will continue to be the case.

Ministry of Defence front-line units are expected to be compliant by late summer, and much more work has been done in addressing compliance issues—in both the RAF and in the other services—than it was feared had been done. I believe that the hon. Lady's concerns on those issues have been dealt with.

The hon. Lady also asked about the United Kingdom's place in league table reports. I am not up to speed with the latest report—there may not yet be an updated one—but I fear that they are pretty meaningless. In many cases, international—not United Kingdom—league tables are based on what is said by those who are responsible for the matter in a particular country, and, frankly, the less they know about millennium bug problems, the more likely they are to say that they have no difficulties and the higher up in the league table they go. Therefore, such information is not terribly useful, and I cannot enlighten her on the latest results.

We are endeavouring to ensure that any problems are dealt with by using Government staff resources. Until now, we have not found it necessary to transfer people to deal with outstanding problems, and we hope and intend that it will not be necessary to do so.

The booklet helpline is intended principally to allow people to order more copies of the booklet. However, the hon. Lady has made the important point that the booklet may lead people to conclude that wider information is available. We shall give some thought to the matter. Nevertheless, I thank her for her welcoming the booklet itself.

Mr. Brian White (Milton Keynes, North-East): I congratulate the Government on the very encouraging progress made on the issue by most Departments. Nevertheless, I was worried by one comment made by the Leader of the House—about some systems being completed by 30 September 1999. The fact is that 9 September 1999 is a critical date, as it will be used by many systems to designate the end of a file. I am concerned that the issue has not been fully addressed, and hope that the next report will tell us the extent to which it has been.

Two other points were not dealt with in the report. First—I am glad that my right hon. Friend the Foreign Secretary and my hon. Friend the Under-Secretary of State for Defence are here—the rusting ex-Soviet Arctic fleet had non-compliant software. It is still a major danger. Now that the war in Kosovo is over, can we renew our efforts to exchange information with the Russians to try to ensure that it is not a danger by the end of this year? Lastly, just-in-time systems are a particular problem for third-world countries. In a global economy, we are only as good as the weakest link. How has our support for third-world countries been going?

Mrs. Beckett: I thank my hon. Friend, who takes a great interest in these matters. Thought has been given to the impact of 9 September. People are very conscious of the problem. As far as I am aware, most organisations that have carried out testing have not encountered the range and scale of problems that had been feared. My hon. Friend is right to highlight the issue. Testing is taking place.

Ministers at the Foreign Office and at the Ministry of Defence continue to exchange information and offer advice and support to the Russian Government on the Arctic fleet, as do several other allies. There is excellent co-operation on that. I am sorry to say that we are by some measure the largest contributor to the World Bank's fund to provide assistance to developing countries. The scale of the problem may be less in those countries, but even on a smaller scale it could be serious for them. We continue to offer advice and financial support through the World Bank and by other means. We are giving further consideration to whether we can take other steps to help those countries to meet some of the problems.

Mr. Andrew Stunell (Hazel Grove): I thank the Leader of the House for the advance notice of the statement, which shows both progress and areas of concern. When will the tables to which she referred be published? In view of her frankness about the value of the international tables, it would be worth knowing whether those at the top of her tables know the least about the problem. Will the information be available in good time for us to study it before her statement next month?

The fire and police authorities will not get the all-clear until the national infrastructure forum on 13 July. Is the right hon. Lady satisfied that there will be sufficient recovery time should that all-clear not be forthcoming? Excellent progress has been made in the national health service. Has the right hon. Lady made any arrangements for the Government to meet the additional budgeting pressures caused by achieving compliance? Should there be problems and should a recovery plan be needed, will the Government make proposals and offer the necessary funding support?

Mrs. Beckett: Our tables are not based on responses from those who may or may not know much about the problem. Like all the information that we are publishing, they are based on independent assessment in which we have confidence. I understand and expect that the tables will be out later today. If I am wrong, I shall make sure that the hon. Gentleman is notified as speedily as possible.

The independent assessment of the fire and police services should be complete for the July national infrastructure forum, but not before. The hon. Gentleman talks about time for recovery. The point of the process is to identify where work remains to be done and to ensure that plans are put in place so that it is done. That is why I propose to make more frequent statements as we move towards the date change, so that I can give the House a view of progress that has been made in areas of difficulty. The point of targeting the work that still needs to be done is to meet the relevant deadline. Similarly, the NHS was among the first of the public services to begin to address the issue as far back as 1995, although—in common with everyone else—NHS staff wish that they had started earlier. They believe that their budgeting is robust. The hon. Gentleman may have noticed that I said in my statement that the financing expectation has shifted slightly, by some £10 million. In the context of the

NHS budget, that is a marginal shift, and we do not anticipate that extra resources will be needed. It was expected that Departments would plan for the programme in their ordinary budgeting process.

Gillian Merron (Lincoln): I welcome the thorough statement that my right hon. Friend has made. Can she confirm that the business-critical systems in the Department of Social Security are already compliant, and can she assure the 11,000-plus families in my constituency who are entitled to the record rise in child benefit announced in the Budget that they need have no worries about getting that benefit?

Mrs. Beckett: I am grateful to my hon. Friend. She is right: it is important that people realise, through the receipt of the correct benefits, that the Government have made substantial increases in, for example, child benefit. It is also very important that DSS systems work effectively for those people who are dependent on benefit. The DSS is well up to speed on its preparations, but it is making contingency plans and preparations for any unforeseen difficulties that may arise.

Mr. David Atkinson (Bournemouth, East): Has not the right hon. Lady's statement confirmed the repeated warnings that she has rightly made that there is no guarantee that we will avoid problems in the new year, which is why insurance companies will not provide cover against the millennium bug? Have not the Government been unbelievably complacent in failing to use the opportunity afforded by the booklet "The Millennium Bug: Facts Not Fiction", which went out over the weekend, to give a clear warning and to urge people to take sensible precautions to avoid disruption in their daily lives? Will the Government produce further advice on the practical measures that people should take now to avoid panic later? Will the right hon. Lady also warn householders to beware bogus callers offering to make their domestic equipment millennium compliant, which is unfortunately what is happening?

Mrs. Beckett: I pay tribute to the hon. Gentleman's knowledge and experience on this matter. He is right to say that there can be no guarantee that nothing will go wrong, because peak vulnerability will occur at a time of possible bad weather and a long and disruptive holiday.

I was a little sorry that the hon. Gentleman descended into such criticism of the Government's message and the balance of the booklet, which comprises some 16 pages of practical advice. The Government are anxious to ensure that people take what sensible precautions they can against any difficulties. The hon. Gentleman will understand that the balance of that message is difficult to get right, and the Government keep the matter continually under review. While we want people to be aware of anything in their lives that might be affected, we do not want to encourage the development of behaviour that will create problems where none need exist.

Mr. Tam Dalyell (Linlithgow): My hon. Friend the Member for Milton Keynes, North-East (Mr. White) asked about the Soviet Arctic fleet, and my right hon. Friend the Leader of the House talked about informal advice and support. However, I put precisely the same question to my right hon. Friend the Foreign Secretary, who replied:

"I am pleased to say that Igor Ivanov has accepted my invitation to visit Britain as my personal guest, and that issue will certainly be high on our agenda."—[*Official Report*, 14 June 1999; Vol. 333, c. 30.]

Have those vital talks with the Russians been in any way injured by what has happened in Kosovo?

May I press my right hon. Friend a little further on 9 September 1999? She said that the Government are conscious of the problem. It may not be enough to be merely conscious of it, because it is desperately important.

Mrs. Beckett: My hon. Friend is right to identify the importance of the dialogue with Russia. It is my understanding that that important exchange of information has not been affected in any way by recent events. Indeed, the recognition of such common problems has helped to hold the international community together in the face of difficulties that might otherwise have tended to drive us apart.

There is no complacency about 9 September, but Action 2000 has advised us that although people have been testing for the impact of the code, no cases have yet been found of the date causing equipment to fail, so people are somewhat less concerned than they were at an earlier stage. I assure my hon. Friend that everyone is none the less mindful of the fact that there could be problems. We continue to keep the matter under review.

Miss Anne McIntosh (Vale of York): Does the Leader of the House share my concern that, although planes may not fall out of the sky on 1 January 2000, some third countries—by her own admission—have not made the preparations in air traffic control that we and other European Union countries have made? What has she done in conjunction with third countries to identify the routes that are most at risk, so that passengers from Britain and other European countries can be informed that they are not advisable to take on or around 1 January?

Some local authority services in North Yorkshire are still only on amber. Can we have an assurance that by the magic date of 9 September 1999 they will have undertaken all preparations to ensure that they are millennium compliant?

Mrs. Beckett: I myself have not taken action to chase up the issue of air route advisability; it is my job to nag those who are responsible and make sure that they do it. The international authorities have been collecting information and we are hopeful that, slightly later in the year, some useful information will come into the public domain. A great deal of work is being done and we are mindful of the fact that public confidence will be assisted by knowing broadly where people stand.

The hon. Lady is right to express concern about local authorities: the picture across local government has been somewhat patchy. We understand that there has been substantial progress both in authorities that were already doing quite well and in those that were not doing so well. The Audit Commission continues to monitor and assess that work and will publish further information towards the early part of July. As that information is published, we will seek to get authorities to identify areas where work

[Mrs. Beckett]

still needs to be done and ensure that they plan to do it. We welcome any pressure from hon. Members on their own local authorities to help us to get that message across.

Mr. Ben Chapman (Wirral, South): Is my right hon. Friend aware that there have been misleading reports that some police forces and fire services may not be ready for the challenges of the millennium bug, creating unnecessary worry about those essential services? Does she agree that the reports were based on out-of-date information and that much work has been done, not least in Merseyside, to ensure that police forces and fire services will not only be ready to face the challenges of the bug on the due date but are on course to be ready three months before it?

Mrs. Beckett: My hon. Friend is right to identify the fact that there was rather misleading publicity about some information that was already more than a little out of date. Fresh information about the status of individual forces and fire brigades will be available in July.

I take this opportunity to remind the House that those misleading reports stated that some police services were still classed as red—that is, that the risk of material disruption could not be ruled out. That does not mean that such forces could not operate: any deficiency in any critical part of a force's programme would mean that that force would be classified as red, as some were much earlier in the year. The whole purpose of this process is to ensure that any such deficiencies are identified and dealt with. However, other areas of a police force's work are often completely unaffected.

Mr. Derek Twigg (Halton): One of the concerns in my constituency is that the services provided by the Department for Education and Employment should be compliant and that services will continue to be delivered accurately and on time. Will my right hon. Friend say whether the Department's compliance programme has been completed? Are the business continuity plans on target and ready to be tested?

Mrs. Beckett: Yes, I can indeed tell my hon. Friend that that Department is on course and on track. We are now encouraging all Departments to give more thought and planning to their contingency preparations. That information will also be placed in the public domain.

Saville Inquiry

1.41 pm

Mr. Andrew MacKay (Bracknell): On a point of order, Mr. Deputy Speaker. In light of this morning's High Court judgment in favour of the ex-paratrooper witnesses at the Saville inquiry, have you had any request yet from Downing street about the Prime Minister coming to the House of Commons to amend the terms of reference that he inadequately gave the House? They have caused those ex-paratroopers to be scared for weeks about the consequences of their names and details being given to the inquiry. That could have led to a loss of life.

As we know from a written answer from the Secretary of State for Defence, the legal fees have cost the taxpayer more than £1 million. At a time when paratroopers are being sent by the Government to Kosovo, where they do an excellent job, it is important that their colleagues in Londonderry should be protected from an inquiry in which their names and identification will be given. Is the Prime Minister coming to that Dispatch Box to put matters right?

Mr. Deputy Speaker (Mr. Michael J. Martin): I must inform the hon. Gentleman that Madam Speaker has not received any word that there will be a statement.

Mr. Julian Brazier (Canterbury): Further to that point of order, Mr. Deputy Speaker. You may wish to give a written answer to this point, but the matter came to light only late this morning and I hope that you will give me some guidance about whether hon. Members can criticise Lord Saville. Two questions seem to be relevant. First, is Lord Saville covered by the protection afforded to judges against certain types of criticism, given that he is acting in the capacity of tribunal chairman rather than as a judge?

Secondly, does the question of sub judice arise? There is real concern about this judge, who has been criticised by the courts three times now and who also appears to be responsible for an administrative blunder that has put in danger the lives of five ex-paratroopers and their families. Are we able to raise the matter in the House?

Mr. Deputy Speaker: Perhaps I can help the hon. Gentleman. The tribunal and the judge are covered by the sub judice rules of the House.

BILLS PRESENTED

FINANCIAL SERVICES AND MARKETS

Mr. Chancellor of the Exchequer presented a Bill to make provision about the regulation of financial services and markets; to provide for the transfer of certain statutory functions relating to building societies, friendly societies, industrial and provident societies and certain other mutual societies; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 121].

TRAFFIC REDUCTION (AIR QUALITY AND HEALTH)

Mr. Don Foster presented a Bill to require the Secretary of State to publish a report on the effects of various levels of road traffic on emissions of certain gases and on health: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 122].

Kosovo

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hanson.]*

1.45 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I welcome the hon. Member for Stratford-on-Avon (Mr. Maples) to his new place on the Opposition Front Bench. The hon. Gentleman has proved that he has the merit to earn his promotion, and I congratulate him on it. I congratulate him, too, on his good fortune in taking up his position on the first day on which the House may debate Kosovo in the confident knowledge that NATO's military campaign has secured its objectives.

There is much still to be done. We will continue vigilantly to monitor the withdrawal of all Serb forces until the last vehicle has rolled over the border. That moment will mark not the end of our engagement in Kosovo but the start of a new stage in which we must face the civilian challenge of rebuilding its shattered economy and its fractured society.

We are near the completion of our military objectives. The first was an end to all repression in Kosovo and the withdrawal of all Serb forces, including all army units, special police, and paramilitary forces. As the House knows, Serb forces are carrying out a full withdrawal from Kosovo. The majority of Serb forces have left Kosovo: zones one and two are mostly clear. The military agreement requires the last of them to have left zone three by Monday. Their phased withdrawal is broadly in line with the agreed timetable. On the whole, withdrawal is being accomplished without further violence, but we deplore isolated incidents that have occurred, such as the tank shells reportedly fired into a village last night.

Our second objective was the deployment in Kosovo of an international military presence with NATO at its core. Some 16,000 NATO troops are already deployed across Kosovo. The United Kingdom provides the largest national contribution, currently double the number of troops provided by any ally. The rapid deployment of such a large number of troops with heavy equipment has been a remarkable feat of professional planning and disciplined execution. The House can be proud both of the performance of the British units and of the leadership of the whole operation by General Jackson and his team.

Our third objective was the unconditional return of all refugees. Milosevic not only expelled Kosovo Albanians, but deliberately set out to make their return more difficult by ordering his troops to destroy all the identity papers of those who left. For a long time, Milosevic insisted that any peace plan must enable Serbia to screen refugees who were returning. He will have no such power. At British insistence, the Security Council resolution makes it explicit that only the United Nations High Commissioner for Refugees will have a say over the return of the refugees.

In short, our military campaign has secured all our objectives. There has been no compromise by NATO, no concession to Belgrade and no guarantee of immunity to Milosevic or those others indicted by the International War Crimes Tribunal.

Now that the campaign is over, I am struck by the large number of commentators who turn out to have supported it all along. It did not always seem that way during the

[Mr. Robin Cook]

dark hours that inevitably occur in any conflict. Nevertheless, we can declare an amnesty, if not in Serbia at least in Britain. I am happy to welcome support for the campaign from all who now welcome its outcome.

I hope nevertheless that a representative of the Scottish National party will turn up to take part at some point in the debate. I regret the fact that no SNP Member is here. Perhaps, now that the title of the debate is being shown on the annunciator screens around the Palace, one of them will hurry in to recant on the SNP leader's denunciation of our campaign as "unpardonable folly". As recently as 1 June, the party's defence spokesman talked of "NATO stumbling inexorably towards military defeat in Kosovo". Two days later, on 3 June, Milosevic capitulated. Events have proved that it was not the strategy of NATO that was unpardonable folly, but the powers of prediction of the SNP.

Even those of us who supported the campaign from the start, however, cannot fully grasp the scale of the relief and joy of those who have endured the past three months within Kosovo. The warm and enthusiastic welcome for our troops from Kosovo Albanians who have showered their tanks with flowers testifies to the dark horror from which we have liberated them.

Yesterday I had a phone call from Pristina from Veton Surroi, the publisher of the leading Albanian newspaper, *Koha Ditore*, and a principal figure in the peace talks at Rambouillet. Veton Surroi has been in hiding in a succession of flats in Pristina since the middle of March. He described it to me as "one long night". The greatest strain had been the knowledge that he brought with him the threat of death to those who hid him. Had we faltered in our resolve and abandoned our military campaign, Veton Surroi would surely have been hunted down and killed, like Fehmi Agani, his colleague in the Rambouillet delegation.

As it is, Veton is now able to join us in the reconstruction of Kosovo. His first priority is to get *Koha Ditore* back on the streets again. Today I can announce to the House that the Foreign Office will provide a grant of £50,000 to help him to repair the damage to the offices and printing presses of the Albanian newspaper and get it back into production. Access to a free media is a fundamental condition of the democracy we are now able to build in Kosovo.

Mr. David Winnick (Walsall, North): Before my right hon. Friend develops the point about the reconstruction of Kosovo, as all the broadsheets today lead on their front page with some of the horrifying atrocities that were committed during the last months of the Serbian regime, will he again consider the point that I made to him earlier this week, namely, that a White Paper on the atrocities should be presented to Parliament? I realise that a war crimes investigation will continue and, hopefully, prosecutions will occur.

Mr. Cook: I am considering how I can best respond to my hon. Friend's point. I am not sure that a White Paper would necessarily be the best way forward, but we have placed in the Library details of the atrocities of which we are aware to date. Certainly I shall consider what further document we can make available to Parliament and the public.

Mr. Donald Anderson (Swansea, East): On the point about press freedom and encouraging the forces of democracy within Kosovo, will my right hon. Friend consider what help might be given by the World Service of the BBC, for which there is enormous respect in the region, not only in terms of reaching right into the Federal Republic of Yugoslavia, beyond the leaders, but in training journalists in that area?

Mr. Cook: My hon. Friend makes an important point. The House will be aware from previous debates that the broadcasts from the BBC World Service to the region have greatly increased throughout the period of the conflict, and that is one of our tools for making sure that we get the truth past the poisonous wall of propaganda built by President Milosevic. If, over the coming months, we can establish a real, free democracy in Kosovo, with a real, truly open media, it will provide inspiration and encouragement to Opposition forces in Serbia who will see Kosovo enjoying freedoms denied to the people of Serbia.

My hon. Friend the Member for Walsall, North (Mr. Winnick) anticipated what I was about to say about the victims of war crimes within Kosovo. In some ways, Veton Surroi is among the lucky ones. He has survived, while more than 10,000 others have been murdered. I want those who ordered the murders, the brutality and the tortures to know that we shall spare no effort in bringing them to justice.

One of the toughest negotiations over the text of the Security Council resolution related to the reference to the International War Crimes Tribunal. Throughout those negotiations Britain insisted that there must be a strong, clear commitment to the work of the tribunal. By the end of the negotiations, we had secured a demand for full co-operation with the tribunal by all concerned. Britain will lead the way in providing that full co-operation. The first task falls to our troops in KFOR to identify the sites of war crimes. In village after village that our troops have entered to provide security, they have been confronted by the most harrowing evidence of the atrocities committed against the people of Kosovo.

Only 10 miles into Kosovo at Kacanik, our troops came across the freshly dug earth and the putrid smell of a mass grave. Local villagers have given evidence that about 100 people were killed in April, including the women and children of the village. In Pristina this week, the Parachute Regiment uncovered a regional police headquarters that had clearly been used as a torture centre. In a building with five floors and a cellar, British forces found knives, rubber and wooden batons, baseball bats with Serb slogans carved into them, and drugs, presumably used to sedate the victims. Outside the building, a trail of charred paper led to an incinerator—as the Serb forces left, they appeared to have tried to burn any documentary evidence of their crimes. However, the instruments of torture left behind tell their own story. Investigators for the International War Crimes Tribunal are now visiting the scene.

Mr. Tam Dalyell (Linlithgow): Before we leave Kacanik, I do not doubt that those terrible things occurred—

Mr. Winnick: That is good of you.

Mr. Dalyell: I think my hon. Friend might wait.

Will my right hon. Friend examine the circumstances at the end of February, in which the Serb police inspector, Bogulduk Staletovic, who was trying to bring together the ethnic Albanian community and the Serbs, was murdered, together with several of his friends? Does my right hon. Friend accept that both sides were involved in brutalities—in some areas, one side was more involved than the other? If there is to be an investigation, the full truth should be revealed.

Mr. Cook: As I told my hon. Friend on Monday, when he put a similar point to me, the remit of the International War Crimes Tribunal is without regard to ethnic identity or nationality. The tribunal will resolve for itself which war crimes it pursues. In Bosnia, the tribunal has already proved that it is blind to ethnic identity when it comes to examining a war crime.

I must rebut my hon. Friend's closing statement. It is wholly false to imply that there is any kind of equivalence between the isolated, occasional examples of violence against the Serb population and the wholesale, co-ordinated, premeditated, pre-planned deportation of a whole people at the point of a revolver, and under pain of brutality and systematic rape. Yes, of course we shall also pursue those responsible for crimes against the Serb people, but I do not think that my hon. Friend—for whose wisdom and intelligence I have great respect—should blind himself to the wholly different character of the sustained brutality launched by Belgrade against the people of Kosovo.

I was about to assure the House that Britain has committed a 15-strong team of police officers experienced in investigating scenes of crime. Those officers are already deployed at Kacanik. Theirs will be the grisly and unpleasant task of exhuming the mass graves and recording the cause of death. Their forensic skill and professional commitment will make a vital contribution to bringing to justice those responsible for the atrocities that have been committed in Kosovo.

If we are to discourage the survivors from taking the law into their own hands and seeking revenge, we must convince them that the international community means business when it offers a legal remedy against those responsible for the atrocities. Reconciliation will not be easy after the horrors of the past year, or of the ethnic cleansing of the past three months. However, we are determined to make every attempt to create a pluralist, multi-ethnic Kosovo. Our objective was to reverse the ethnic cleansing. Having fought that campaign to halt the ethnic cleansing of Kosovo Albanians, we will not now tolerate the ethnic cleansing of the Serb population in Kosovo, nor of any other ethnic minority. The Balkans do not need another tragic round of revenge killings. We must break the cycle of violence that perpetuates ethnic hatred and fear.

Dr. Norman A. Godman (Greenock and Inverclyde): Long before Rambouillet, in response to a question I put to him, my right hon. Friend gave the House an assurance that, in any settlement, he would ensure that the human rights of the Serb minority were protected. The idea that Kosovar Albanians and Serbs can live together in peace is something of a pipe dream. We find it hard enough to persuade Catholics and Protestants in Northern Ireland to live in harmony, and what about the divided island of Cyprus? Might we not have to accept some form of partitioning, even if only in the short run?

Mr. Cook: My hon. Friend puts his finger on one of the true tragedies of the Serb population of Kosovo. Some of them have complained that Milosevic betrayed them when he abandoned them; in truth, he betrayed them when he failed to sign up to the Rambouillet peace accords, which would have provided that Serb population with full protection and with their own elected national community leaders to protect their culture, their language, their religion and their customs. That opportunity was lost by Milosevic, and that was the great betrayal of the Serbian population of Kosovo. I agree that it will not be easy to persuade people to face the future without feeling the bitterness of the past, but there can be no long-term future of stability, peace and prosperity for the Balkans if we try to sweep every ethnic group into its own pure cantonment where it has no contact with any of the many other ethnic groups of the Balkans region.

I intend to visit Kosovo next week. Throughout the crisis, I have consulted almost daily with my colleagues, the Foreign Ministers of our major allies, and on behalf of us all I will deliver in Pristina two clear messages to the peoples of Kosovo. To the Serb population I will say, "KFOR is there to protect you as well." The Security Council resolution makes it clear that the obligation relates to the security of Albanian and Serb citizens alike. We ask those Serb residents now fleeing Kosovo to turn back and to contribute to a multi-ethnic Kosovo that respects the human rights of every citizen, irrespective of ethnic identity or religion. To the Albanian population, I shall say that anyone who takes the law into his own hands undermines the opportunity for Kosovo to become an open democracy based on the rule of law. I understand the appalling emotional distress that must be experienced by those who have lost husbands or wives, fathers and mothers, but to pursue revenge for the past will only make it impossible to secure a future without violence for their children.

We have now secured one of the two military priorities set out in the Security Council resolution: an agreement for the withdrawal of all Serb forces. To guarantee the ceasefire throughout Kosovo, it will now be necessary to make progress on the other immediate priority: demilitarising the Kosovo Liberation Army. At Rambouillet, the KLA accepted the principle of demilitarisation in the context of a NATO security force. We are now negotiating the practical arrangements for observance of the ceasefire by the KLA, and we hope soon to have its signature to an undertaking with KFOR for demilitarisation. I hope to speak later today with Hashem Thaqi, the leader of the KLA, to urge an early signature to the undertaking.

By early next week, we expect KFOR to have fulfilled its planned deployment throughout Kosovo. That is based on five sectors, led by Britain, France, Germany, Italy and the United States. Other allies, such as the Dutch, Belgian and Canadian forces, are already contributing units to one or other of those sectors. Today, the United States hopes to reach agreement with Russia on the basis for a Russian participation in KFOR. Madeleine Albright and Bill Cohen will report tomorrow to a meeting of NATO Foreign and Defence Ministers. We might then be in a position to finalise the arrangements whereby the Russian

[Mr. Cook]

contribution can play its part in the command structure within one of the allied sectors. Only a fortnight to the day from the date when President Ahtisaari secured the capitulation of President Milosevic, we are already on the way to making a reality of the peacekeeping military presence in Kosovo with NATO leadership.

However, it will take much longer to undertake the immense task of civil and economic reconstruction in Kosovo. It will take the full commitment of all available international agencies to measure up to the task, which will not be over until the last refugee has returned to his or her village and we have ensured that all refugees have the shelter they need for the next winter. When she winds up the debate, my right hon. Friend the Secretary of State for International Development will speak more fully about our contribution to the return of the refugees and to the urgent task of providing emergency relief to all those who have been trapped hiding among the hillsides and forests of Kosovo for the past terrifying three months.

The objectives we set for the campaign were not ones we drew up to suit ourselves. We did not demand the withdrawal of all Serb forces for the convenience of NATO, nor does NATO have any wish to occupy Kosovo. The driving reason behind the objectives of our campaign was that they should create the conditions necessary for the refugees to know that they could return in safety. We have secured those conditions, and we will not halt until we have completed the task of repopulating Kosovo with the people whom Milosevic tried to deport.

The defeat of ethnic cleansing in Kosovo has an impact that goes far wider than Kosovo itself. It has given hope to the whole of the Balkan region that the rest of Europe will not tolerate aggression or ethnic violence anywhere on our continent. The Government promised that we would make the conflict in Kosovo a turning point for the whole of the region. We could not have reached this successful outcome without the support and the solidarity of all Serbia's neighbours. Each of them understood only too well why it was important to them that Milosevic and his poison of ethnic hatred were defeated.

Mr. Douglas Hogg (Sleaford and North Hykeham): I am sorry to interrupt the right hon. Gentleman, but he seems to be concluding. When he made his statement two days ago, I asked about the political reconstruction of Kosovo. It is plain that NATO and the other allies will have to assist with the creation of representative bodies and political structures in Kosovo. It would be helpful if the right hon. Gentleman could give us a flavour of the intentions in that regard. Perhaps he intended to cover that ground in his speech, but there has not been much sign of it.

Mr. Cook: The basis on which we will reconstruct political institutions in Kosovo is set out in the Rambouillet peace accords, which, if I recall correctly, are in the Library. If they are not, I shall ensure that they are placed there for future reference. Those accords provide for an elected assembly of the Kosovar people and for an executive drawn from it.

As to the immediate future, I must say frankly to the House that the task of civil government in Kosovo will be in the hands of the United Nations, with the assistance of the Organisation for Security and Co-operation in Europe, the European Union, the World Bank and the UNHCR. However, I hope that in a year or more one of the urgent priorities of that civil government, drawn from the interim international administration, will be to transfer its powers to elected representatives of the Kosovar Albanians and to ensure that we maintain the spirit of the Rambouillet peace accord, which provided for maximum decentralisation to the local regions of Kosovo so that communities would have maximum room to settle their own security matters and the future of their own public services. Much of that work has yet to be done, but the Rambouillet peace accords were the result of a lot of hard effort by the international community and they give us a good staging post.

I was about to turn to the neighbours of Serbia and Kosovo, without whom we could not have achieved what we have, and to each of whom we owe a debt. To Bulgaria and Romania, we owe a debt for their co-operation with the sanctions regime and their agreement to overflight by NATO. To Macedonia and Albania, we owe a debt for the extraordinary burden they shouldered from the dramatic tidal wave of refugees, and for willingly giving access to their territories for the deployment of advance NATO forces. To Montenegro, we owe a debt for the great courage President Djukanovic and his Government showed against intimidation by Belgrade, and the open home that they provided for refugees from Kosovo and dissidents from Serbia.

In the immediate future, we must repay our debt by helping those countries to regenerate their economies, which have been badly disrupted by the conflict. In the longer term we must accelerate their ties with the European Union and NATO to ensure that their freedom is underpinned by prosperity through trade with the wealthy markets of Europe, and their security by the guarantee of NATO. In the case of Montenegro, we have already prevented any further build-up of troops by Milosevic by insisting that all forces from Kosovo withdraw to Serbia and none to Montenegro.

We want the people of Serbia also to benefit one day from the strengthened relationship that we are forming with all their neighbours, but we cannot embrace Serbia in the modern Europe until Serbia itself embraces the values on which that modern Europe rests: a belief in the equality of all citizens, respect for the human rights of minority groups and the recognition that a country is strengthened, not weakened, by containing a diversity of ethnic cultures. Nor can Serbia hope to join the international community as long as it is led by a Head of Government who dare not set foot outside its borders in case he is arrested as an indicted war criminal.

Milosevic claimed that he was defending Serbia's heritage. It is hard to think of a more authentic voice of the true Serbian heritage than the Holy Synod of the Serbian Orthodox Church, yet on Tuesday it demanded that Milosevic resign. It declared that

"every sensible person has to realise that the numerous internal problems and the isolation of our country on the international scene cannot be solved or overcome with this kind of leadership".

It called for the Government to be replaced by

"new people, acceptable to the domestic public and the international community."

Milosevic fools nobody—except, possibly, himself—when he goes on state television to announce that he has just achieved victory. Increasingly, as the news seeps back

from Kosovo, his people will realise that the pain and damage that his confrontation with NATO brought upon them was for no useful purpose. After immense cost to his people and his economy, Milosevic has been compelled to accept a peace deal on worse terms than he could have got if he had settled through dialogue at Rambouillet.

There will be a time in the future, when the immediate pressure of urgent priorities has lifted, when the House can reflect on some of the wider consequences of the success in Kosovo. I put to the House four positive consequences of what we have achieved. The first is that NATO is healthier and more united. The alliance has come through a testing time, but despite all the gloomy predictions that its resolve would weaken or that its unity would crack, the alliance remained robust and resolute until we secured all our campaign objectives. That can give the House new confidence in the security that our membership of the alliance brings to our nation. We can also take satisfaction in the valuable role that Britain played throughout the crisis in promoting cohesion between the European and American pillars of the alliance.

Secondly, we have opened a new chapter in the relations between western Europe and the Balkan region. We now have the opportunity to close the chapters of Balkan history that are written in blood and to make the region's countries our partners in trade and our equals in freedom.

Thirdly, we have halted the backward-looking nationalism of Milosevic and comprehensively defeated the evil policy of ethnic cleansing. For 10 years, Milosevic has terrorised his region and brought violence to the peoples of the former Yugoslavia. If he had previously been faced with the same resolve and made to experience the same clear defeat without compromise, he might never have visited such brutality on Kosovo. As it is, he will now think long and hard before he attempts it again.

Finally, we have delivered not only a military victory but a victory for our values. The real winners in Kosovo are our values of human rights, ethnic equality and humanitarian law. We did not fight this conflict for territorial gain or strategic advantage. We fought out of principle. The many people across the alliance and in the wider international community who have contributed to the successful outcome will always know that in Kosovo they struck a blow for human decency. It is those people, who have given their all in working on the military or diplomatic track, whom the House should thank. It is to them that we owe an outcome that will make it possible for us to return the refugees to their homes and to begin the task of bringing freedom and peace to Kosovo.

2.15 pm

Mr. John Maples (Stratford-on-Avon): I thank the Secretary of State for welcoming me to my new role. In foreign policy, there is a great deal of consensus between the Government and the Opposition, and I hope that it will continue. Even in areas of consensus, however, difficult issues have to be addressed and difficult questions must be asked. I shall ask some of those questions today. There are also areas of considerable disagreement between us; mainly, I suspect, concerning Europe and the future of the European defence identity and whether that should be developed within NATO. There will be very robust debates on those issues.

I pay tribute to my predecessor, my right hon. and learned Friend for Folkestone and Hythe (Mr. Howard), who by any standards has had a distinguished political career. He spent 12 years in the Government, eight years in the Cabinet and three years as Home Secretary. That is a series of posts for which almost any hon. Member would settle. It is interesting for Conservative Members to see so many of the reforms that my right hon. Friend introduced as Home Secretary, which were anathematised by the then Opposition, now being put into practice by his successor. There is irony in that.

I turn now to Kosovo. The Foreign Secretary is right to say that NATO and the Government have been very successful in the first phase, and they deserve our congratulations. As he said, there were many doubters, and indeed some said that the task would be impossible. However, it looks as though by Sunday night NATO will have succeeded in getting the military out of Kosovo. It has been an impressive performance. As the right hon. Gentleman said, the solidarity of the alliance has been enhanced by the experience. There are those who wavered, but the alliance came through unscathed.

As the Foreign Secretary said, Kosovo's neighbours have behaved very well. Two in particular have behaved magnificently. Albania and Macedonia have taken in an enormous number of refugees. Macedonia did so at considerable risk to the stability of its own fragile ethnic balance. The Secretary of State for Defence invited me to accompany him to Albania, and it was truly impressive how the people of that country opened their hearts and, literally, their homes to people whom they regarded as brothers. People in Albania said to us, "There is no limit to the number of refugees we can take. They are our brothers." Such practical humanitarian concern is very impressive.

Military lessons must be learned from the experience. We are seeing encouraging and rewarding television pictures of columns of Serb military vehicles leaving Kosovo for Serbia. However, those columns seen to contain an awful lot of tanks and armoured personnel carriers, which I understood we had destroyed. Much of the Serb armour in Kosovo seems to have survived the air attacks. Now is not the time, but at some stage we shall have to consider in more detail whether we knew that that was the case, or whether we truly believed that our figures for the destruction of tanks were correct.

As the Foreign Secretary said, British troops—first the Air Force and now the Army—have played a valuable role in Kosovo. It is good to see them at the forefront of operations, displaying their usual competence. Another of today's ironies is that the troops of whom we hear most are the Parachute Regiment, and soldiers from a former generation of that battalion are under investigation in the Saville inquiry in Northern Ireland. We should reflect on how much we owe to that regiment's courage and training and its commitment in Kosovo, and, in retrospect, how much we owe to those who were in Northern Ireland 20 years ago. It is within the Government's power to alter the inquiry's terms of reference to ensure that the lives of those troops and their families are not endangered.

Despite the success of phase 1 of the campaign, Kosovo is still, for various reasons, not safe for the refugees to return to, and nor is its future secure. Two factors contribute to that. The first is the presence of the Russians at Pristina airport, and the second is the future position of the KLA. The Prime Minister and the Secretary of State

[Mr. John Maples]

have said on many occasions, and we entirely agree, that the ultimate test of success in the operation will be the return of all the refugees to all parts of Kosovo. Partition in any form is not an acceptable outcome.

There is clearly still a major Yugoslav army capability in Serbia and Montenegro. The buffer zone was reduced in the negotiations from 25 km to 5 km, but the withdrawal of the troops looks as though it is on schedule to end on Sunday night. Then NATO, the Governments and the international organisations can turn their attention to the future of Kosovo.

One aspect that has received less attention than the military aspects is the civil power that the UN Security Council resolution called for—UNMIK, as I suppose we will come to know and love it. That is being set up. As I understand it, one of the Deputy Secretary-Generals is in charge of it and is in Kosovo.

I hope that the process is moving fast. The military is performing tasks that should be handed over to a civilian authority as soon as possible. Such an authority will have some responsibility for the security of the population of Kosovo, which will be vital to a long-term settlement.

Paragraph 11 of the UN Security Council resolution calls for the deployment of an international police presence. When the Secretary of State for International Development winds up, perhaps she will tell us what progress is being made on the establishment of an international police presence. The KLA clearly wants to be the police in Kosovo, and no doubt many KLA members will have a role to play in that regard, but they cannot be allowed simply to turn themselves into the Kosovan police force.

Bosnia sets a reasonably good example of an international police force gradually incorporating more and more local people, but initially the police force in Kosovo will have to be under the control of the United Nations. We cannot allow the KLA to turn itself into the police force.

The Secretary of State spoke about the atrocities. That is what the campaign has been about. The Government's policy and NATO's has been to defeat that. I spoke at length on the telephone this morning to a journalist who is in Kosovo. She told me that in every village there is a mass grave, and that every garden seems to have a grave in it. We see the appalling scenes on television, as evidence of the mass slaughter is discovered. It is clear from the stories and the mass graveyards that that was worse than anything that I imagined, and we do not yet know the full scale of it.

The Secretary of State mentioned the discovery of a torture chamber at Pristina police station. It is good news that UK investigators are involved in helping the UN war crimes tribunal. We must make sure that as many as possible of the people responsible for those crimes are brought to justice, or a large part of the positive effect of NATO's operation in Kosovo will have been lost. If we cannot bring home to people like Milosevic the fact that they face the serious risk of prosecution for war crimes, they will not be as discouraged as we want them to be.

It is a sad fact that the atrocities continue as the Serbs withdraw. We see them leaving a scorched earth policy behind them. People are killed and their houses destroyed even as the Serb military forces are withdrawing.

As regards the Russians, whatever gloss we put on the matter—I understand why the Government and General Jackson have to say that it is not much of a problem, but it is—they continue to hold the airport, and their presence there will disrupt the establishment of the northern or the French zone.

We were collectively outwitted by the Russians. They cooked up a plan with the Serbs, and we should expect to see more of that. I do not think that Milosevic has run out of tricks. On Wednesday 9 June, late at night, the military agreement was signed. The plan, as I understand it and as was reported, was for NATO troops to enter Kosovo at 4 am on Friday. According to reports in *The New York Times* and elsewhere, those plans were postponed by 25 hours on Thursday night. The press briefing was postponed as well. As we all know, in the end the NATO troops went in at 5 am on Saturday.

There was some speculation in the press about whether that was at the request of the United States, to enable its troops to be in the forefront of the deployment, but that always seemed an unlikely explanation, because the United States already had 1,700 troops in Macedonia. I do not think that it was planned that they should be among the first troops to enter Kosovo, but they would have been there and gained whatever publicity was needed.

The truth came out when a NATO officer was reported as saying that the Serbs were having difficulty in withdrawing. They were suffering from a shortage of fuel and could not get out on schedule. It appears that that was a subterfuge cooked up by the Russians and the Serbs to give the Russians time to move.

One must ask why that was not foreseen by NATO. Russia always wanted a zone. Its amour propre had clearly been damaged during the process, despite its part in the peace negotiations. The wording of the UN Security Council resolution is slightly ambiguous in this regard. It authorises member states to establish the international security presence, whereas it empowers the Secretary of State—I mean the Secretary-General of the UN; the Secretary of State has many responsibilities, but not that one—to establish the civil authority. That creates an ambiguity and was presumably designed to get over the difficulty of Russian involvement, but it gives the Russians some basis for arguing that they are entitled to a presence.

Reports of the movement of Russian troops in Bosnia went out on Serb radio at 10.30 am on Friday. There must have been some evidence of it earlier. Two hundred troops and their vehicles cannot have been moved out of the American zone in Bosnia without anyone noticing. During the morning, Secretary of State Albright spoke to her counterpart, Ivanov. She has said in public—and the Vice-President of the United States has said the same thing—that she was assured by Mr. Ivanov that the Russians would not move into Kosovo until their role in KFOR had been settled.

NATO could presumably still have moved at that moment. There are some questions as to why it did not. The airport is important. Because we do not have control of the airport, the roads are heavily congested, which makes it difficult to resupply NATO forces and provide food for refugees. We are now planning air drops, which were not planned originally. Not only does NATO need the airport, but it would have been a good idea to deprive

the Russians of it. The fact that they hold it gives them a means of bringing in reinforcements, which they did not have before.

Could NATO have moved during that period? If it had done so and denied the Russians the airport, our position would be considerably easier than it is. The Russians did not move into the airport until 2 am on Saturday. NATO deployed at 5 am on Saturday, which of course was too late.

As I said, it seems to me that that was a plan cooked up by Milosevic and the Russians. The Russians behaved in extraordinarily bad faith. I know that the Secretary of State must be more diplomatic in dealing with the matter. It shows extraordinary bad faith on the part of the Russians that they should have played a part in brokering a peace deal; assured the US Secretary of State that they would not move; and then moved in the middle of the night in a way that they knew would create considerable difficulties for the peacekeeping operation in Kosovo.

We should expect more of that. The Russians have 1,700 troops with SFOR in Bosnia. There are reports of more troop movements around Bjielina. Apparently troops left their barracks in Lopare and Ugljevik on Saturday for the airport at Bjielina, and on Sunday Bosnia radio reported 150 Russian troops leaving Bosnia across the Bjielina bridge for the Federal Republic of Yugoslavia. I assume that those troops are still in Serbia.

Russia made efforts last week to reinforce its position at Pristina airport from the air. Fortunately NATO moved quickly, and Russia was denied the overflying rights that it would have needed. That clearly was part of Russia's plan.

I know that yesterday and today negotiations have been going on between Secretary of State for Defence Cohen and his counterpart, Sergeyev. Progress was reported yesterday, but it has also been reported that Yeltsin has told Sergeyev that the Russians will not settle for anything less than a Russian zone. I hope that the issue will be resolved over the weekend at the G8 meeting or early next week at the European Union-United States meeting. I gather that President Clinton will be at both. It is important to resolve the matter as soon as possible.

Russia has wanted its own zone all along. According to press reports in *The New York Times* and elsewhere, it has been offered a zone of operation within the French sector. We must not create a Russian zone. The Secretary of State has said that he will not allow an east German solution to be implemented in Kosovo, or to be effected on the ground. A Russian zone of occupation, or a Russian zone in the KFOR sector, will become a Serb zone and will effectively mean the partition of Kosovo.

We need something along the lines of what is happening in Bosnia, where the Russians are deployed within the American sector, but do not have a particular zone to themselves; they are assisting in various areas. In that way, they can be valuably involved in the peacekeeping process, but without the risk of creating a zone within a zone, which may be as bad as a zone of their own.

That unforeseen problem has created a great deal of difficulty and distraction. I hope that it can be resolved soon because it is making NATO's operations much more difficult than they would otherwise be. When this is all over, we would like it looked into. A few weeks ago, my right hon. Friend the Leader of the Opposition asked the Prime Minister for an inquiry when the war was over, a request which was rather cavalierly rejected. There were inquiries after the Falklands war and the Gulf war. I am sure that the Ministry of Defence and the Foreign Office will conduct their own internal inquiries into how well they did during the conflict, but there are lessons to be learned and they should be learned publicly. All the secure details of military intelligence need not be disclosed but there are lessons to be learned which should be available to the public and future Governments.

The Government of whom the Secretary of State is a member, and the previous Government, of whom I was a member, took Britain to war without needing the approval of the House of Commons to do so. They did it under prerogative powers. When one does that, there is an even stronger argument for taking a close and objective look after the event at the circumstances leading up to that military action. I should like such an inquiry to consider the diplomatic background, the military advice and the political direction of the military, which has been one of the difficult aspects of NATO's control and has made the military operations more difficult than they would otherwise have been.

Mr. Bowen Wells (Hertford and Stortford): Does my hon. Friend agree that the inquiry for which he calls should include all the circumstances leading up to the intervention in Kosovo, right from the time when the EU, and the Federal Republic of Germany in particular, began to persuade the international community unilaterally—without agreement—to recognise Croatia and Slovenia as independent states, as well as the conduct of the international community's relationships with Yugoslavia? *[Interruption.]* Yes, both Governments.

Mr. Maples: I did not have in mind quite such a wide remit. If we want to go back to 1989, the inquiry will be very long.

There are two schools of thought about whether all this was started by the precipitate recognition of Croatia and Bosnia. I think that it was all started by the rise of the completely unreasonable Serb nationalism, generated, fostered, its flames fanned, by Milosevic. Had it not been for that, these issues, albeit not easily settled, could have been peacefully settled. The real cause was the aggressive, narrow Serb nationalism of which Milosevic's policy was the apogee.

Mr. Winnick: I agree entirely with the hon. Gentleman's analysis of the reasons for the conflict which broke up the former Yugoslavia, but would it not be right to say that the removal of autonomy from Kosovo played a leading part both in the burning resentments of so many people there and in the creation of the KLA?

Mr. Maples: Yes, the hon. Gentleman is right. It was in Kosovo that Milosevic discovered his talent for stirring up this kind of trouble. The removal of Kosovo's autonomy and Vojvodina's autonomy was part of his process of gaining control of the Yugoslav federal presidency, enabling him to perpetrate the horrors that he perpetrated in Croatia and Bosnia.

Mr. Robin Cook: I am grateful to the hon. Gentleman for giving us the opportunity to consider the historical perspective. Before he presses too hard for the

[Mr. Robin Cook]

wide-ranging inquiry that he seeks, I should warn him that one episode on which such an inquiry must undoubtedly properly focus is why it was that the western Governments agreed to Milosevic's insistence that Kosovo be kept out of the Dayton settlement.

Mr. Maples: The Secretary of State is right that that is a question that has to be answered. I was not there and I do not know the details of what happened. But, in retrospect, if Kosovo could have been included, we would not be facing many of our present difficulties. I suspect that the Dayton agreement was difficult enough to get without trying to settle the Kosovo problem at the same time. But if the right hon. Gentleman says that he will set up the inquiry as long as it can consider that question, he has a deal.

I said that two big problems currently face NATO in Kosovo—the Russians and the KLA. I now come to the KLA. It is a big problem. It is moving in and taking over. It is creating something of a myth that it was the KLA that liberated Kosovo. No doubt many KLA members were performing extremely brave actions on the ground during the last three months or so. But we now see them patrolling the streets and they have taken over Pristina police station, or at least they had yesterday. They control the Morini border crossing and they seem to have about 90 per cent. of the German sector under their patrols in one form or another. If they are not themselves guilty of reprisals against the Serb population, I suspect that they are at least allowing them to happen. That cannot be allowed to go on.

One thing that is reinforcing the KLA in its position is its claim that the Russian presence is illegal. I understand that it refuses to disarm while that presence continues. But the KLA cannot be allowed to run things within Kosovo, and that must be made clear. It is creating a potentially extremely dangerous atmosphere.

The Secretary of State referred to that and said that he hoped that an agreement would be reached. Yesterday, there were news reports that such an agreement had been reached, but, as I understand it, it has not been signed. This morning, NATO's Secretary-General said that he expects to see the KLA disarmed within, I think, 120 days.

Mr. Robin Cook *indicated dissent.*

Mr. Maples: That was the report that I read. I am glad to hear that it is wrong. We should be talking about a few days.

I realise that the process is difficult and that it may not be possible completely to disarm people. But the KLA, to the extent that its people will function in the role that they see for themselves, must be part of a civil power, supervised by that power and responsible to it in a proper and clear way. We must do that quickly.

There is some confusion—presumably brought about by the difficulty in the diplomatic negotiations—in that the Rambouillet agreement calls for the disarming of the KLA and the United Nations Security Council resolution calls for its demilitarisation. One could argue that, for diplomatic purposes, that means the same thing, but I am sure that it does not mean the same thing to the KLA. At some point we need some clarification, if only for ourselves, of what that means, how it will be done and how long it will take.

I appreciate the difficulties, and the last thing that we want is to start a conflict between NATO and the KLA in Kosovo, but NATO will not be able to control, redevelop and stabilise Kosovo in the way that we want while the KLA still has that degree of presence and control.

The return of refugees from Albania and Macedonia is premature. I gather that 1,000 an hour are crossing at Morini. No doubt that is reasonably welcome to Macedonia because it will at least remove the instability that those refugees created, but it presents some problems. First, the refugees are clogging up the roads which NATO would otherwise be using for the deployment of its troops. Secondly, the mine clearance operation is not yet under way. As we are not yet in most of Kosovo, and will not be in all of it until Monday, it obviously cannot yet have been done. Will the Secretary of State for International Development tell us something about mine clearance—whether the Serbs have honoured their part of the military technical agreement to identify minefields and booby traps and to help to clear them, and what progress is being made in that? Are we having difficulty in supplying the basic necessities of life, such as food, water and some limited medical facilities to refugees at the rate at which they are returning?

Another sad consequence of what has happened is that we now see another group of refugees. Serbs are now leaving with their cars, tractors and trailers loaded up with their personal belongings in the same way that Albanians left a few weeks ago. We must confirm in practical terms to the Serbs in Kosovo that we will protect them and that they are entitled to continue to live there and to conduct their lives, businesses and farms there.

It is encouraging that the Secretary of State mentioned the reaction of the Orthodox Church. I think that the Patriarch has announced that he will return to Pec as a sign of encouragement or of solidarity with the Serbs who live there. I hope that that is the spirit in which it is being done. We must take that position not just for humanitarian reasons, but because, if the 200,000 Serbs who live in Kosovo all become refugees in Serbia, they will help Milosevic to feed the anti-NATO sentiments and dissatisfaction of the Serbs, and their characterisation of themselves as a victim nation.

Mr. Ben Bradshaw (Exeter): I think the hon. Gentleman said that the Serbs are leaving in the same way as the Albanians, but they are not leaving in quite the same way. Does he accept that the Albanians were leaving while looking down the barrel of a gun and that the vast majority of the Serbs are leaving out of fear, whether it is justified or not?

Mr. Maples: I accept that, but almost everybody who left did so out of fear of what might happen to them. When I talked to refugees in camps at Kukes, they almost all said that they had left because of what had happened in the village previously or because of what they had heard.

I agree with the Secretary of State; there is no equivalence. There has been an organised campaign of atrocities—genocide, dare one say—against the Albanians in Kosovo. That is not happening against the Serbs, but they clearly fear for their lives and safety, and some of

them have already been killed. Nothing worse than that can happen, but appalling things have certainly happened to them and it would be a sad outcome if we succeeded in helping the Albanian Kosovans to return to Kosovo, but all the Serbs left.

Looking to the future, what is happening inside Serbia is a closed book to most of us, but it is important because we will not be able to settle the region in a stable and peaceful way while Milosevic is still in power. I understand that Seselj has left his Government, but I do not know whether that is good or bad, because I suspect that he would have been a lot worse than Milosevic. Zoran Djindjic, the leader of the Democratic party, has called on Milosevic to resign, but he at present resides in Montenegro, and has been there for the whole of the war, so that call will not carry a lot of credibility.

As the Secretary of State said, the Orthodox Church has called on Milosevic to step down, but we have to recognise that we are dealing with an old-style communist regime. Milosevic controls the army, the police, the media—just about everything. I do not expect an answer from the Secretary of State, although it would be nice to have one, but do we think that a coup could succeed—or is a civil war needed to get rid of Milosevic? We have to address that problem in some way because it will be difficult to settle the issues while Milosevic is still in power. What other levers do we have? Will the chance of the stability pact applying to the whole of south-east Europe, except for Serbia, exercise any leverage over him?

There could be problems in other parts of the Balkans—Macedonia, Vojvodina, Sanjak and, perhaps most obviously, Montenegro—and there is danger that NATO will be sucked into them. I hope that we have a policy and that we have thought through some of those questions, particularly in respect of Montenegro. The Serbs have, as recently as yesterday, started to accuse Djukanovic of conspiring with the United States to organise a coup against Milosevic in Belgrade. That sounds like the building of an excuse for intervening in Montenegro in some way.

At the same time, various groups of Montenegrins—academics, business men and the opposition—are demanding a review of their status as part of the Federal Republic of Yugoslavia. There are 20,000 troops of the 2nd or the 3rd VJ army in Montenegro and yesterday Belgrade prevented two Montenegrin aeroplanes on a flight from Italy from landing at an airport in Montenegro. The Secretary of State praised Djukanovic, who is the only democratic leader in the region with clean hands, and we have to ask ourselves how we can prevent a Serb coup in Montenegro.

Similar things are perhaps brewing in Vojvodina. The leaders of the Hungarian community are asking for their autonomy to be revived, because they lost it at about the same time that Kosovo lost its autonomy. There are issues to be addressed there, and Milosevic is capable of stirring up trouble in Macedonia and perhaps even in Bosnia again. We need to make sure that we have considered the longer-term problems.

The longer-term stability of Kosovo depends in part on a long-term political settlement. The Rambouillet agreement called for an international meeting within three years

"to determine the mechanism for a final settlement . . . on the basis of the will of the people".

To many people, that seemed to imply a referendum, but the United Nations Security Council resolution, under which we are operating in Kosovo, reaffirms the sovereignty of the Federal Republic of Yugoslavia. It talks a lot about "autonomy" and "self-administration . . . pending final settlements". The only reference to the long-term future is in paragraph 11(e), which talks about

"facilitating political process designed to determine Kosovo's future status, taking into account the Rambouillet accords".

That is very vague, and I imagine that it was difficult to achieve any agreement on what the resolution would say, but we have a problem to address.

The Rambouillet accords allowed the possibility of independence for Kosovo. The United Nations Security Council resolution does not explicitly do so, but it makes that reference to the Rambouillet accords, which the Serbs never agreed to or signed in the first place. Is independence a possibility or not? If not, the Kosovans will be stuck with Yugoslav passports, being called up to serve in the Yugoslav army, paying Yugoslav taxes and having to go through Yugoslav-controlled border posts and over borders across which those same Yugoslav forces were driving them in the most inhumane way a few weeks ago.

I have to ask myself whether autonomy within the Federal Republic of Yugoslavia is a viable future for Kosovo. I do not expect an answer today, but I hope that the Government are addressing that issue.

Mr. Hogg: At the time of the Rambouillet accords, it was contemplated that there would be sizeable Serb minority in Kosovo and, in those circumstances, devolved status within the Federal Republic of Yugoslavia made sense. If the Serb minority flees Kosovo and goes to Serbia, as appears to be happening, the intellectual justification for the autonomous status of Kosovo will disappear entirely.

Mr. Maples: I take my right hon. and learned Friend's argument, but the United Nations Security Council resolution refers to the Helsinki Final Act and there are difficulties in opening up the question of border settlements. However, from a practical point of view, I do not see how autonomy will be enough, either to provide long-term security or for the KLA, which, however it is demilitarised, will not demilitarise entirely.

The stability pact is a great document and a great plan, but it will need money to back it up. I do not think that the numbers appear in it—if they do, I missed them—but considerable economic aid will be needed to help to redevelop the region and bring it into the European mainstream. There are also many unsettled matters in the Balkans outside Kosovo and they cannot be left in the air. If they are, Milosevic will stir them up. He is very good at stirring up trouble and I do not suppose that we have seen the last of his tricks.

The first phase of NATO's operation has been successful—more successful, and perhaps quicker, than any of us dared hope. The Serb military is leaving and NATO is taking over. Refugees are returning and the atrocities are being investigated by the war crimes tribunal. All that is excellent news, but in many ways the difficult phase is just beginning.

There are the immediate problems of the Russians and the KLA, and I hope that they will be soon resolved, but there will be plenty more. Milosevic has not yet run out

[Mr. Maples]

of tricks and while he remains in power, we should always plan for the worst. Our long-term objective must be to bring peace and stability not only to Kosovo but to the whole of former Yugoslavia. That was never going to be easy, and it is no easier now, but we will support the Government wholeheartedly in pursuing that objective.

We hope that the difficult questions that we have posed have been thought through and that plans exist to deal with the long-term and short-term difficulties. In the end, success will be measured by the return of all the refugees to all parts of Kosovo and a settlement that creates a secure and stable environment for all its citizens.

2.48 pm

Mr. Bruce George (Walsall, South): I welcome the new Opposition team. The hon. Member for Stratford-on-Avon (Mr. Maples) had a reasonably good war. In his speeches, he made the same criticisms as his colleagues who speak on foreign affairs without appearing to want NATO not to acquit itself well. I wish him the best of good fortune in his new post.

I welcome this further debate on Kosovo. The Government have sought to explain—and succeeded in explaining—what they were doing, not only to the House of Commons but to its various Committees, and they were prepared regularly to expose themselves to criticism from Labour and Opposition Members. I am delighted that the Foreign Secretary is going out to Kosovo next week. Perhaps he will take up the seats in the aircraft that members of the Defence Committee were going to take, and perhaps he can persuade his colleagues that, once the Executive have gone to see what has happened, the Defence Committee visit organised by the Ministry of Defence can soon be reactivated. I look forward to him coming back with good news.

The House and the country must be relieved that the worst aspect of the crisis is over, following the success of NATO's operations and the progressive and fairly speedy withdrawal of Serb forces, which is well under way. If I may amend slightly what was said by the Duke of Wellington, however, there is only one thing worse than a battle lost, and that is a battle won.

The Foreign Secretary described some of the problems that NATO, the OSCE, the UN and Governments would have to face following our success. For instance, those organisations must consider how—if it is possible—to integrate Russia in the post-war environment. Last week, both the Defence Committee and the Foreign Affairs Committee received a delegation from the Duma's international relations committee. Rumours that I had instructed the police to stand guard at the entrance to the House in case the Russians made a sudden and dramatic push to occupy the Chamber proved to be only partly well-founded.

In the short term, those who return to their own territory will not find that entirely welcome. They will be returning to a ravaged country, and will encounter the danger of stepping on land mines as well as massive problems of reconstruction. The Foreign Secretary spoke of his commitment to bringing to trial those indicted of war crimes, and of the problems of the government of Kosovo. He also spoke of the difficulty of deciding what to do about the KLA, about security in the Balkan region and about the role of international political and economic institutions such as the OSCE, the UN and the World Bank.

I trust that we shall witness the demise of Milosevic. The Serbs have not yet forgiven the Ottoman empire for what happened in the 14th century, but I hope that they will wipe the events of the last few months from their minds earlier than in the middle of the next millennium.

I cannot adequately express the pleasure and joy that I experience when I see pictures of Kosovans returning home—pictures that show their euphoria, and the sheer spontaneous pleasure of their greeting of their liberators—and note, in the same newspapers, the professional way in which NATO forces that were waiting in Macedonia moved so swiftly into Kosovo, where they are now providing security. There were one or two hiccups, of course.

Like others, I hope that the Serbs will decide to remain in that country. We do not want another war over ethnic cleansing, if ethnic cleansing happens again in a rather different way.

I think that we should congratulate all who have helped NATO to succeed in its campaign. I do not deny the right of hon. Members on either side of the House to oppose its action: I respect those with pacifist leanings—those who, in their dreams, sing "We'll keep the Serb flag flying here." I do not, however, respect those who argue that the conflict in the Balkans was nothing to do with us. I do not respect those who espouse the view that hundreds of thousands of people can be destroyed for the sake of maintaining the sanctity of what they believe international law should be. I do not respect those who quietly, surreptitiously and snidely—although apparently supporting what NATO and the Government were doing—hoped that both NATO and the Government would fall on their faces.

Many people advanced the argument—based largely on what the so-called experts were saying—that air power would never succeed. I hope that they will do the same as John Keegan, who admitted that, despite his great expertise, he had got it entirely wrong. I will not join, for instance, the manic Norwegian television broadcaster who, after his country defeated England, rattled off a series of names including Lord Nelson, Margaret Thatcher and Winston Churchill; but I could certainly do so. My list would include a number of Members of Parliament, as well as journalists, academics and alleged experts. I hope that the people to whom I have referred will at least have the decency to admit that they were wrong in expressing with such certainty the view that NATO would fail.

One of my colleagues on the Defence Committee—[HON. MEMBERS: "Where are they?"] Some are here, and I admire them for being here. Others have wisely got out of the way. The colleague to whom I refer, the hon. Member for Reigate (Mr. Blunt), has gone to Russia. If he were here, I would have mentioned this to him. In one speech, he managed to make so many mistakes that I thought he must have missed the lecture at staff college. He said, prematurely, "Our strategy has failed". He also called for the resignation of the Chief of the Defence Staff in the middle of the war, which I do not regard as very sensible. The only crime of the Chief of the Defence Staff was that of supporting the Government, which I consider a rather bizarre reason for demanding his resignation. The hon. Gentleman added:

"Two months later, as the ground option evaporates, we urgently need an exit . . . It is clear that our allies want a way out . . . We have fundamentally misread the nature of the conflict . . . Having broken international law in attacking Yugoslavia, let us now stand up for the principle of self-determination."—[*Official Report*, 18 May 1999; Vol. 331, c. 944-46.]

I can only say that I am delighted for the Opposition that the purge that has taken place has not yet given the hon. Gentleman a position on the Front Bench, although that may come later.

The alliance held together—it actually held together, although there were those who hoped against hope that it would implode; and, as my right hon. Friend the Foreign Secretary said, it will emerge strengthened by its experience, and by the criticism from both external and internal opponents.

There were those in the alliance whose enthusiasm was less than total. I am thinking, for instance, of an interesting article that I read only this week in a publication of the Royal United Services Institute for Defence Studies, and of the less than extreme enthusiasm of the Czech Republic, although the President can be exempted from that criticism. The Greek Government did what had to be done, although I cannot express the same admiration for the media there or for public opinion.

I was delighted when the Foreign Secretary said that the efforts of Albania, Macedonia, Bulgaria, Romania and Montenegro during the war deserved to be properly rewarded. I hope that they will not be rewarded by some long-term commitment to consider their application to join NATO. When it came to the crunch, they delivered. I understand that the Bulgarians are offering to send troops to work alongside British experts in mine clearance, and I feel that we should express our thanks and admiration.

May I pick up a point raised by the hon. Member for Stratford-on-Avon? Over the years, Parliaments and royal commissions have had ample opportunities to examine wars won and occasionally, if not wars lost, then battles lost. My favourite example is a wonderful inquiry that was undertaken in the early days of the failure of the British, the French and the Turks to capture Sebastopol. The Jameson raid, the Boer war and Gallipoli all produced great opportunities for royal commissions and Parliaments to identify what went right and, more important, what went wrong.

I think it entirely right to identify this rather smart move by the Russians in evading our intelligence services. I certainly advise the hon. Gentleman to look at the events that led to the invasion of the Falkland Islands, when the Argentines were able to move far more than the Russians. They were able to attack the islands, and, I believe, to purchase 500 maps of them from The Stationery Office. I had a copy, but the last Government denied that they existed. The map is stamped by the military governor of Argentina and by the civil commissioner, Rex Hunt. The Argentines managed to move out of this country a vast quantity of their financial resources, and to get on to a war footing without alerting intelligence, and without the Cabinet committee realising what was happening.

When there is any move to criticise an alleged failure, perhaps one should look at other failures. If he is still alive, Lord Franks can perhaps be revived and brought to do an inquiry, which will certainly exonerate NATO and the United Kingdom. I hope that that will be done, if he is still available for the commission.

The Defence Committee has a long tradition of inquiring into wars. We did three inquiries into the Falklands war; all were good reports. We did two reports on the Gulf war. The hon. Member for Stratford-on-Avon will not have seen the press release that the Defence Committee issued last week, which said:

"The Committee has reconfirmed its commitment to undertake an inquiry into the lessons of Operation Allied Force following the conclusion of any peace settlement in Kosovo and once the situation there has begun to stabilise. Previous Defence Committees undertook substantial inquiries into the lessons of the Falklands conflict and the Gulf War.

More detailed terms of reference for the Committee's initial interim inquiry will be published at the appropriate time, but the inquiry is likely to focus on the lessons of the Kosovo crisis for NATO's force structure, decision-making processes and strategy development. It is also likely to consider the effectiveness of the Alliance's intelligence, surveillance, targeting and reconnaissance capabilities. The performance of UK weapons systems and their interoperability with those of other Allies will also be examined as the evidence becomes available.

Further announcements will be made in due course."

Mr. Nicholas Soames (Mid-Sussex): The inquiries that the Select Committee has undertaken into earlier conflicts have been extremely valuable. As the hon. Gentleman knows, they are taken seriously in the Ministry of Defence. Will he consider including in the early part of his inquiry the difficult—I mean no political ill will by saying it—and tortuous negotiations on the diplomatic and political front before the conflict began, which would normally concern the Foreign Affairs Committee? The Defence and Foreign Affairs Committees might consider doing that part of the inquiry jointly, thereby adding even more weight to their conclusions.

Dr. Godman: That is a good idea.

Mr. George: It might be a good idea, but I should like first to liaise with the Foreign Affairs Committee. I was a great reader of its report on Sandline International and Sierra Leone. I would prefer to liaise, as opposed to co-ordinating. Our remit is defence and security. It is important that we do not trespass too far into any other possible inquiries.

Mr. Wells: May I make a suggestion? The Select Committee on International Development report on Kosovo and the humanitarian crisis might be a starting point for the inquiry of the hon. Gentleman's Committee and that of the Foreign Affairs Committee.

Mr. George: I have read that report. Having been to Kukes—I do not think that the hon. Gentleman's Committee got as far as Kukes—we were able to form our own opinion. I have also read his speeches. Again, it would be far better if he pursued his own inquiry, rather than merging it—if he pursues it—with that of the Defence Committee.

Over the past 12 months or so, the Defence Committee has undertaken two substantial inquiries: one into the NATO summit and the future of NATO, the second into the strategic defence review. Both the inquiries will have to have a Kosovan dimension. We will be able to see the extent to which the SDR—although it has not yet fully unfolded—has been affected by events in Kosovo.

[Mr. George]

I digress slightly. Although I accept the Government's views on the Reserves, I was delighted to see that one of the heroes of the early days of the entry into Kosovo was a member of the German reserve. That German officer defused a major crisis between the Albanians and the Serbs. The gentleman, a major I believe, was a professor of oriental languages—oh, that our own Reserves had such an opportunity of proving their military competence. *[Interruption.]* I do not think that the Chairman of the Foreign Affairs Committee, my hon. Friend the Member for Swansea, East (Mr. Anderson), should mock the lack of language abilities. I heard him speaking Hungarian three months ago; it had to be translated into English. I am not attempting to be hostile.

The two inquiries that we have done could have the added dimension of Kosovo. It will not be a negative inquiry. Mistakes were made; of course they were. I am not yet aware of any war that has been fought perfectly, although Milosevic claims that his war was. He obtained the same victory as Custer at Little Big Horn and Napoleon at Waterloo. I can imagine Custer down to his last three men and saying, "We really whacked them this time, didn't we?"

Leaving aside the claims of Milosevic, most other wars have their mistakes, but we must learn from our mistakes. We must see what we did well; we did much that was good. Let us hope that we can avoid such crises in future.

I congratulate not only the Foreign Secretary and the Secretary of State for International Development, but the Secretary of State for Defence, who, I understand, is in the Ukraine. Without being seen to be seeking a knighthood or anything further, I should like to compliment the Prime Minister as well. It has been said, "Keep your head while others behind or opposite you are losing theirs." What he did was absolutely right. He can be rightly proud of his contribution.

3.7 pm

Mr. Menzies Campbell (North-East Fife): I, too, welcome the hon. Member for Stratford-on-Avon (Mr. Maples) to his first foreign affairs debate. He has moved smoothly from defence to foreign affairs. He will discover shortly that the only difference between them is that, thankfully, in foreign affairs, we do not place such reliance on impenetrable acronyms as appears to be necessary in defence.

Rightly, the hon. Gentleman paid generous tribute to his predecessor, who has enjoyed a distinguished parliamentary career. I, too, shall miss him, not least because he has been an ever-present example of the strength of the adversarial system in contemporary politics.

The debate is something of an interim report. I expect that we shall have more such debates from time to time. As others have said, much has been achieved, but much more remains to be done.

If one passage in the Foreign Secretary's speech attracted virtually unanimous support, it was his powerful account of the importance of dealing properly with those who have been guilty of war crimes. He will, of course, be aware that the extremely powerful and professional chief prosecutor, Louise Arbour, has, in recognition of her considerable talents, been appointed to the supreme court of Canada, which means that, after September, the effective leadership that she has been able to give will no longer be available.

It is obviously essential to ensure that Louise Arbour is replaced by someone of equal merit and personal courage. The House may remember that, on one occasion, she went to Kosovo but was turned away at the border. The strength of the International War Crimes Tribunal clearly depends on the quality of the leadership available. I hope that the Government—the Foreign Secretary is nodding in recognition of my point—will ensure that a suitable successor is found.

These occasions, shortly after the end of a conflict, are sometimes seen as an opportunity to draw lessons from a successful military action. When a military action has been a failure, the lessons to be drawn are often much more obvious and provide a readily understood basis for the necessary remedies. When a military action has been successful, however, it is often too easy to draw invalid conclusions, not least if they are hasty and informed only by contemporary evidence.

In recent time, the most obvious illustration of that is the belief—almost ineradicably lodged in the mind of the public after the Gulf war—that so-called smart weapons are in all cases capable of pinpoint accuracy, and that so-called surgical strikes can be effected without risk to anyone or anything other than the designated targets. Those have, to some extent, become myths of our time.

We are at some risk of repeating that flawed approach in precipitate judgments to the effect that air power on its own succeeded in this case, and that it will provide a universally valid approach in future conflicts in which NATO countries, with proper regard for the sensibilities of their citizens, expose their forces to no more risk than bombing from, say, 15,000 ft. I believe that it is much too early to reach such conclusions from the military action that has just been terminated. Moreover, the evidence that is so far available would not justify that conclusion.

What apparently succeeded in this case was a combination of three elements: first, intensive air operations; secondly, strenuous diplomatic efforts, in which Russia's role was significant, even if its motives were not entirely laudable or even always understandable; and, thirdly, the credible threat of ground action, with the accompaniment of NATO's demonstrable willingness to impose its will by the use of its massive war-fighting capability. That raises, at least for consideration, the very substantial probability that, if air operations had begun at the right tempo and intensity, if diplomatic efforts had been sufficiently strenuous initially, and if the threat of ground action had been credible from the beginning, the Milosevic regime might have capitulated earlier.

Never before has such a large-scale military action been undertaken to prosecute a policy of attempting to prevent ethnic cleansing and to secure basic human rights. However, we should realise that the legacy of the action will be an expectation among those who are ethnically repressed around the world, or at least within NATO's range, that NATO will intervene in their plight. The expectation cannot be justified, and there are bound to be occasions of deep disappointment. The intervention that occurred in this case was made because of an almost unique assembly of factors that are unlikely to be repeated.

The first factor was the sustained intransigence of a dictatorial leader. The second was the proximity of that leader, and the evil that was sought to be prevented, to several newly joined and aspirant NATO countries. The third was the possibility of uncontrollable instability in the region. The final factor was ethnic repression on a scale unseen in Europe since the second world war, but the effects of which were daily seen on our news bulletins. The unique combination of those elements created a climate in which NATO action, if not inevitable, was virtually so.

If we ever doubted the legitimacy of our actions, NATO forces are daily finding a catalogue of horror that is indescribable. I do not know if others have felt this way, but I have certainly begun to feel that language is inadequate to convey the depths of the depravity to which the paramilitary and military units of the Milosevic regime have sunk. They have systematically terrorised and brutalised the defenceless people of Kosovo. This was no episode of savage war fighting between equals, but rather a cowardly, despicable and cynical abuse of defenceless men, women and children, with women and children deliberately targeted.

We have been concerned about the Russians' unilateral action. We should be concerned not only about that action, but about the length of time that it seems to be taking to reach an agreement, despite discussions between President Yeltsin and Mr. Clinton. Let us suppose that no agreement can be reached, and that the extent of Russia's intransigence on the matter—driven by domestic considerations—may be unfathomable. If that is so, what then? Was there—I asked the Defence Secretary this question the other day—no intelligence assessment of the risk of that type of Russian adventurism? If there was no such assessment, why not?

The template of Bosnia is available, against which all this should be judged. At Tusla, the hon. Member for Walsall, South (Mr. George) and I saw for ourselves a practical illustration of the special arrangements that could be made in Bosnia. But what if such arrangements cannot be made in Kosovo? What then? I do not know the answer to those questions, but we should at least be asking them, in the hope that we may be able to provide answers.

Mr. Dalyell: Apparently there is a Serb military refusal to leave the village of Mitrovica unless the Russians are prepared to stay there.

Mr. Campbell: I do not understand that to be any part of the United Nations resolution. If there is such a refusal, it raises in my mind a suspicion that the Serbs who refuse to leave are doing so because they believe that, once they have left, NATO forces might find evidence of their activities, which might make them feel extremely uncomfortable. Those who do not want to go, or want only the representatives of a particular nation to be present when they leave, seem—on the face of it—to have something to hide.

As today's speeches have made clear, the commitment to protect and to secure the human rights of the people of Kosovo has not ended with the cessation of bombing. Military strategists and politicians previously called for—if I may borrow a phrase—a permissive environment to precede the possible entry of ground troops. Now we have to have create a permissive environment to which the refugees feel that they can return in safety. However, as earlier speakers have recognised, we are right to acknowledge that there is an enormous potential for a return to conflict, motivated by revenge and the political aspirations of the Kosovo Liberation Army, and that, for peace to last, an extraordinary degree of commitment and resolve will be required.

NATO's resolution of the stand-off with Russia in Pristina; demilitarisation of the KLA; safe return of the refugees; and the future of the Kosovar Serbs will all provide key tests of the agreement's workability. There are some unhelpful signs. We have already witnessed revenge attacks by KLA and Kosovar Albanians on Kosovar Serbs. The attacks may increase as more refugees return to their own homes, and NATO must deal with them even-handedly and protect the Kosovar Serbs, whose fear of reprisals has led—as hon. Members have said—to another wave of refugees. As many as 37,000 Serb civilians, so far, are said to have retreated with the Yugoslav army.

As hon. Members have also said, some elements of the KLA have threatened to use force against Russian troops. NATO must make it clear that an attack on any part of the international force will be regarded as an attack on the whole force and will bring an immediate and unconditional response.

Self-evidently, too, the campaign's long-term effects will be felt outside of Kosovo. Macedonia and Montenegro will require sustained western guidance and support, whereas relations with Russia are probably at their most delicate since the end the cold war. It is said that Macedonia is on a knife edge. Certainly, there is potential for ethnic tension to escalate into violence. International organisations and foreign Governments must provide Macedonia with the substantial long-term assistance that it needs to deal with the economic consequences of the Kosovo conflict. It has long been feared that Milosevic would turn his attention to Montenegro, although thus far Serbian efforts to replace Mr. Djukanovic have failed. We must be committed to protecting Montenegro from any attempted invasion by Serbian forces.

We must not underestimate the influence of the Russians during the negotiations. The frequent shuttle diplomacy by Mr. Chernomyrdin was of pivotal importance in securing a peace deal, but the unilateral actions of the military, obviously at odds with the Russian Foreign Ministry, in seizing Pristina airport, have left us embarrassed and have left Russia a hollow short-term victory, the repercussions of which have yet to be fully realised. The Russian peacekeepers must be given an explicit outline of their responsibilities and their relationship with NATO in Kosovo. It must be made clear that the Russians will not be given a zone in which to constitute de facto partition and that they will have to work alongside NATO troops in one or more zones.

Only the safe return of the refugees to their homes will demonstrate that the settlement has worked. Repatriation has to be voluntary. It is correct to maintain the temporary refugee status that we have accorded to those who have left Kosovo, but there can be no question of forcibly bussing refugees back into Kosovo before adequate preparations have been made for their safety. We cannot prevent the spontaneous return of refugees, but no one should be left in any doubt about the risks.

[Mr. Campbell]

The rebuilding programme will require unparalleled determination on the part of the people of Kosovo, who have suffered a horror unimaginable to westerners. The mental, and all too frequently physical, scars of recent times will not heal quickly, but let us hope that a successful programme of long-term reconstruction by the west will help to create a peaceful environment for future generations to live and flourish in.

One of the more pressing tasks is the restoration of the rights and assets of the refugees, who have been stripped of their identity. Restoring their property and civil rights will be a task of epic proportions which must be handled with considerable delicacy. The legal framework for the issue of new documents will be problematic. Will they be Former Republic of Yugoslavia documents or will they be temporary protectorate documents? Will the refugees accept temporary protectorate documents or will they be looking for something else? Will such documents be acceptable if they want to travel throughout the world?

It will inevitably fall to the European Union and the United States to cover the greatest proportion of the costs. If my hon. Friend the Member for Richmond Park (Dr. Tonge) is fortunate enough to catch your eye later, Mr. Deputy Speaker, she will want to concentrate on refugees and on whether the aid from Britain will come from the budget of the Department for International Development or from the contingency fund. My hon. Friend has already had some exchanges with the Secretary of State for International Development on that. It is entirely right that the right hon. Lady is here to wind up the debate, because we have moved on from the military, through the political, to the issue of aid, development and refugees.

When NATO action against Kosovo began at the end of March I said that it was a bad business that might turn out to be a bloody one. I have been proved right. The decision to risk the lives of young men and women in war is the hardest that any Prime Minister has to take. That has been true of past conflicts, it is true of the present conflict and it will be true of future conflicts. The United Kingdom has fortunately escaped casualties so far, but we should not be blind to the risks even if we have enjoyed good fortune on this occasion. NATO has achieved what many thought impossible, securing peace with the threat but without the need or costs of a ground invasion. A ground invasion in the face of opposition would have involved much greater casualties.

I began by saying that the hard work was still to do. I fear that there are horrors aplenty still to come. We should acknowledge in the aftermath of the victory that the refugees will continue to be our responsibility long after they have returned to their homes. Long-term peace in the Balkans will depend largely on the durability of the current agreement.

3.25 pm

Mrs. Alice Mahon (Halifax): I apologise to you, Mr. Deputy Speaker, because I shall have to leave before the end of the debate owing to a long-standing engagement.

We are considering the murder of thousands of Kosovans, the killing and injuring by bombing of thousands of Serbs and the suffering of 800,000 refugees. I expected some trivialisation from my hon. Friend the Member for Walsall, but I was saddened that my right hon. Friend the Secretary of State, who holds great office, felt it appropriate to indulge in political point scoring at the expense of another party and individuals who disagree with his point of view.

Mr. Winnick: Will my hon. Friend give way?

Mrs. Mahon: No.

Mr. Winnick: She has mentioned me.

Mrs. Mahon: I did not.

Mr. Winnick: Yes she did; the hon. Member for Walsall.

Mrs. Mahon: I am sorry, I meant my hon. Friend the Member for Walsall, South (Mr. George).

Anyone who has seen today's headlines and the horrendous dots on the map in *The Independent* showing where the atrocities took place realises that this is a terrible situation. I remember taking a petition to Downing street after the gassing of 8,000 Kurds at Halabja. We have seen such horrors before. I also remember visiting a camp in Afghanistan. During the mid-1990s, I condemned the killing of 30,000 Kurds by a NATO country. Sadly, we have seen horrendous atrocities all too regularly.

It is no secret that I opposed NATO's war on Yugoslavia. I have always believed that it was illegal and immoral. Even more tragic is the fact that as we study the agreement of 3 June, it appears to have been unnecessary. The illegality is clear. That opinion has been expressed by people with far more knowledge of the law than I have. NATO broke its charter, which pledges its signatories to refrain from the threat or use of force inconsistent with the purposes of the United Nations. It also explicitly recognises the primary responsibility of the Security Council of the UN for the maintenance of international peace and security. In bypassing UN approval for the bombing of Yugoslavia, NATO violated its basic obligation.

I warn those who have had a good war and are now indulging in offensive attacks on others that a grave precedent has been set that could threaten world peace for many years to come. If NATO can arrogate to itself the role of world policeman outside any framework of international law, the message to the rest of the world is that only force counts.

The bombing of Yugoslavia could not be justified on the basis of humanitarian concerns. Unlike NATO, the international peace movement has repeatedly condemned ethnic cleansing by all sides in Yugoslavia, whether the victims are Kosovars, Croats, Serbs or Bosnian Muslims. I want those responsible for perpetrating such horrendous crimes to be brought to justice just as much as anyone else in the Chamber does. There is no place in a civilised society for people who commit such crimes.

Early in the break-up of Yugoslavia, the United States and some other NATO countries chose to demonise one of the groups of people who were suffering. In Croatia and Bosnia, between 1991 and 1995, the media—directed by the USA and others—focused on Serb crimes and played down those committed by Croats and, in some

cases, Muslims. There was no moral indignation in the media or from western leaders when 300,000 Serbs in Krajina were driven out of their homes by Croatian forces directed by President Tudjman, who should also be indicted for war crimes. I hear no outcry for that to happen, so I will not hold my breath.

During the past four years nothing has changed. The Serbs as a people are demonised in an increasingly racist way. That dehumanisation makes their suffering count for less. In the past few days, more than 30,000 Serbs have been forced to leave their homes in Kosovo. It has been claimed that that is different because the ethnic cleansing was directed by a Government, but the Serbs are leaving through fear. That is a subtle difference, and the Serbs feel just as bad.

For thousands of the Serbs in Kosovo who are leaving in their tractors in those sad little columns, it is the second time that they have been ethnically cleansed and had to leave. Many Serbs from Krajina settled in Kosovo. I hear little sympathy from the media or from our leaders, in some cases.

I watched a BBC News 24 programme last night in which the Secretary of State for Defence dismissed the Serbs' plight by saying that if they were innocent of war crimes, they could stay in Kosovo. There were pictures of young children on buses that were being stoned. Kate Adie appeared in the same piece, hugging an Albanian child. There was a little Serb child peering from a bus as stones were being flung at him. I found the icy indifference to the Serb child chilling. I do not like to pick out reporters individually for criticism, but that was an appalling scene to witness.

We need more assurances and more detail about the role that the KLA will play in Kosovo. I have a sad feeling that we are seeing a mass exodus of Serbs from Kosovo and we will end up with an almost completely ethnically pure Kosovo, just as we have an almost completely ethnically pure Croatia. The Serbs—Europe's untouchables—will be driven back once again.

I said at the beginning that NATO's first humanitarian war would quickly become a humanitarian disaster. I think that I have been proved right. As it became clear that NATO was willing to kill by bombing from 15,000 ft, it was also clear that many innocent civilian casualties—Serbs and Albanians alike—would be inevitable. It also became clear that the real bombing strategy was to make life intolerable for the civilian population of Yugoslavia, and that was revealed by the commander of the air strikes.

Some 1,500 Serbs have been killed and 5,000 injured, 30 per cent. of them children. That in itself is a war crime under the Geneva convention, which clearly outlaws the targeting of civilian facilities and people. NATO deliberately killed journalists, a make-up girl and civilians when it bombed the television studio, and our leaders described it as a legitimate target. They were wrong, and that bombing was a war crime.

Mr. Soames: Many of us have admired the hon. Lady's principled stand, even if we do not agree with her, but none of us could accept that NATO deliberately killed civilians. It did not ever deliberately kill civilians. It is an unfortunate fact that attack from the air, even with precision-guided weapons, is bound to lead to casualties. To suggest that NATO deliberately killed journalists is an outrageous and terrible thing to say.

Mrs. Mahon: It happens to be true. NATO spokesmen and members of my own Government said that those journalists were a legitimate target. That is on the record. NATO also destroyed electricity and water supplies to the civilian population, as well as bombing their roads, bridges, railways and factories. NATO took away from the Serbs the means of earning a living. It also caused massive structural damage in Kosovo, the country they were saving for the Albanian refugees.

I wish the BBC and others would stop referring to the dangers of unexploded ordnance. Land mines laid by retreating Serb military are a vicious and unacceptable weapon of war, aimed more at civilians than at retreating armies, and so are unexploded NATO cluster bombs. They are mines dropped from 16,000 ft. Some of those bombs have killed civilians, including women and children, in Serbia. In Surdulica, 11 children were incinerated or blown to bits by NATO bombs—I have the pictures from Reuters and other news networks. Do those children's mothers feel any less grief than the Albanian mother who saw her child mown down by a machine gun? I think not. They, too, have dead children to mourn and grieve.

Much has been said about the environmental damage inflicted by NATO's bombing. When I visited Yugoslavia, I witnessed at first hand the damage to the Danube. The bombing of bridges is blocking the river, destroying trade with neighbouring countries and damaging the economy. The bombing of petrochemical and nitrate fertiliser plants in Pancevo and other areas has released considerable quantities of toxic chemicals into the Danube and into the atmosphere. The Danube, the Sava and other water courses have also been polluted by sewage treatment works. In Novi Sad, which was bombed continuously, the sewage works are damaged beyond repair and the drinking water has gone. That will cause health problems for a long time. Who will pay for the reconstruction—or do those Serbs not deserve a clean water supply because they happen to have an evil, wicked leader? Are we going to leave them as we left the victims in Iraq?

The settlement of 3 June shows that the entire war, with its thousands of deaths and massive suffering, and its destruction of an entire country, was unnecessary. NATO went to war to impose the Rambouillet ultimatum, which demanded the occupation of Kosovo exclusively by NATO troops who would have impeded access to Yugoslavia, including all ports, airports, roads and railways and been immune from all legal process. That is now well known. However, the ultimatum also provided for the secession of Kosovo after three years.

The 3 June settlement is a significant retreat from NATO's demands at Rambouillet, because the United Nations is now involved. Russia played a large part in helping to bring about the peace. It should be included in the peacekeeping, and I am glad that people have asked questions about that. If NATO had been prepared to make those compromises at Rambouillet, the whole war might have been avoided, because the sticking points for the Serbs were occupation and secession. The Yugoslav Parliament made it clear that it would accept an international force under the United Nations.

[Mrs. Mahon]

Had we had negotiators who really wanted a negotiated settlement, we would have got one. George Kenny, a former Yugoslav desk officer at the US Department of State, has pointed out that the US wanted to bomb Yugoslavia and wrote the Rambouillet ultimatum conditions in a form that no country would accept. Kenny quotes press sources close to the Secretary of State, Madeleine Albright, as being confidently briefed that the intention was to set the bar higher than the Serbs could accept, in order to justify the bombing. That will all come out in time, and when it does it will mark a shameful phase in our history.

I believe that the price to be paid for the war will be incalculable, first for the people of the area and, secondly, for our relations with the rest of the world. We who were against the war have nothing to apologise for except to say that we are sorry that there have been any victims. That is a good thing to say. It would have been far preferable to reach a settlement at the beginning, before we ruined a country, killed so many people and unleashed the madness that we have seen in the newspapers today.

I do not apologise for criticising NATO's actions. It took sides in a civil war which, like all civil wars, was bloody and terrible. I once again apologise for its victims, but they are not on my conscience.

I think that there will be an ethnically pure Kosovo. I do not think that the KLA is a stable force; it was certainly not elected by its people. It is taking up positions, and we know that in Prizren, for example, it has declared itself as the police force. I have read of only one instance—it involved the Americans—in which NATO forces have disarmed KLA members. They are not an organised force and they could create even more chaos for their people.

We need seriously to consider what role there is for the Russians and the United Nations. We need more international people who are not members of NATO to go to Kosovo, and we definitely need an international police presence. I want to know who will help the people of Serbia, and especially the children. There are 10.5 million Serbs who are not called Slobodan Milosevic; many of them demonstrated against him and would dearly like to see the back of him. Do we seriously want to make them even greater victims than they are now?

We have sent a dangerous message to the smaller nations that might be called rogue nations. They know that they cannot take on a super-power. I never thought that NATO could be defeated. How could the biggest military alliance in the world, with all that new technology, be defeated by a small country? The smaller nations know that they cannot beat a super-power and NATO, so they might turn their attention to non-NATO nations. Those nations have nuclear weapons. Israel has disregarded a peace accord for five years; and Belarus—an unstable nation—has already asked whether nuclear weapons can be resited on its soil. The smaller nations will want to become nuclear powers themselves and will develop weapons of mass destruction.

3.43 pm

Sir John Stanley (Tonbridge and Malling): My view of the recent conflict is diametrically opposed to that of the hon. Member for Halifax (Mrs. Mahon), but at least her contribution demonstrates that freedom of expression is alive and well in the House.

The war has gone through the remorseless progress of all previous wars, with a prelude, a conflict and an aftermath. The conflict began and ended in the air, and in my judgment it was won from the air. The media coverage showed an extraordinary concentration on what went wrong in the air campaign, but the real story was how much went right.

Over 78 days allied air crews of a multinational force engaged in extraordinarily complex air operations under a materially dangerous surface-to-air threat and in weather conditions that were for much of the time unfavourable, none the less achieving levels of accuracy and precision that are wholly unprecedented and unparalleled in any previous air conflict of this scale. We cannot praise too highly those in the air forces who were responsible for that achievement.

The Foreign Secretary, wholly understandably, displayed loyalty to his NATO political colleagues, but from my perspective the quality of the civil leadership during the conflict was pretty uneven. Among the European members of NATO, too many leaders and senior politicians were too ready to clutch at every available propaganda straw offered by Milosevic in order to bring the bombing campaign to a premature conclusion.

On the other side of the Atlantic there was a distinct impression of presidential wavering whenever it seemed possible that offensive ground operations might have to be engaged in. In striking contrast, the Prime Minister has shown an unwavering resolution and a total readiness to contemplate all options necessary to bring victory to the NATO forces. In doing so, he performed over the past two and a half months a signal service for NATO's future credibility.

The Foreign Secretary said:

"One of the real tragedies for Kosovo and for Serbia is that President Milosevic did not accept the package offered at Rambouillet, which would have given Serbia a better result than it now has"—[*Official Report*, 14 June 1999; Vol. 333, c. 29.]

I wish I could believe that to be the case. I have an unhappy feeling that if Milosevic was given the option to sign up to United Nations Security Council resolution 1244 or to the Rambouillet terms, he would sign up to resolution 1244, which gives him substantially more wriggle room; and we know how dangerous it is to give Milosevic wriggle room.

There are two substantial points on which NATO has given material ground to Milosevic in order to bring about the settlement. The first was referred to by my hon. Friend the Member for Stratford-on-Avon (Mr. Maples). In the Rambouillet terms there is a clear statement in paragraph 3 of chapter 8 that after three years,

"an international meeting shall be convened to determine a mechanism for the final settlement for Kosovo, on the basis of the will of the people".

That commitment is tacked into UN resolution 1244 only on the basis of being taken into account. The significance of that paragraph—I think that it was the single most important paragraph in persuading the Kosovo representatives to sign up at Rambouillet—is that it opened the door to the possibility of an independent Kosovo. I was very grateful to the Prime Minister for the answer that he gave me, confirming that that passage in the Rambouillet terms would indeed have opened the door to the independence of Kosovo.

The Prime Minister said:

"Independence for Kosovo was not part of the Rambouillet accords, although the idea of having a later conference to determine the matter was."—[*Official Report*, 8 June 1999; Vol. 332, c. 474.]

I fear that the concession to Milosevic has taken the possibility of independence for Kosovo off the negotiating table. As we have seen on television, since the end of the war Milosevic has been crowing that he has safeguarded the continuing incorporation of Kosovo in the Federal Republic of Yugoslavia.

Mr. Dalyell: If the right hon. Gentleman is right, as I believe that he may well be, does he see the KLA meekly surrendering its arms?

Sir John Stanley: That question is at present unanswerable. However, my judgment is that, although the KLA may stop displaying arms in public, I should be immensely surprised if large numbers of arms were not secreted in various parts of Kosovo.

The second concession that should arouse great concern in the House is the wording of paragraph 8 of appendix B to chapter 7 of the Rambouillet accords. I shall read the key sentence because it is so crucial. There was a requirement that

"NATO personnel shall enjoy, together with their vehicles, vessels, aircraft, and equipment, free and unrestricted passage and unimpeded access throughout the FRY including associated airspace and territorial waters."

That paragraph is profoundly important and should be retained. It should be taken together with what is said in paragraph 21, which states:

"In carrying out its authorities under this Chapter, NATO is authorised to detain individuals and, as quickly as possible, turn them over to appropriate officials."

The significance of those paragraphs is to be found in the context of what is being done to bring the war criminals to justice. As we know all too well from the bitter experience of what happened in Bosnia, where Karadzic and Mladic and the other leading war criminals are still free, the sending out of scene-of-the-crime investigators, the painstaking collection of evidence and the issuing of indictments against individuals for war crimes have no value whatever in the absence of arrangements for international powers of arrest in the locations where the war criminals are.

I was profoundly depressed by the passage in the Foreign Secretary's speech in which he said that Milosevic dare not set foot outside Serbia's borders for fear of arrest. That implies that, as long as Milosevic maintains his position inside Serbia's borders, he is absolutely free from the possibility of arrest and of indictment for the war crimes for which he is due to be charged.

The Foreign Secretary also said that no effort would be spared to bring the war criminals to justice. I totally support that sentiment, but we cannot ignore the absence of the crucial last link in the chain—the link beyond the indictment to the arrest. I hope that the Secretary of State for International Development, when she winds up the debate, will say how it is proposed that the people indicted for war crimes in Kosovo will be arrested. Perhaps the Foreign Secretary will intervene to clarify that matter, because all the provisions in appendix B of the Rambouillet accords, which previously were the subject of a clearly stated NATO position, have effectively been dropped as part of the loose incorporation of the accords into UN resolution 1244.

Mr. Robin Cook: The right hon. Gentleman is building a very large house on stilts on the proposition that the Rambouillet accords have somehow been abandoned. They have not been abandoned. They are referred to specifically in the UN resolution as the instruction, not to Milosevic on this occasion, but to the civil administrator, who will operate under the direct instruction of the United Nations and report to the Secretary-General. We have a firmer, more hands-on international basis to implement Rambouillet in Kosovo than we had before.

The right hon. Gentleman's earlier point that independence for Kosovo had been ruled out is false. Neither Britain nor any of our allies favour independence for Kosovo. That was not an objective of the campaign. However, none of the options laid out at Rambouillet has been taken off the negotiating table by the Security Council resolution: indeed, paragraph 11(a) of the resolution specifies that what the international civil administration does in carrying out the Rambouillet accords will be "pending a final settlement". The option of that final settlement after the interim period is present in the Security Council resolution with every bit as much force as it was in the Rambouillet accords.

Sir John Stanley: I am glad to hear what the Foreign Secretary has said. I can only rest my remarks on the text of the resolution.

Mr. Cook: That was the text.

Sir John Stanley: The text speaks of taking the Rambouillet accords into account, which is a very tenuous matter. Although I do not want to delay the House by developing this into a long exchange, will the Foreign Secretary give the House a clear assurance that the provisions for NATO forces to enter any part of the Federal Republic of Yugoslavia and to exercise their powers to detain individuals, as stated clearly in the Rambouillet accords, will be carried into effect at an early date?

Mr. Cook: First, the oft-quoted passage on the right of NATO to travel through the Federal Republic of Yugoslavia is a standard element of all similar status-of-forces agreements, including the one signed by Milosevic—without much murmur—in relation to Bosnia. The identical language was included in the annexe to Rambouillet. I was at Rambouillet, and I can tell the House that the Serb side raised no objections to that usage at the time. Moreover, in the military-technical agreement it is made clear that there will have to be a status-of-forces agreement of that character.

On the question of arrest, the right hon. Gentleman should join the real world. There is no immediate prospect of our being able to enter Belgrade and arrest Milosevic in the face of the 200,000 VJ troops in Serbia. That has always been one of the facts of the matter. However, the right hon. Gentleman should not understate the Government's commitment to effecting the arrest of war criminals wherever possible, nor the effectiveness of

[Mr. Cook]

British troops in achieving that. That is why, only last week, we carried out the arrest of another war criminal in the British sector in Bosnia.

Sir John Stanley: I think that the Foreign Secretary's response exposes the deficiency that I have highlighted. I am grateful to him for making it clear that there are no prospects, in the near term or possibly ever, of bringing the indicted war criminals to justice. I strongly support all the Foreign Secretary has done to promote international courts and the concept of international criminal justice. However, if that concept is to translate into reality, there can be no safe haven for indicted criminals.

The third part of my speech relates to events before the conflict broke out. Amid the euphoria of peace and the moving mass return home of the refugees, I realise that questions about what happened before the conflict may not seem appropriate. However, I make no apology for asking those questions. During the past 10 weeks, thousands of people have been brutally murdered and hundreds of thousands have lost all but their lives. Expenditure has run into billions of pounds, and billions more will doubtless be spent to repair the damage incurred. It is proper to ask, therefore, whether the horrendous humanitarian disaster in Kosovo might have been averted.

In his recent evidence to the Select Committee on Foreign Affairs, the Foreign Secretary put interesting new information into the public domain, making it clear that the Government had had knowledge of an impending humanitarian disaster in Kosovo. On 14 April, at paragraph 109, the Foreign Secretary said that

"it has been reported in the press (and I can confirm it is true) that there was a plan developed in Belgrade known as Operation Horseshoe which was for the cleansing of Kosovo of its Kosovo population."

In paragraph 111, he continued:

"The spring offensive was planned; we knew it was coming; we knew it would be accompanied by ethnic cleansing."

If we knew that the spring offensive would bring ethnic cleansing and barbarity unprecedented in post-war Europe, did the NATO countries do all that they reasonably could to deter Milosevic from giving Operation Horseshoe the go-ahead? I should like to explore the issue of deterrence using both ground forces and the air threat.

Serious questions arise over the use of ground forces, particularly for the Americans. In the weeks or months before the air campaign, when Milosevic was presumably deciding whether he could get away with his infamous operation, even a modest deployment of the United States rapid reaction force—the marines—into the border areas of Kosovo could have had a profound impact on his calculations. No such deployment was made. In fairness to the Americans, I must point out that no European NATO country made an advance deployment of rapid reaction forces. A major deterrent opportunity was therefore missed.

That error was compounded by what was said in public about the use of ground forces. NATO countries, including our own, made it clear at the outset that no ground forces would be used for a forced entry into Kosovo. This matter is too important for party politics, so I must point out that the same position was taken by my right hon. and hon. Friends on the Opposition Front Bench. We must ask whether a different position might have had a material impact on Milosevic. I believe that if he had known in January or February that all options, including forced entry, remained open—the position ultimately adopted by NATO 10 weeks later—Operation Horseshoe might not have been given the go-ahead.

The Secretary of State for International Development (Clare Short): I am sure that the right hon. Gentleman appreciates that compromise is necessary if a 19-member alliance is to move. Was it good that NATO acted, even if some undesirable things had to be said about ground troops? Or would it have been better not to act at all?

Sir John Stanley: I have entirely supported NATO's military action since the conflict began, but I take the Secretary of State's point. Movement by unanimity means movement according to the lowest common denominator. However, our position was similar to that which we faced in Iraq. It was open to a limited number of NATO countries to state their positions on ground forces and it was open to individual countries to make forward deployments of ground forces into Macedonia or, conceivably, Albania.

Mr. Bradshaw: I had intended to make the same point as my right hon. Friend the Secretary of State for International Development, but as the right hon. Gentleman has mentioned a build-up of troops, does he agree that if we had substantially built up our forces while negotiating in good faith at Rambouillet, we would have given a great deal of propaganda ammunition to Milosevic, who could have accused us of negotiating in bad faith?

Sir John Stanley: It seems clear that Milosevic had wholly given up on Rambouillet by January or February and was making his barbarous plans for the comprehensive ethnic cleansing of Kosovo. On the suggestion that he may or may not have believed that we were acting in good faith, I shall again quote the Foreign Secretary's remarks to the Foreign Affairs Committee on 14 April, which I found profoundly disturbing. He said that

"we had a very clear impression that President Milosevic did not believe that we would take military action and, because of that, was not willing to participate fully in the peace-process."

That remark implies a serious failure among the NATO countries to demonstrate adequate deterrence to Milosevic.

On the air side, there was a similar error to that committed over ground troops. We made it clear at the outset that the target would be Serbian military capability. I do not believe that Milosevic was likely ever to be impressed by a NATO air threat couched in those terms alone. President Tito had an obsession with the survivability of his armed forces against the likelihood—as he saw it—of a Warsaw pact attack, and he had nearly 40 years in which to indulge that obsession.

The television-watching British public may have been somewhat surprised at the end of the campaign. Having been treated, night after night, to statements from NATO spokesmen to the effect that we were successfully degrading Serbian military capability in Kosovo,

they may have been shocked to see mile after mile of unscathed armoured vehicles pulling out of Kosovo. That does not come as any surprise to those of us who have watched over the years how the Yugoslav armed forces are deployed and how they protect themselves. Milosevic was never going to be hugely impressed by threats to his military capability.

The air war was turned by substantially widening the target list so that we ended up attacking the main sinews of Milosevic's grip on power. That certainly significantly undermined the confidence of the civilian population in his leadership. We turned our air attacks—rightly, as we had to bring about the end of the war as quickly as possible, if only to save the remaining Albanian Kosovans still alive in Kosovo—to economic and infrastructure targets, party headquarters, state-controlled media and so on. It is a sad reflection on how badly the deterrent card was played that we ended up bombing during the war a wider range of targets than we had ever given any intimation we would do during the peace, when we were trying to prevent the conflict from arising.

In conclusion, it is wholly legitimate and proper to ask whether this appalling humanitarian disaster in Kosovo could have been averted. It is a legitimate question that demands a full and serious answer. It should be answered by those independent of the Government.

4.12 pm

Mr. Donald Anderson (Swansea, East): The right hon. Member for Tonbridge and Malling (Sir J. Stanley) asked a number of wholly legitimate questions. I agree with him that one feature of the conflict was the pinpoint accuracy of the bombing. Yes, there were a dozen or so tragic accidents, but in the context of the 37,000 sorties it gives an indication of the sophistication of modern weaponry.

I am less happy about what the right hon. Gentleman said about the Rambouillet accords and his assertion that President Milosevic would have been readier to sign the June agreement than the Rambouillet accords. Surely the right hon. Gentleman recalls that the Rambouillet accords would have provided for a substantial number of Serb troops to remain in Kosovo. That was a major difference from the June agreement. The right hon. Gentleman spoke about the possible independence of Kosovo. The Rambouillet accords included a carefully crafted form of words, put together by our British negotiators, which may have pointed towards, but certainly did not mention, a referendum. It was certainly not part of the negotiating aim of NATO to provide the basis for an independent Kosovo.

The right hon. Gentleman made a powerful point about war criminals. The United Nations Security Council resolution calls for the full co-operation of all parties, and that includes the Federal Republic of Yugoslavia. However, he ignored the practical point of reaching into Yugoslavia and getting hold of the indicted war criminals. Short of invading Belgrade, it would be wholly impossible to implement. That said, the right hon. Gentleman, with whom I serve on the Select Committee on Foreign Affairs, made an excellent contribution to the debate.

I was careful to note that there was no triumphalist tone in the presentation of my right hon. Friend the Foreign Secretary. Equally, the Prime Minister did not rejoice on the steps of No. 10. That is because we all recognise that we have reached only the first stage in the whole operation. Yes, there has been a remarkable military victory, but many challenges remain. Indeed,

"Peace hath her victories no less renowned than war",

and perhaps there will be far greater challenges in establishing peace and stabilising the Balkans in future.

The Secretary of State for International Development made the important point that sometimes Opposition Front-Bench spokesmen in their criticisms ignored the key factor of alliance diplomacy. The right hon. Member for Tonbridge and Malling asked, as have others, why we did not say from the start that we were prepared to commit ground troops. He will know that in the October meetings only one country was prepared to commit ground troops and that was the United Kingdom. That is a fact of life of alliance diplomacy. The debate about ground troops in October last year was diverted by the Holbrooke deal with Milosevic. The deal was almost immediately repudiated by Milosevic as reflected in increased troop deployments in Kosovo.

At Rambouillet, Milosevic was again offered a good deal which would have retained the territorial integrity of his country. He was not serious about it, and then there was Operation Horseshoe. At the end of Rambouillet there was the promise from the Serb negotiator, Milutinovic, that he would go back and sell that deal to Serbia. Clearly, there was total deceit on the part of the Serb negotiators. We then turned to war and now we are back to diplomacy, which should have been the position from the start. But the House must understand the imperatives of alliance diplomacy.

I am delighted that the right hon. Gentleman was objective enough to mention the key role played by the British Government and to say that the Prime Minister emerges with credit. The Prime Minister was principled and took a moral position from the outset. He stiffened the alliance at key times.

Russia blocked the possibility of military action in the United Nations Security Council. We have to try to understand that in terms of the problems of Russian history and the feeling in Russia that it has been sidelined and bypassed by the international community, for example in relation to what happened in Iraq and Cyprus. One lesson from the conflict must surely be that we must mend our relationship with Russia as speedily as possible.

The other area of great concern is the legal basis for the action. My hon. Friend the Member for Halifax (Mrs. Mahon) pointed out the international legal ambiguities. There were great problems in acting, but think of the problems in the area and beyond had there not been action. Think what encouragement it would have been to others inclined to consider ethnic cleansing. Nevertheless the action gives rise to a proper problem in respect of its international legal basis. We were citing the imminence of humanitarian catastrophe and, of course, that can be interpreted subjectively and can provide an unhappy precedent for intervention elsewhere in the world.

In the early 1990s Lord Hurd, when he was Foreign Secretary, made an interesting speech to the United Nations General Assembly stating that the UN should seek to forestall conflict, but should work through regional groups. His specific proposal in relation to Africa, for example, was that the west should provide military training and infrastructure for an African intervention force. That might be relevant now in the conflict between Ethiopia and Eritrea. Alas, nothing appears to have been done regarding that initiative of the

[Mr. Donald Anderson]

early-1990s. I hope that one lesson from that would be to consider ways not only of refining the international legal basis, but of using regional intervention by regional groupings when such conflicts arise.

In relation to the immediate task ahead, the first priority is the safe return of the refugees. Almost 1.4 million Kosovan Albanians are currently refugees—internally displaced, in camps or abroad. It is vital that they are allowed to return home in safety and that shelter should be found for them. I look forward to hearing what my right hon. Friend the Secretary of State for International Development says about prefabricated housing, for example. One of the more distressing features is that, even as they departed, Serb forces were gratuitously destroying the houses of those people who had fled their country. I hope that something will be said about what we can do to ensure the provision of houses.

The international force must contain the desire for revenge. KFOR faces an enormous challenge in controlling the understandable desire for revenge on both sides. KFOR must be seen to be wholly even-handed. Yes, KLA men as well as Serbs must be arrested—as must whoever tries to step outside the peace agreement. Serbs are indeed now leaving Kosovo; we must try not to replace one form of ethnic cleansing by another. Surely, it is of the utmost importance to try to preserve a multi-ethnic entity in Kosovo itself. It would be a poor model for the region if we were to allow, or condone, atrocities that fuelled a further exodus of the Serb population of Kosovo—which was roughly 200,000.

Uncertainties remain, including those in respect of Russia. Many points have been made about Russia's cheeky and deceitful intervention at the airport. However, relations with Russia are part of the collateral, political damage that has resulted from the conflict. There are also problems within Russia. The NATO intervention has reinforced the stereotype of an aggressive NATO and encouraged nationalist forces in Russia. Much must be done to build bridges, as I have pointed out. The alliance surely underestimated Russia's determination to seek a role in the Balkans. Moscow is determined to be heard this time and really wants to be part of the solution. In the end game, it is vital that Russia plays a part. However, Russian demands for its own sector, which may lead to partition, must be resisted.

There are problems regarding the future legal status of Kosovo, and there are ambiguities in the UN Security Council resolution. We talk about the territorial integrity of the Federal Republic of Yugoslavia remaining, but what will be Serbia's authority—if any—within Kosovo? Travel documents have been mentioned. What form of travel documents will the Kosovan Albanians have when they leave? Clearly, they will be most reluctant to travel on Yugoslav documents. Will they have temporary UN travel documents? What consideration has been given to that matter? It is difficult to see how any real authority can be exercised over Kosovo by Serbia.

The right hon. Member for Tonbridge and Malling made some points about independence, self-government and the ambiguities relating to those matters in the June agreement. The interim Administration that has been agreed will be under the authority of the UN; that means that China and Russia will have an effective power of veto over the future of the province. However, the status under international law is uncertain. One talks about territorial integrity, but, in effect, it will be UN trusteeship in all but the formal, legal position.

What about President Milosevic himself? He is an indicted war criminal, but we continue to deal with him as if nothing has changed. In so doing, there is a serious danger of undermining the war crimes tribunal and, ultimately, the international criminal tribunal and humanitarian international law generally. Obviously, we must remain alert and must be extremely cautious; we must not give Milosevic too many opportunities to exercise what the right hon. Member for Tonbridge and Malling called the wriggle factor, or the ambiguities remaining after the agreements or in other places, such as Macedonia, Montenegro and Vojvodina where he may try to use his ability to make difficulties. The west will have only a partial victory as long as Milosevic remains in power.

My right hon. Friend the Secretary of State for International Development may pick up the point that I made earlier about the way in which the BBC World Service may be used constructively. Its output to the region has already been increased, but it could play an important role in the training of democratic journalists and media people, and in increasing its output to reach beyond the current Milosevic regime to the people of Yugoslavia.

In relation to the KLA, a point was made about the interesting difference between "disarmament" and "demilitarisation", presumably because, with some form of light arms, the KLA is still assumed to have a policing force in the new Kosovo. It is not clear how the KLA organisation will respond, although so far the indications are reasonably favourable. However, there is obviously a division within the KLA between those who want an independent Kosovo and others who support a Greater Albania, which would be a highly destabilising feature in the area as a whole. There is antipathy between Rugova loyalists and the KLA leadership, and clear evidence—although it has not been mentioned in this debate—of a degree of criminality among some of the KLA groupings.

In relation to the longer-term need to build a lasting peace, we want to bring the perpetrators of crimes to justice—a point made forcefully by the right hon. Member for Tonbridge and Malling. The evidence of the mass graves already revealed is absolutely appalling. The perpetrators must not be allowed to get away with those atrocities. Although the leaders must be indicted, there should perhaps be a lesser form of punishment for the smaller fry. Various precedents could be considered—perhaps from South Africa, in the use of a truth and reconciliation commission. We need to find some way of allowing people to expiate the acts that they have committed.

In relation to the longer-term building of relevant structures in the area, economic frameworks are needed. I welcome the British Government's initiative in respect of free trade agreements between the western European countries and the countries of the region. In those economic structures, we need to be aware that several of the countries in the region are themselves innocent victims of the conflict. One thinks of the damage to the economy of not only the obvious countries, such as Macedonia and Albania, but of Bulgaria and Romania. That suggests that we need to have a stability pact—a stabilisation agreement for the Balkans as a whole. There must not be the paralysis of policy that existed after

1989, when Milosevic ended autonomy in Vojvodina and in Kosovo, but the international community allowed that to continue and did nothing.

There is a challenge facing us, and we must not allow that paralysis of policy that existed between 1989 and 1999 to return. We must build civic institutions and co-ordinate the efforts of all the relevant international organisations—NATO, the European Union, the Organisation for Security and Co-operation in Europe and the international financial institutions. There has to be a massive injection of resources into the region as a whole. It is often said that, when there is war, lavish resources are speedily found, but there is far greater reluctance to provide resources for peace building.

Another lesson that we must learn is that the Balkans are part of our common European home, yet there is a great deal of combustible material throughout the Balkans to fuel future conflict. The challenge now is to learn the lessons of what we have done and, as important, what we have failed to do over the past decade. We have to work with vision and commitment in terms of resources, both human and material, to build greater stability for the future.

4.31 pm

Mr. Nicholas Soames (Mid-Sussex): I join my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) in his entirely justified tribute to the Prime Minister and his conduct during these extremely difficult months. The crisis in Kosovo must have placed an appalling burden on the right hon. Gentleman's shoulders, especially as it occurred at the same time as great difficulties in Northern Ireland.

I also congratulate the Secretary of State for International Development who, in my mind, has been transmogrified into a veritable Boadicea by her robust support for the refugees, the efforts she made to help them, and her support for the remarkable efforts of the British soldiers, who showed with astonishing skill that they can turn their hand to almost any task that is given to them. I am glad that the right hon. Lady gave them such great encouragement, and that she has been of such tremendous support to the armed forces in general.

I agree with so much of what was said by the hon. Member for Swansea, East (Mr. Anderson), who is Chairman of the Foreign Affairs Committee, that I do not propose to take up his points; however, I shall endorse one or two of them in my remarks. I do not think that this is yet the moment for a fundamental and detailed lessons-learned debate, but such a debate will have to take place, so I am delighted to hear that the hon. Gentleman and his Committee are to conduct an exhaustive inquiry into the events in Kosovo, even though far more water will have to flow under the bridge before he commences that exercise. There is a need to examine not only the military but the political and diplomatic background to what transpired.

I want to raise two matters that have already been touched on by several speakers, because they are of continuing consequence to the unfolding of events. My starting premise is that I do not believe that the war should ever have happened. I have two criticisms to level—criticisms not necessarily of the Government, but of the way in which the whole NATO machine handled the crisis as it developed.

First, as the hon. Member for Swansea, East said, our failure, and the failure of the west, properly to engage with the Russians over the past few years has gravely damaged the stability of the world, and great dangers will flow from that. The abject failure to engage the Russians much earlier in the process led, among other things, to the inevitability of the ensuing conflict. That was a serious mistake, and I hope that any inquiry will deal at great length with the way in which the Russians were handled.

Secondly, I believe that it was wrong to undertake operations without the sanction of the United Nations. I have no doubt that our doing so has greatly undermined our position internationally and that it will make our diplomatic life much harder in future. The much-despised United Nations, despite its numerous failings, is the only comprehensive law-based body that exists for the purpose of settling disputes among its members, and however inconvenient the process may be—it is very inconvenient indeed—it was an arrogant subversion of the proper and correct conduct of all the laws relating to the settling of international disputes not to have gone every painful inch of the way to try to make the United Nations deal with its responsibilities. Part of the problem is that, foolishly, our American friends have treated the UN atrociously over the years. It is time for the great western powers to try to make the UN work again, but that will never happen if the rules of international law are flouted.

All that is now past and, although I congratulate the Government and the Prime Minister on having achieved a successful conclusion to phase 1, there remains a huge amount of work to do. First, we have to deal with the desperate problems facing the returning refugees. I shall not speak at length about reconstruction, because there are hon. Members present who know far more about it than I do, but I shall make some subsidiary points.

KFOR has to pacify and bring order out of total anarchy in the face of a tidal wave of poison surging through a broken and ruined country. That is not an easy or happy state of affairs. However, there is no one better equipped to play the role that they will be called upon to play than the British troops present on the ground. They are uniquely well-trained and well-equipped to undertake that dangerous and extremely difficult work. It is contemptible that, on the night on which we are debating Kosovo, there are no members of the press present, even though, on the ground in Kosovo, large numbers of British troops face imminent and real danger.

I pay warm and heartfelt tribute to General Mike Jackson, General Dannatt, Brigadier Freer of the 5th Airborne Brigade, Brigadier Rollo of the 4th Armoured Brigade and all the service men and women under their command for a stunning entry into Kosovo and its subsequent investment. It was a truly miraculous piece of logistical planning, and everyone—I repeat, everyone—deserves the greatest credit.

As a former Minister for the Armed Forces, I was not surprised, but I was thrilled, to see how all the regiments who spent a long time waiting on the border, knowing that they would eventually have to go into Kosovo, deployed extraordinary and heroic skills to build towns, cities, even empires for those poor refugees. Their wonderfully humane, generous and good-humoured treatment of the refugees makes them some of the finest ambassadors we could ever have.

[Mr. Nicholas Soames]

My right hon. Friend the Member for Tonbridge and Malling described in moving language, and far better than I could, the astonishing achievements of the NATO pilots and air forces. I pay warm tribute to our own Harrier and Tornado crews, to the Chinook and Puma pilots, to the ground and support crews, and to all their NATO comrades for doing an excellent job.

However, we need to assess the role of air power in the campaign, especially in view of the astonishing achievements of the new weapons. It has been interesting to see how much of the Serb armour and how many of its men have been withdrawn: there must be an assessment to determine how so much equipment and so many troops survived. At least the air forces achieved one thing: the rate and, in later days, the breadth, of the bombing campaign in Kosovo pretty much ensured that the armour and heavy kit was never used and had to be kept bottled up. To that extent, the campaign worked, because anything that poked its nose out of doors in anything approaching reasonable conditions was given a very nasty smack in the puss indeed.

Counts of tanks and heavy armoured vehicles destroyed are always unreliable—as they were in the Gulf war. It will be instructive for our armed forces and for all those involved in the conflict to learn how the Serbs hid their heavy kit—hon. Members will know the arrangements that President Tito made over many years. Serb methods proved to be astonishingly effective, and I have no doubt that people will be sent from London to see what we can learn. We will want to gauge the effectiveness of their decoys and their camouflage and see where and how deeply their bunkers were sited. There are important lessons to be learned for future conflicts because, in truth, the Serbs appear to have done tiresomely well.

Mr. Dalyell: Is it not an awkward truth that the only time that losses were really inflicted on Serb armour was when the KLA guerrillas cut the road from Pec and the Serbs were forced to leave their positions?

Mr. Soames: This is a world of awkward truths. I have no notion—nor, I think, do the intelligence people—of the scale of Serb losses. If Serb or enemy armour of any sort had put in an appearance at a time and a place where NATO air power was able to deal with it, it would not have progressed far down the road. I suspect that the Serbs moved by night, were extremely canny and were prepared to sacrifice a few—but only a few—tanks when fighting the KLA. We will need to assess on what basis the intelligence people made their estimates and whether their desire to prove how well the campaign was going led to their telling us that more Serb armour had been damaged than was in fact the case. I have no doubt that we will learn lessons for the future.

I now come to the Russians. As I told the Foreign Secretary on Monday, I believe that Russian behaviour in the past few days has been utterly reprehensible. The Russians have proved yet again that, in military terms, they are totally unreliable and untrustworthy. We must not cave in to the Russian-Serbian collusion to establish a separate zone. That is what they are trying to do and, unless we are careful—because it would be convenient to end this frightful argument and pressure—we will find that they have succeeded. I believe that, if we have much more trouble from the Russians, we should cut off their water and give them no more food and see how they like that.

This Yeltsin power play must not be allowed to stand. If Russia behaves well, it should be rewarded. However, its bad and irresponsible conduct under these circumstances—when it is meant to be part of a force that is attempting to bring peace and order to Kosovo—must not be free of cost. I hope that the Foreign Secretary will be extremely frank—a great deal more frank and less mealy-mouthed than he was in the House on Monday—with the Russians when he meets them this weekend, and will tell them that their behaviour is totally unacceptable.

The lessons of SFOR in Bosnia are instructive to the situation in Kosovo. The Dayton accord stopped the fighting, but with terrible hidden penalties. The Serbs and the Muslims are today no closer to living in harmony than they were at the beginning of the conflict. The various factions fight each other using every means short of war, including bureaucratic and administrative means. They argue about absolutely everything. The point scoring and incessant bloody-mindedness is almost impossible to deal with. We must establish a different structure for Kosovo.

We can try to bribe the communities in Kosovo to live together—the Secretary of State for International Development can do an awful lot of that through her Department. We can try to cajole them to live together but, in the end, they must accept a common rationale for the future. I believe that that is the greatest challenge ahead. We must develop a clear policy for Kosovo and its future as soon as possible and make sure that we have the will to enforce it with a very robust mandate.

At the same time as disarming the KLA—which must be done quickly by one means or another—I hope that, after all the rhetoric, we will all show a clear political will to go after the vile war criminals who have perpetrated acts of unspeakable savagery, cruelty and barbarism. We will watch carefully to see how the Government act in that regard. I know that the Government's heart is in the right place because the previous Government said the same thing. However, for all sorts of reasons not connected with the British Government, the necessary authority was not obtained in Bosnia and, time and again, the most terrible war criminals slipped through our fingers when we could have lifted them. We failed then because we did not have the political will. I hope that the Government will act extremely robustly in this case although I fear that many of the horses will have bolted.

As to the reconstruction of Kosovo, I hope that, when Kosovo is made safe, the Secretary of State for International Development—who is very imaginative in such matters—will ensure that Great Britain does all sorts of good and original work on the ground. I would like to see British schools adopt schools in Kosovo. I would like to see parish and town councils take responsibility for small villages and try to raise money to ship the things that they will need. The Kosovar people will have nothing. Until people have seen what ethnic cleansing looks like on the ground, what is involved and the awfulness that has been wreaked on those small communities, they can have no idea of the sorts of problems with which the poor Kosovars must deal. I would like to see the building industry volunteer some

of its expertise and put its shoulder to the wheel to assist in constructing houses. Of course, there will be much work for the non-governmental organisations.

As the hon. Member for Swansea, East said, this crisis has highlighted the vulnerability of Macedonia and Albania. They will require—and they deserve—economic and other assistance. While press interest in Kosovo declines—in three weeks, there will not be a Kosovo story in the newspapers; the press will have forgotten all about it—the problems will become more severe, not easier, with each passing day. The dangers to the soldiers as they move further inland and off the highways will also increase but the reptiles will show no interest at all. We must ensure that we create a bold regional plan of reconstruction—and that will require a vision that has been terribly lacking in attempts to end previous conflicts in the Balkans.

I want to say a few words about NATO's strategy. First, the militarily indecisive, inept and morally compromising manner in which the beginning of the 80-day bombing campaign was conducted and the dilatory deployment of troops on the ground in Kosovo—I agreed with every word spoken by my right hon. Friend the Member for Tonbridge and Malling—leaves a residue of long-term concerns that extend well beyond Kosovo. They will have to be seriously addressed.

Foremost among those concerns, as I have already said, is Russia's role in the crisis, the world's perception of the American way of war and all that it will mean for future foreign policy, and NATO's combat command procedures. The Kosovo crisis raises important issues regarding each of those concerns.

There are more immediate questions of great importance concerning the civilian administration and future policing arrangements. What should commanders on the ground do today if they are faced with anarchy? Whose law applies tonight? Who will decide questions of land ownership? Who will decide who owns the house at the end of the ruined street when people want to start rebuilding? All those and many more questions will have to be decided within the next few days if we are not to see increasing unrest, when tens of thousands of refugees will be pouring back—God bless them—to their homes.

This war has been conducted like no other military operation before. It has been fought uniquely, against the wisdom of all the pundits, by high-tech, airborne, stand-off weaponry, as if its sole underlying principle was that the life of even one American or NATO service man was not worth risking to save the lives of thousands of Kosovars. That new way of war sets a dubious, even dangerous, standard for the future. Success in warfare should not be determined by the avoidance of casualties. If the political and moral stakes are imperative enough to warrant the use of force, necessary force should be used to achieve the ends. This war was fought at no political risk or human cost. May it prove to have set an absolutely paralysing precedent for any future American President or British Prime Minister.

In the light of those factors and the awkwardly and unnecessarily long bombing campaign, we shall need to review and revise NATO's decision-making procedures. A clearer distinction will need to be made between the requirements for a basic, solid unanimity in NATO's commitment to action and the need for a military power or authority endowed with discretion to execute that commitment by military means. I have to tell the Secretary of State for International Development that the Normandy landings could not have taken place under the command structure that was used in this campaign.

Nevertheless, the outcome of the conflict demonstrates that NATO is Europe's only effective security system and that the American-European connection remains absolutely essential to Europe's stability. Along with everyone who has bothered to think about this matter, I am deeply grateful to the Americans for coming to our aid and playing such a vital part in the operations. However imperfect it may have been, this was America's campaign. That makes it all the more important that the Kosovo experience be assessed in a constructively critical fashion. Many lessons must be learned not only about military activities, but about future European security and defence arrangements and the future command structure of NATO. All those are vital to our security not only for the next few years but for generations to come.

I want again to pay tribute to the soldiers of the 5th Airborne Brigade and the 4th Army Brigade and all the supporting arms of the Royal Air Force in the theatre. I pay particular tribute to my own old regiment, the King's Royal Hussars, who in the past few days have demonstrated great dash and daring, great pride in their skills, and discipline. Their actions on the ground have been seen on television. They combine independence of mind and judgment with the superb ability of the British soldier, whatever his rank, quickly to assess the odds and make instant decisions under the most severe pressure with enduring and inspirational courage.

The cuts that were made by my Government have, in the light of history, proved to be too deep. I have no doubt that in undertaking the strategic defence review, the Government's heart was in the right place, but although there is a broad stability of spending, the resources are fewer and the commitments remain the same. I look to the Government to honour their obligations to our armed forces and to this country's future security. If we are to develop a greater European capability, we must ensure that defence spending is increased.

With Northern Ireland possibly about to go pear-shaped—although I pray not—all sorts of problems to come in Kosovo, and the Army's commitments in Cyprus and Bosnia, the Navy's commitments and the commitments of the Air Force in Iraq and elsewhere, the armed forces cannot undertake those operations while being expected to find 3 per cent. efficiency savings per year. That is wholly unacceptable. Looking back on my own role in those discussions, I feel a terrible tightening in my tummy, and shame that we went too far.

This has been an important debate. I would not want the Secretary of State for International Development to think that any of my criticisms were directed solely at the Government. We have been operating in a coalition and there are lessons to be learned. I hope that the Prime Minister, who, as I said, has behaved admirably throughout, can drive the lessons-learned debate and make sure that we do not end up being such a poodle to the Americans in dealing with the Russians, the middle east and all the other flashpoints when we should have an independent European and British voice which balances that of the United States.

4.56 pm

Mr. David Winnick (Walsall, North): There were one or two points in the speech of the hon. Member for Mid-Sussex (Mr. Soames) to which I shall refer in the course of my own.

I expect that if the war were continuing, we would be having a somewhat different debate today and a far greater attendance, particularly from those who opposed the military action from the beginning. Several hon. Members on both sides of the House would have been telling us how futile it was, that bombing would never secure an agreement with Belgrade, that it was a disaster from the outset and that we should give up. The scene is quite different today, and I am very pleased that the military action has been successful.

As I said in my intervention during the speech of my right hon. Friend the Home Secretary, it is appropriate that the debate is taking place on a day when the broadsheets, at least, are reporting on their front page the horrifying atrocities carried out against civilians—men, women and children—who were ethnic Albanians. Those crimes remind one in so many respects of what the Nazis did during their occupation.

There was never any doubt in my mind that it would have been totally wrong if we had allowed what was happening in Kosovo to continue, without military action being taken. When the Foreign Secretary reported to the House on 18 January on the murder of 45 ethnic Albanians, I said that I did not believe that it would be possible to secure any agreement with Milosevic without air strikes. I would therefore be the last person to have criticised the decision in late March, following the failure of the negotiations in France, to take appropriate military action.

Of course it would have been preferable if that had been done through the United Nations, as the hon. Member for Mid-Sussex said. I have supported the United Nations from the beginning, if only because of my age. I have always been a firm supporter of the United Nations, and I hope that that will continue. However, the hon. Gentleman, like his colleagues and some of mine, knows that it would not have been possible to secure UN agreement.

If we could have achieved that at the Security Council, of course we would have done so. It would have been preferable, but as it was not possible, the alternative was to take the action that we took under NATO, or to take no action at all. That was the choice. There was no question of our ignoring the United Nations and saying that we were not interested in that organisation.

I do not believe that, apart from one or two clauses, Belgrade would have accepted the agreement on offer earlier this year in France. It has been claimed by some of my colleagues that it was annexe B that was so objectionable to the Belgrade regime, and that without it, there could have been agreement. I do not believe anything of the kind. Indeed, the Foreign Secretary pointed out that the Serbians did not focus particularly on annexe B during the negotiations in March. The fact is that Milosevic would have found it difficult to sell what would have been seen by the ultra-nationalists as a complete sell-out on Kosovo and, for that reason, he decided not to sign. If he thought, as obviously he did, that he could hold on to Kosovo, he was determined to do so.

This time round, an agreement was accepted, with much relief among the people in Serbia. We know why, apart from the ultra-nationalists, they are so relieved that the bombing has come to an end and agreement has been possible. *The Guardian* today reports on the reaction of various people in Belgrade. One 47-year-old woman is quoted as saying:

"What was the point? What did [the war] achieve? It was madness."

Then she dropped her voice and said:

"It's a dangerous thing to say, but we should get rid of the president. He's been a disaster. If there was a protest tomorrow, I'd join it."

I have a great deal of respect for my hon. Friend the Member for Halifax (Mrs. Mahon). I hope that it is mutual. As it so happens, we disagreed over the Gulf war. But my hon. Friend seemed to say that there had been crimes of atrocity on all sides. No one denies that crimes have been committed in former Yugoslavia by all sides. The difference, as the Foreign Secretary emphasised, is the brutality and the systematic outrages and atrocities that we read about in the newspapers, particularly today. It is not sufficient for my hon. Friend simply to say that she is against Milosevic. I have never doubted that for one moment. She is as much a democrat as I am. But without military action there would have been no way in which we could have achieved what we set out to achieve—the ending of Serbian rule in Kosovo—for all the reasons that I and others have outlined.

The critics have lost the argument over military action, although, perhaps not surprisingly among professional politicians, there is a reluctance to admit that. In our trade, we do not go out of our way to be self-critical, so I am not particularly surprised that those who have been proved wrong refuse to admit it.

Mr. Dalyell: Will my hon. Friend give way?

Mr. Winnick: Yes, because I was about to refer to my hon. Friend.

Mr. Dalyell: There might be an apology from me. It would probably be an interim apology at the end of the Parliament, and then after five years.

Mr. Winnick: Yes, I have heard about the five years on a previous occasion. There is one form of apology that my hon. Friend could make, and that is for his remarks on 13 April. In exchanges with the Prime Minister on Kosovo he mentioned a report on drugs by the German Federal Criminal Agency, backed by Scotland Yard, which, he said, points out

"that the ethnic Albanian community is the most prominent group in Europe in the trafficking".—[*Official Report*, 13 April 1999; Vol. 329, c. 28.]

Is that not horrifying? If my hon. Friend had said that about blacks, Asians or Jews, there would have been outrage in the House. Should there not be similar outrage now? Here are a people who have been treated in the way I have just described, and that is how my hon. Friend considers it appropriate to refer to ethnic Albanians. That there are some among them, as among all people, who are criminals of one kind or another, is not in doubt, but my hon. Friend should not have phrased that in the way that he did. My hon. Friend talks about an apology, but an apology for those remarks would not come amiss.

Unlike the critics, I do not use the position of Serbian civilians as a means of knocking NATO. I have just explained my position, which my hon. Friends have known about from the beginning of the military action. But I do say—this is where I agree with other hon. Members—that it is imperative that everything be done, both in words and deeds, to reassure the civilian Serbs in Kosovo that they have no less right to be there, and to be there in peace and safety, than the ethnic Albanians. There can be no question of a Serb-free Kosovo. I do not want that and it would be totally opposed to what we set out to achieve.

Who cannot understand the bitterness felt by so many of the majority community in Kosovo? The ethnic Albanians perhaps feel that all Serbs are guilty and that the civilian Serbs in Kosovo, if they were not involved in such crimes, did not do much to stop them. Nevertheless, the fact remains that most Serbian civilians there were not involved in such crimes, and that should be recognised.

The KLA must be brought under control, as soon and as urgently as possible. That organisation needs to know quickly that it must not be in the business of harassing, or worse, civilian Serbs and that it cannot have a structure that inflicts on civilian Serbs the feeling that their safety is continually being undermined. That is why there is an important responsibility for the NATO command to make sure that that happens in practice and that the civilian Serbs are duly protected in every way possible.

I understand the argument that aid will not be forthcoming for Serbia as long as Milosevic runs that country. He is a total opportunist. Those of us who watched the film about the way in which Yugoslavia disintegrated saw how he climbed on the nationalist platform and used the Serb minority in Kosovo to consolidate his rule in Belgrade. We know and understand that, and he must be held responsible for so many of the crimes that were committed—not only in Kosovo, but in Bosnia.

Despite that, and although I have only contempt for Milosevic, I have to say that a number of people in the political class in Serbia are against Milosevic, but for the wrong reasons. I have spoken, perhaps twice in all, to some of the demonstrators in Whitehall, who have been there from the beginning of the bombing. I found that, almost without exception, they are against Milosevic, but from an ultra-nationalist point of view. Indeed, they said, "He's a communist."

Instead of concluding, like us, that democracy is the option, and should be the choice, in Yugoslavia, those people have taken a very different point of view. They represent the most ultra-nationalist element in Belgrade. Although we condemn Milosevic—the politician who, above all, is responsible for the break-up of the former Yugoslavia and for what happened in Bosnia and Kosovo—we should not forget other elements in Serbia who are by no means democrats and no friends of the west

Mr. John Randall (Uxbridge): The hon. Gentleman's experience with the demonstrators outside Downing street may be slightly unfortunate. I have spoken to them on lots of occasions and many people there are committed to democracy. Many people who were with me in supporting the independent radio station B92 are bitterly opposed to Milosevic—from a democratic, not an ultra-nationalist, point of view. If the hon. Gentleman met an ultra-nationalist I am sorry, but I think that that is the exception rather than the rule.

Mr. Winnick: I hope so. On one occasion when I spoke to the demonstrators I showed them a newspaper report of the murder of a brave man in Serbia, the editor of a newspaper. They showed no interest whatever, but if there are among them people such as those mentioned by the hon. Gentleman that is very good. I know that many people in Serbia, including some in the political class, want a different Government—not a nationalist or a Milosevic Government, but a democratic Government. That was the very reason for putting that editor to death—a reason that is perfectly clear from the point of view of the Belgrade regime.

I therefore hope that, once the situation in Kosovo becomes more stable, we will see what can be done most effectively to bring Serbia back into the international community. There can hardly be any stability in the Balkans if Serbia is isolated and ordinary people who are not ultra-nationalists or Milosevic supporters have to live a hand-to-mouth existence in much deprivation and despair. Everything that can be done to support people who are opposed to crimes, adventurist policies and so forth should be done. I agree that it is difficult, and that it cannot be done immediately; I merely warn the House that an isolated Serbia could pose a great danger in the future.

It was said at various times in the war that what was happening was another Vietnam. I may be wrong, but I believe that I am the only Member of Parliament still in the House who, at the time, protested here about what was happening in Vietnam. It must have seemed to some people that I was doing so almost every day, and, if I may say so with due modesty, I do not believe that I was wrong. But I saw no possible comparison between Vietnam and Kosovo, and I believe that had we and our European partners turned away—had we simply said that these crimes were terrible but that we had decided to take no action, a course advocated by my hon. Friends the Members for Halifax and for Linlithgow (Mr. Dalyell), and promoted during the statement made on 18 January—it would have been a terrible shame, and a stain on our country and its honour.

Of course I regret the bombing, and the civilian casualties that it caused. I am a human being; why should I not feel regret? Nevertheless, I believe that what NATO did—with our contribution and, of course, that of the United States—was absolutely justified. I believe that future generations of parliamentarians will view it as a necessary step, and I am glad that it has resulted in a successful conclusion. Whatever may be the future in Kosovo, we have demonstrated in practice that we will not allow ethnic cleansing, mass murder and rapes to continue without taking some form of action—if need be, the sort of military action that has been taken over the past few weeks.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. So far, Back-Bench speeches have lasted for an average of more than 20 minutes. If all who have sat through the debate hoping to speak are to have the chance do so, the average must be reduced to about 10 minutes.

5.13 pm

Mr. Martin Bell (Tatton): I promise to make the shortest speech of the debate, Mr. Deputy Speaker.

Let me, from an independent viewpoint, congratulate the Government on a remarkable achievement, although no one would pretend that it is an unqualified achievement. The original objective of preventing a humanitarian massacre was tragically not met, and the results are being uncovered on the ground every day.

There is also a moral element. This was the most remarkable military campaign of its kind ever waged in that the attacking force, while inflicting great casualties and damage, suffered not a single casualty itself—not so much as an airman with a twisted ankle. We can be grateful for that, but we should also wonder whether, because the targeting was so general and sometimes unfocused, the casualties on the other side in the target area—often among innocent people—were much greater than they need have been.

We should also wonder whether there is validity in the new doctrine that decisive military results can be achieved by air power alone. I think not. I note that the Serb capitulation came at precisely the moment when, for the first time, ground forces were used in a realistic way. I am a former infantry man and ground force man myself, and I have insisted from the start that circumstances on the ground can be changed only by boots on the ground. We are fortunate indeed that two of the boots in Kosovo are occupied by one of the most remarkable British military men I know, General Sir Michael Jackson, who has had previous experience of this kind of operation. In 1995, he led part of the implementation force in Bosnia that imposed the Dayton settlement from Gornji Vakuf to Banja Luka. He did it brilliantly. He drove his people hard and won the affection as well as the respect of the soldiers who served him; that is not always the case with generals. Now they face a complex task in Kosovo, especially in dealing with the KLA.

I cannot help feeling that there may be an uncomfortable analogy with the situation in which British troops found themselves in 1969 and the early 1970s on the streets of Northern Ireland, where they were first greeted as saviours but soon found themselves to be targets. One of the young captains on the streets in those days was Michael Jackson. He will be aware of what the problems are.

Another problem involves the Serbs. The action is not against the Serbs; it is to protect the Serbs. They are a decent and honourable people, who have been terribly misled and have suffered. There is no monopoly of suffering. There is no monopoly of evil. Let it be noted that many of the Serbs who are streaming out in their tens of thousands are refugees for a second time, having first been driven out of Krajina. Reference was made to the destructive nationalism of the Serbs. In my time in the Balkans, which was considerable, I saw no more destructive nationalism than that of the Croats.

I note the historical perspective. Next week, we come to the end of the eighth year of the wars of the dissolution of Yugoslavia—eight years of misery and bloodshed. Sometimes I have asked myself whether the situation could have been averted. Could not the decisive action that we have seen in past months have been taken earlier? Of course it could.

The possible time for action was the autumn of 1990, when Dubrovnik was being shelled and Vukovar obliterated. I was in Vukovar on the day that it fell to the Serbs. It had been hit by 2 million shells and it looked like Stalingrad on the Danube during the second world war.

Three weeks later, I came back to London thinking that people would surely be taking account of that situation. I discovered that the commentators and the political circles were concerning themselves not with the great tragedy of the Croats and Serbs, but only with the Maastricht treaty, which was then being negotiated.

It is no secret now—it is well known—that the concessions that were given by the Germans to the British on the opt-out clauses of the treaty were matched by concessions by the British to the Germans on the unilateral recognition of Slovenia and Croatia. That was the fuse that lit two powder kegs: one was Bosnia, the other was Kosovo. We must now live with the consequences.

I agree with the remarks of the hon. Member for Mid-Sussex (Mr. Soames). Speaking as an ex-reptile, I especially agree with what he said about the reptiles. Kosovo will soon be gone from the news headlines.

We do not have an armed force of sufficient size to maintain through rotation the commitments that we have taken on. We will have to raise more infantry battalions and, more specifically, engineer regiments. We will have to pay for it somehow. The cost has not yet been calculated.

In those eight years, we have seen the consequences not only of action, but, much more lethal, of inaction. That inaction is now over—all credit to the Government for that. Let us all support them as we build a peace.

5.19 pm

Mr. Robert N. Wareing (Liverpool, West Derby): The Foreign Secretary said that our soldiers in Kosovo would be blind to the ethnic origin of the people whom they were there to protect. I can only hope that that will be the case. Knowing British soldiers and having served in the services, albeit in the Air Force, I am sure that our soldiers will do their utmost to protect Serbs as well as Albanians in Kosovo. I was delighted that General Sir Michael Jackson took the trouble to say to Serbs in Pristina that that was his objective; I am sure that he is sincere in that objective.

We have to look at the reality of the situation, and into the minds of many Serbs, in Serbia, have been living for the past eight years against a background of anti-Serb hysteria in the media, particularly in the west—in America, Britain and Germany—which has demonised every Serb, saying that all of them were evil. The hysteria has been deeply regrettable.

Serbia was bombed for 78 days, which has served only to harness support for Serb ultra-nationalism. In bombing Serbia, NATO has done its best to reward and to give succour to the nationalists. The Serbian people realise that they have been demonised by the west, and that the west has ignored the plight of refugees from Krajina, as it ignored the Serbs who suffered in Bosnia. People in Serbia see Krajina Serbs on their own doorsteps. As the hon. Member for Tatton (Mr. Bell) rightly said, many of the Krajina Serbs had been given homes in Kosovo, but are now refugees yet again.

The Foreign Secretary said that NATO had secured its objectives. Has it? I remember being told that NATO's objective was to protect the Albanians and to ensure that they were able to live again in Kosovo, and that bombing would ensure that they were protected. In a debate at the beginning of the war, I asked not whether bombing would bring Yugoslavia to its knees, but whether bombing would make the situation better or worse. Quite clearly, it has made the situation worse.

Before the bombing started, there were many internally displaced people in Kosovo, but only 4,000 had left as refugees for Albania or Macedonia. If I am wrong about that figure, I am sure that my hon. Friend the Under-Secretary of State for International Development will correct me, but I am sure that it was about 4,000. Now, there are about 800,000 refugees. Although some of the refugees are returning to Kosovo – to a precarious situation—their situation is worse than it was before the bombing.

God knows how many people were massacred after 24 March, when the Organisation for Security and Co-operation in Europe monitors were withdrawn. I am certain that the monitors' presence saved lives.

Mr. Bradshaw: Perhaps I can help my hon. Friend. The OECD itself and the United Nations estimate that 350,000 ethnic Albanians had been ethnically cleansed before a single NATO bomb fell.

Mr. Wareing: Yes, but all of those people did not go to Macedonia or Albania, as many of them settled in the forests and mountains of Kosovo—*[Interruption.]* Although my hon. Friend laughs at that, the fact is that, after 24 March, the situation became very much worse.

We are also being told that Milosevic has now accepted what he was being offered before 24 March. However, as many hon. Members have said, the Rambouillet accords essentially dictated NATO control of the Federal Republic of Yugoslavia. Why, then, are NATO troops now able to enter Kosovo only from Macedonia or Albania? Annexe B is not in the 3 June agreement. Only the Russians have been allowed to go through Serbia to reach Kosovo. When I heard that the Russians were in Kosovo I thought that it was marvellous, because at least that will help to protect the Serb population. There would be less fear in Kosovo with the presence of Russian troops.

We have all heard about the difficulties that the German forces have had in Prizren. Perhaps Ministers can tell me the current situation there. The headlines in the *Evening Standard* two nights ago said that the German forces had been sidelined in Prizren and the KLA were in charge there. How can we tell the Serb population that we can protect them if they see that in one of the largest towns in Kosovo the NATO writ does not run?

I was also pleased that Russian troops had gone to Pristina, if only because the Russians had received no reward for the work that they put into the diplomatic efforts before the 3 June agreement. Without Russia, the Rambouillet accords would not have been changed and NATO would not have made the concessions that it undoubtedly made by no longer saying that it wants to occupy the whole of Yugoslavia. I am surprised that my right hon. Friend the Foreign Secretary did not feel it necessary to express appreciation for the work of Mr. Chernomyrdin on behalf of us all in bringing about the 3 June agreement.

The hon. Member for Tatton stole the words from my mouth when he said that the position of the allied forces in Kosovo may well mirror what happened in Northern Ireland. The British troops were originally sent to Northern Ireland to protect the Catholic population against the B Specials, who were eventually disbanded, but they ended up fighting the IRA. I would not be at all surprised if, in the not-too-distant future, British soldiers and others in the NATO force found themselves fighting the KLA.

Another difference between Rambouillet and the 3 June agreement is that there is no provision in the new agreement for a referendum in three years. Do we think for a moment that the KLA—a terrorist organisation with a vision of a greater Albania—will give way on independence after the fighting that it has been involved in? Of course it will not. If we believe that we can easily disarm the KLA and that all the arms will be taken over by NATO, we are living in a fool's paradise.

If we want to promote the Balkan region and we are concerned about the Romanians, the Bulgarians, the Hungarians and the Macedonians, we have to look at the situation in Serbia. The depleted uranium bombs that we dropped—a war crime in itself—are polluting the Danube and the earth. That does not stop at the frontier of Serbia; it will affect its trading partners and neighbours in the region.

If we do not give assistance to Serbia, who will benefit? I warned the House, eight years ago in 1991, of the danger of Seselj. The Foreign Secretary mentioned a democratic Serbia. That will take time. However, I have visited the former Yugoslavia more than 40 times, including about a dozen times during the conflicts of the past eight years, and I can confirm that it is far easier to talk to people on the streets or in the tavernas and cafes of Belgrade or any of the other cities in that part of the world than it was in Ceaucescu's Romania. I remember that people in Romania would talk to me only in whispers in doorways. I suggest that Belgrade is also much freer than Zagreb.

My hon. Friend the Member for Halifax (Mrs. Mahon) has done a wonderful job in opposing the insanity that has been inflicted on Europe in past months. She referred to many of the problems and I believe that, unless we give assistance to the Serbs in Yugoslavia, if they get rid of Milosevic they will get someone worse instead—they will get Seselj. They will not get a democrat overnight. If the west shows that it is interested in the ordinary people and their partners in the area, there is a greater chance of getting them to consider their political system and reaching a more desirable end to their political problem.

It is sad that our country has played its part in helping NATO to usurp the United Nations. We know that the US is undoubtedly the great power behind NATO, which will not do anything without the support of the Americans. If anyone is blind to ethnic origins, it is Americans, at least as far as the Kurds in Turkey are concerned. Turkey is one of the so-called 19 democracies. Is Turkey really a democracy? Of course it is not, and that is why we are placing a barrier in the way of its entrance into the European Union.

Are the Americans really interested in democracy and human rights, when they supply arms to Indonesia even after all the horror in East Timor? Can we say that the Americans are interested in democracy, when the history of American policy reveals the crushing of a democratic

[Mr. Wareing]

regime in Guatemala in 1954? In 1973, the US gave aid to crush the democratic regime in Chile. Many other instances of its imperialism could be cited.

Mr. Winnick: I mentioned in my speech what I felt about US involvement in Vietnam and my total condemnation of its actions in Chile in 1973 and Guatemala in 1954. However, the fact that the US was wrong on several occasions does not mean that it cannot be right on others. Were we not pleased to have its support in the first and second world wars, in particular? Despite the blemishes on the US record at home and in Latin America, one must take every situation on its merits.

Mr. Wareing: I was very pleased when the Americans were brought into the war in December 1941 after the bombing of Pearl harbour. I was also delighted—because we were alone—that on 22 June 1941 we got the support of the Soviet Union, despite the regime there.

We have come to the end of the cold war, or at least we thought so. Many of us, and perhaps even my hon. Friend the Member for Walsall, North (Mr. Winnick)—I am careful to get the name of his constituency right, because he was understandably agitated when someone got it wrong before—used to say that we hoped that one day the cold war would end and east and west would come together, with an end to the Warsaw pact and NATO.

The Warsaw pact has gone and I still hope for the end of NATO because I believe that the security of Europe, and indeed the world, requires harmony with Russia, which is still a great country. True, it has been disastrously ruined by accepting Thatcherite economics, but it has huge potential. It is still a nuclear power and a member of the United Nations Security Council, so it cannot be ignored. We should try not only to end the disastrous situation caused in part by NATO's actions but to find a new European security system that embraces Russia. In that way, we can ensure that there will be no more Kosovos, because we will be together.

I congratulate the new shadow Foreign Secretary on his appointment, but I was astonished when he spent about a third of his speech attacking Russia. I can understand him attacking Milosevic or Tudjman. I wish that Ministers had attacked Tudjman as much as they attacked Milosevic. As my hon. Friend the Member for Halifax said, Tudjman is equally a war criminal. I have met them both and I know what they are like. It is a toss-up between them. Tudjman is a forbidding character from start to finish, but that does not mean that Milosevic is a great chap.

We should choose our friends carefully. We chose the undemocratic regime in Turkey and shook hands with the Croatian regime. Croatia helped NATO, allowing flights over its territory and stopping oil supplies to Serbia. We need an even-handed approach in the future, which we have not had for some time.

5.38 pm

Mr. Bowen Wells (Hertford and Stortford): The House knows that I opposed the bombing of Kosovo and Belgrade. I did so because I did not think that it would achieve the objective that we set for ourselves: to avoid an horrific humanitarian disaster that was being planned by Milosevic. Unfortunately, that disaster has taken place in spades and practically all the people for whom we went to war are displaced or refugees. Including those inside Kosovo, that adds up to more than 1 million people, and the total Albanian population of Kosovo is about 1.5 million.

Dr. Jenny Tonge (Richmond Park): Will the hon. Gentleman give way?

Mr. Wells: Not just at the moment, please, particularly since we have very little time—and I know the hon. Lady wants to speak.

None the less, it would be churlish not to say that the Prime Minister, the Foreign Secretary, the Secretary of State for Defence and the Secretary of State for International Development have been steadfast in pushing through their policy. They have troops going into Kosovo, the bombing has stopped and we are beginning to get the refugees back to their homes. I admire and applaud that achievement but, like many hon. Members, I do not believe that the action was necessary in the first place.

I think that a consensus has begun to develop in this debate. The hon. Member for Halifax (Mrs. Mahon) has been courageous in persisting with the points that she has made. Much of what she had to say was acknowledged by the hon. Member for Swansea, East (Mr. Anderson), the Chairman of the Select Committee on Foreign Affairs, who agreed that the undermining of the international rule of law enshrined in article 2(4) of the United Nations charter is unforgivable and will lead to unforeseen turbulence in the rest of the world.

That agreement was shared by my hon. Friend the Member for Mid-Sussex (Mr. Soames) and by my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley). So a consensus is emerging that serious damage has been done to organisations with a long history that we have supported through thick and thin. It is not good enough to say, as the hon. Member for Walsall, North (Mr. Winnick) did, that we shall simply ignore and override such organisations when we do not get what we want.

The result of the action is that Russia has been left on the outside. Russia was the key to achieving any kind of agreement with Serbia. There was an idea that the bombing would get rid of Milosevic, but we have not succeeded in that. We still have to negotiate with him, and we have only reinforced his support in Belgrade and Serbia. If we had not bombed but had encouraged those who were against his policies in Serbia, we might have got rid of him, with the result that we would now be negotiating with a more pliable person with whom we could do business. That is not a possibility with Milosevic.

So I make no apology for not supporting the war. The diplomacy employed by the international community in relation to the break-up of Yugoslavia has been a disaster. The hon. Member for Tatton (Mr. Bell) said that a deal was done with the former Chancellor Kohl to secure the British opt-outs in the Maastricht treaty talks by letting Germany recognise Croatia and Slovenia. If true, that was one of the most disastrous and dishonourable international agreements ever made. That is why we must call an international conference on how we deal with unacceptable genocidal activities in countries. We must

find a peaceful way to allow countries to disaggregate without fighting, ethnic cleansing or the other horrors that we have seen.

If we have the vision, we must try and restore a sustainable international law respected and obeyed by all countries, however inconvenient it may be. Such a rule of law might be implemented by the United Nations Assembly, or NATO might revert to a defensive role. That is what we must try to rebuild.

However, I believe that Russia's actions, taken to re-establish its position in the world order, are justified. I do not support—and neither do the Government or the Opposition—the idea of a separate Russian zone, as it would be heavily influenced by Serb interests. Yet we ignore Russia at our peril. We would be stupid to do so: we must enfold, embrace and help that country—and get help from it—in these difficult situations. We made a serious mistake by ignoring the Russian veto at the United Nations and Russian counsel at Rambouillet.

How should we deal with the refugees? The Secretary of State for International Development has been good enough to place in the Library details of what she has done, some of which I have read. Those details will form part of a research paper that the Library is producing. Much aid will be given to international organisations in Europe, to UNICEF and to the United Nations High Commission for Refugees. The Secretary of State has accepted that the UNHCR is an imperfect instrument, and I welcome the fact that her Department has given not money but services and supplies when the UNHCR has required them on the ground.

I retain serious misgivings about the UNHCR's leadership and determination to manage the situation. When refugees flood home in an uncontrolled way, we continually hear cries that there is no power to stop them. However, the UNHCR should have powers to intervene, explain, dissuade and cajole the refugees into returning in an orderly fashion that would allow them to begin to rebuild their lives and their homes. The refugees will return to homes without water or electricity. Sometimes, there will be no road; certainly, there will be no fuel. Their fields will not have been cultivated and they will have no money or means by which to see themselves through the 12 months before the next harvest or with which to rebuild their homes.

The European Community Humanitarian Office has suggested to the UNHCR a framework within which we can all work. Much more must be done, however. The Secretary of State should explain how the operation will be handled. How will we provide shelter or enable people to build homes? One research paper says that roughly 50 per cent. of the houses in Kosovo have been damaged or destroyed. The UNHCR will provide basic shelter materials for approximately 35,000 housing units. Basic shelter kits will include plastic sheeting, roofing and windows, some timber, a toolkit and possibly some window and door frames.

I am not certain that that will be enough. We cannot be dealing with only 35,000 houses, the number must be a great deal higher. It also seems to me that one would not be able to rebuild a housing unit with that basic equipment. We require a much more imaginative approach. Pre-fabricated buildings may be the quickest means by which to re-establish refugees in decent housing that will see them through the winter. The situation is urgent as the Balkan winter in Kosovo is severe. Homes must be rebuilt between now and October, or refugees will be in the open and young children and older people will die.

We need an imaginative approach, prosecuted with the vigour and determination that the Secretary of State exhibits in her approach to many problems of international development. We must provide food, shelter and clothes. My hon. Friend the Member for Mid-Sussex (Mr. Soames) referred to links with British communities, and one feature of recent events has been the huge response of the British public. We should encourage that, and we should provide an organisation within the Department to make links between our schools, local and national non-governmental organisations and organisations in Kosovo. That would get people communicating with each other and working together to re-establish villages and towns as quickly as possible.

I understand that the Secretary of State has established a new Balkan supremo in her Department—a post aimed at co-ordinating the efforts of her Department and, presumably, liaising with the international organisations to which much of our money is going, namely UNICEF, the UNHCR and the European Community. How does she foresee that working? We are heavily involved and we must show in the civilian, refugee and humanitarian effort the same imagination, co-ordination and determination as was shown in the military campaign in order to return this as quickly as possible to a civilised, organised society going in the direction that the people want to take.

If we can do that, it could provide the basis for good will to spread in the Balkans and for the Balkan peoples to see that we are interested in their future and want them to live a decent life without civil conflict. It could begin to build a structure and a Balkan settlement of which we can all be proud and under which the people of the Balkans can live at last, after many centuries, in peace and constructive communal living. That would be a wonderful achievement. It is within our grasp, despite the past difficulties.

5.51 pm

Mr. Bill Rammell (Harlow): I am pleased to take part in the debate. The conflict in which this country and NATO took part was absolutely justified. It was crucial that we prevailed.

Anyone who still has doubts about the justice of that action should listen to some of the stories that are coming out of Kosovo day by day from independent reporters. We knew that the situation was appalling from the horrific stories of ethnic cleansing, with old men, women and children being lined up and shot. A description in *The Guardian* today moved me greatly. A man, describing what had happened, said:

> "You can't imagine the sound of the scream when a child dies . . . Ismet, who was three, was crying, 'Mummy I want water.' And they shot him in the face."

Everybody in this Chamber, particularly parents, cannot fail to be moved by such a description. I do not cite that atrocity for the sake of it; I ask those who have opposed the conflict from the beginning, used phrases such as "truth is the first casualty of war" and dismissed these tales as the usual pack of NATO lies, to reflect on these realistic accounts.

[Mr. Bill Rammell]

I am relieved that the Government took the stance that they did over Kosovo and that we rejected the isolationist notion that it is justifiable to take military action only when British lives, security or financial interests are at stake. The decision was not an easy one. Clearly, there were problems and reservations. However, the Government, rightly, set out a clear, moral case for action. They took a lead and stuck to it with determination.

There were political risks. It is conceivable that if we had not achieved our objectives, the Government's reputation could have been tarnished beyond measure. It is worth highlighting that point because some people criticise the Government for not having a moral basis to their values. Despite the political risks, the Prime Minister and the Government took the view that the moral principles at stake outweighed those risks. I am pleased that we took that stance.

I shall address briefly some of the points made by my hon. Friends. I am sorry that my hon. Friend the Member for Halifax (Mrs. Mahon) is not in the Chamber. I respect her and have a great deal of time for her as a politician, although I disagree with her in this case. She cited numerous examples of conflicts throughout the world in which atrocities had occurred. She implied that, because we did not act on those occasions, we should not have acted in Kosovo. The logic of that position is that one would never act anywhere. I wholly reject the notion that if one cannot act everywhere, one should never act anywhere. That is a counsel of despair and would allow the world to develop according to its worst excesses.

My hon. Friend also referred to the demonising of Serbs. I have absolutely no disagreement with innocent Serbs, who are human beings like everyone in the Chamber. However, the idea, proposed by my hon. Friend, that there is moral equivalence between the actions of the KLA and those of the Serbian regime under Milosevic is not sustainable when we consider the facts.

My hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) made a number of points. I am choosing my words carefully when I say that I begin to get very angry indeed when I hear someone referring to the 350,000 people who were expelled from their homes, and are living in the forests and hills, as settled. To attempt to minimise the scale of the atrocity that took place before even the first NATO bomb had been dropped is to attempt to defend the indefensible.

It is crucial that we learn lessons from the conflict. The first is that we need to pursue vigorously the concept of European defence co-operation. I say that not because I want to undermine NATO—any form of European defence co-operation would be within NATO—nor because I am arguing for a European army. We shall never give up the right of sovereign nation states to determine whether they should take part in military conflict. However, it is certainly arguable that, in circumstances such as those that have existed in the former Yugoslavia for much of this decade, without the over-dependence on the financial resources and hardware of the United States, European nations would rightly have acted sooner if they had had the capability, and would perhaps have been able to prevent some of the atrocities. It is worth exploring whether we should develop a defence capability that would enable us to do that.

The second lesson is that we need to rethink the role of the United Nations. I believe in the UN and that it is a force for good and for peace. However, the conflict has shown up the shortcomings of the UN and the need for reform. The UN was born in a different era, and in a different world. Its charter stresses the territorial integrity and political independence of the nation state. However, during the conflict, Kofi Annan made it clear that the right to national sovereignty does not confer an absolute right for a Government—whether or not they are democratic—to do what they will to their people within the confines of the nation state. Since the inception of the UN, the concept of taking military action for humanitarian purposes has developed throughout the world and has gained widespread international repute. However, the UN charter does not address either of those developments in international thinking.

We need to rethink the UN's decision-making structure. The criticism that there was no explicit authorisation for military action related to the decision-making structure of the UN Security Council, in which one permanent member of the council has an absolute right of veto. Do we really want to preserve the kind of structure whereby, whatever the scale of humanitarian atrocity and however overwhelming the agreement among every other country in the UN, one country, which happens to be a permanent member of the UN Security Council, should be able to block that action? At the least, we need to challenge that notion.

I realise that time is short and that other hon. Members want to speak. In conclusion, I point out that I am not someone, either as a politician or as an individual, who has a liking for war. War is brutal: it is ugly and, in many ways, it demeans humanity. However, I have never been a pacifist. I know that, in certain circumstances, it is justifiable to take military action to tackle a greater evil. This conflict was one of the occasions on which we were justified in taking such action.

That action received widespread support because people understood the issues that were at stake and that there was no realistic alternative if the atrocities taking place in Kosovo were to be stopped. I am pleased that the Government adopted the stance that they did; I am pleased that we have prevailed; and I am pleased to have been able to support the action.

6 pm

Mr. John Randall (Uxbridge): It is a privilege to speak in this debate which, despite the rather low attendance, has been graced by some eloquent speeches. As a new Member of Parliament, it has been a privilege to listen.

Some events in world history take us by surprise, but some should not. The Kosovo problem did not creep up to take us by surprise; it has been staring at us for decades. The bitter enmity and racial tension between Serbs and ethnic Albanians have often risen to the surface. Hon. Members who have now visited the region will have seen it only in the context of horrendous stories and terrible events, but I am lucky to have known Kosovo in happier times. I also remember being threatened by ethnic Albanians in Pristina more than 20 years ago, because I was speaking Serbo-Croat. I quickly had to return to speaking English, albeit briefly, to establish my identity. That said, many on both sides of the ethnic divide have lived amicably side by side over the centuries, and even today many thousands of ethnic Albanians live in Serbia, including Belgrade.

Today's is the first debate that has taken place since the end of the bombing campaign, and many of the issues that I wanted to raise have already been touched on. However, I do want to say that it has not been easy for those of us who opposed the NATO bombing: we have struggled with our innate patriotism and sense of loyalty to our armed forces and we have been labelled traitors or even Nazi sympathisers.

I am confident that no one in the House supports the ruthless regime of Milosevic. Some of us have been trying in recent years to give help to those who oppose him and his regime and to bring democracy to Yugoslavia. Why, because we dared to speak out—an exercise of our democratic rights which is, I concede, largely denied in Milosevic's Yugoslavia—should we have been so labelled?

I was not a Member of Parliament at the time, but I remember when principled Front Benchers of the then Opposition resigned—some were even sacked—because they opposed or questioned the bombing of Iraq during the Gulf war, even though that war arose from the invasion of one sovereign country by another. However, I do not want to make party-political points, because support for and opposition to the Kosovo conflict has brought together some strange alliances, which has been very revealing.

One aspect of the conflict that worries me a great deal is the use of weapons containing depleted uranium. We have been assured in parliamentary answers that Britain has not deployed such weapons, but it would appear that some of our allies have done so. The use of such weapons should be the subject of a full and open debate, and I hope that the Government will address that issue in due course.

I am also greatly alarmed by the environmental damage caused throughout the region, such as the poisoning of rivers of international status. We have learned of great damage done to the unique habitat of the Danube delta, where both people and wildlife are now suffering. The refugees returning to Kosovo will find not only a country materially destroyed, but an environmental wasteland. Of course, Serbia itself has identical problems.

I turn to the present. We are now in an extremely dangerous position. I pay tribute to all the peacekeeping forces in the area, especially the British armed forces. I have no doubt that they will demonstrate the highest standards of professionalism, and I am utterly confident that they will be as even-handed in their duties as it is possible for them to be.

However, to the Serbs in Kosovo, NATO will be seen as an occupying force. That is why the Russians' input is so utterly important and why I believe—we have heard this repeatedly this afternoon—that they should have been involved earlier.

Unfortunately, the Serb population is leaving Kosovo in droves. The pendulum has swung and the humanitarian disaster is only getting worse. We have heard in the debate that the people who fled from Krajina at the point of a gun are on the move again. They are every bit as deserving of our sympathy and humanitarian aid as the poor wretched people who were driven from their homes in Kosovo to Albania, Macedonia, Montenegro, or wherever. We must show equality in our pity and in our actions.

Neighbouring countries must be given as much help as possible because they have paid a great price. Hungary estimated in May that it had lost revenues amounting to at least $200 million, and its tourist industry is a wreck. Macedonia has also borne much of the burden of the side effects of this action. Its export trade has all but collapsed, as has that of Albania. Principally, we must not forget Montenegro, the country to which, in a strange twist, we were sending aid at the same time as we were bombing it. Real aid to those countries must be given the highest priority.

I disagree with the Government's notion that we cannot help Serbia until Milosevic leaves power—although I understand the sentiment. I think that we must use both the carrot and the stick—and I suggest that the stick has been used against the Serbian people with incredible ferocity. If we are earnest in our desire to bring full democracy to Yugoslavia, we must show the Serbian people more than merely a glimpse of the future: we must give them what the vast majority crave. There has been—and still is—a great deal of opposition to the current regime, but we must allow the Yugoslav people to make their own decisions. We must not dictate to them, but we can show them the choices and the possibilities available.

At this point, I thank the British Yugoslavs. Even in demonstrations, they behaved peacefully in the face of a demonisation that reached great heights. For a few weeks, every crime committed in this country was pinned on the Serbian people.

Before concluding, I draw the attention of the House to another issue that deserves our immediate focus: the perilous state of and threats to the priceless cultural sites throughout the region. The world-famous Gracanica monastery has been affected by nearby bombs, and I believe its portal in particular has sustained a great deal of damage. Thirteen churches in the Veliko Hoce district have been destroyed and their priests have fled. The monastery at Decani—where, incidentally, monks sheltered Albanian Kosovars throughout the conflict—is also at risk. The list is long. Although most of the damage was caused by stray NATO bombs, retreating Serbs have set fire to the famous Islamic library adjacent to the main mosque in Prizren, and reprisals by the KLA against cultural sites remain a great threat. Important sites in Serbia, such as the fortress at Petrovaradin on the Danube, have also been badly damaged.

I have had my doubts about whether it was right to oppose the NATO action. Every day, as we read or see pictures of more brutality and horrors, those doubts remain. The thought "What else could we have done?" echoes around my head. The questions that I leave with hon. Members today are whether, as a result of this action, the region is more stable; whether we have averted the humanitarian disaster; whether we stopped the killings as quickly as we could; and whether the world is a safer place. I fear that, despite everything, some countries will start to build up their military forces again—indeed, I think this conflict shows that our armed forces are at a perilously low level.

These last months have been some of the most difficult, in a political sense, that I have known. I have realised for the first time that propaganda comes from both sides in a war, not just the enemy. I winced at the jingoism of the press and the horror of military action, and I do not think that I will ever again be able to regard such issues in black and white, as I once did. I feel, as in the conversion of St. Paul, that the scales have fallen from my eyes.

[Mr. John Randall]

I am pleased that my worst fears have not been realised, and I admit that I am happy that I was wrong. I have also realised the great dilemmas and responsibilities that fall on those who govern this country, and I should like to thank them for their sincere efforts and for bearing those terrible responsibilities so well. I hope that those efforts will be rewarded with the lasting peace that we all desire.

6.10 pm

Mr. Tam Dalyell (Linlithgow): My own speech is necessarily truncated, but I believe that the debate has been better for the fact that Back Benchers have not been limited to 10-minute speeches.

I had the good fortune to be called to speak last week, on 10 June, when, at column 843 of the *Official Report*, I asked several questions to which I am still awaiting answers. On 30 June, I shall ask question No. 3 to the Prime Minister. I shall ask simply who is tasked with disarming the Kosovo Liberation Army.

On that subject, I refer to an article by Chris Stephen, reporting from Pristina, for *The Scotsman* this morning. He writes:

"The rebel Kosovo Liberation Army said yesterday that it would not disarm as required by the United Nations until Russian troops pulled back from the province.

The KLA spokesman, Pleurat Sejdiu, said in London that the rebel army, with an estimated 20,000 soldiers, might even go to war with Russian troops if they established a separate zone in Kosovo, which he said would amount to a partitioning of the Yugoslav province.

'Nobody will start to disarm until the Russians go. If they make their own zone it may be war' he said."

At the United Nations, Russia's ambassador said that the Security Council needed to deal with the refusal of the KLA to give up its weapons. I ask the Government to respond to that point.

Finally—I promise to be brief—my hon. Friend the Member for Walsall, North (Mr. Winnick) referred to my remarks about drugs. I shall simply quote from the *New Statesman* of 9 April, which I was quoting when I made those remarks. It said that

"a recent intelligence report issued by the German Federal Criminal Agency came to the conclusion that 'ethnic Albanians are now the most prominent group in the distribution of heroin in western Europe'".

I used that quotation in my remarks. My question might have been better framed if it had asked specifically about the KLA. I say to my hon. Friend the Member for Walsall, North that I was quoting accurately from an article which I shall give him.

6.13 pm

Dr. Jenny Tonge (Richmond Park): I have listened for a long time to much self-congratulation—not triumphalism—and much analysis of politics and military tactics. It is a trifle early to engage in such analysis of what happened and why.

I supported the action throughout, and I never doubted that we were doing the right thing. Instead of looking back, at the fag-end of the debate, I shall deal briefly with the present problems. As the hon. Member for Halifax (Mrs. Mahon) said hours ago—she is no longer in her place—there is an awful mess that needs cleaning up.

Until the hon. Member for Hertford and Stortford (Mr. Wells) spoke, I thought that no one would mention what is to be done about the refugees and the people who are returning to live in Kosovo. The debate has been very one-sided. The hon. Gentleman made several points, particularly about the UNHCR and the organisation of non-governmental organisations to prevent them from becoming confused, as happened in Rwanda. I shall not repeat those points.

I have a shopping list for the Secretary of State. First, the children in Kosovo, whether they are Serb or Kosovar children, are dreadfully shocked and traumatised. They have experienced things that no child should ever expect to experience. They have seen fathers killed, and mothers raped and beaten before their eyes. I saw an item on the BBC News website about a paramilitary policeman who had killed 54 people in one day. That sort of thing is being witnessed by children.

The children have lost their families. They need medical, social and, above all, psychiatric help because they are the future of their country. Without the right help now, those events could be repeated in their generation. It is terribly urgent for them to get the necessary help, and I hope that the Secretary of State will put their needs foremost.

The Secretary of State mentioned yesterday that hospitals were practically non-existent in Kosovo. When I visited Tirana in Albania, which has not been bombed, I described the facilities as pre-Florence Nightingale. That country had not had the effects of war to deal with. It was trying to cope with the refugees and its own people, and it had nothing. Medical facilities must be at the top of the list of the aid to be sent out for returning refugees.

I shall mention yet again—probably for the third time in the House—the needs of the host families in Albania and Macedonia. If they were given more financial and food aid, they might be able to keep many refugees in their families and homes for a long time yet, so encouraging the refugees to stay where it is safe and not to try to return to Kosovo too early.

The documentation of refugees has been dealt with, so I shall not go over it again.

Land mines will cause an enormous amount of injury and death in the coming weeks. The matter has not been discussed much in the House. This could be an opportunity to relaunch the Ottawa treaty process. Is there nothing that we can do to revitalise the campaign against land mines? We need a global land mines task force under the UN. Could not Kosovo and Bosnia be the place to restart the campaign? Will the Serb nation help us do that?

However optimistic we are, a guerrilla war is sure to be fought in Kosovo for some time. Has anyone addressed the question of where the supply of small arms and armaments will come from? The arms brokers in this country must be rubbing their hands in glee as they contemplate yet another market for their goods. Has any member of the Government considered the problem? What proposals have been advanced to prevent the activities of arms brokers in Britain and elsewhere?

Lastly—I know that the Secretary of State expects me to say this, so I will say it—I should again like reassurance from her that the medium and long-term costs of aid and the reconstruction of the Balkan states will come from the Treasury and not from the Department for International Development. It was she who said some

weeks ago that we should not expect the poorest people of the world to pay for the reconstruction of the Balkans. It is our responsibility.

6.19 pm

Mr. Gary Streeter (South-West Devon): On Saturday morning I got up early and watched Sky News to see the entry of British troops into Kosovo. I continued to watch television throughout Saturday morning. Even when my family, with whom I usually long to spend time, rose much later than I had, and even when the cricket came on on the other side, I continued to watch British troops going into Kosovo.

Mr. Menzies Campbell: Something serious.

Mr. Streeter: Yes, for me to miss watching cricket is a serious matter. My wife could not understand why I was watching for so many hours. Sky News was terrific, but of course it repeated the same thing over and over again. I asked myself why I was so gripped by what I was watching. I think it was for two reasons. First, I felt immense pride in the skill and ability of our troops to do this kind of work—the peacekeeping and spearhead rapid reaction soldiering in which they have been trained for so many years. When last year I went with the former shadow Foreign Secretary to meet our troops who were engaged in peacekeeping in Bosnia, again I was impressed by their professionalism, sensitivity, training and ability to keep the peace as well as fight a war. The pride that I have in our troops welled up within me on Saturday.

Secondly, I had just returned from a five-day visit to Albania visiting refugees in Tirana, and Kukes on the northern border. I went there to see the condition in which the refugees were living. After a poor start, the aid agencies did a terrific job in caring for people there. Most were medically well, with enough food and water, and attempts were being made by UNICEF and others to care for the children and to provide some kind of schooling. That was interesting.

I also heard the stories of people just like us, and of the trauma that they have experienced. I was able to speak with them about friends, neighbours and relatives who had been killed. I talked with some young people about what they have gone through. I met one girl called Susanna, whom I will never forget. Speaking in good English, she told me how one day the Serbs arrived in her village, knocked down her family's front door and gave them 10 minutes to get out. They got out, but some of their friends and neighbours did not make it.

As I watched Sky News on Saturday I knew the joy that would be welling up in the hearts of the refugees in Albania. This was the day for which they had been waiting. This was the day that meant that they would soon be going home—the very thing for which they had hoped and prayed all those weeks and months. It was a moving experience.

Taking part in today's debate, as my hon. Friend the Member for Uxbridge (Mr. Randall) said, has been a privilege. We have heard many different points of view, but all of us are now committed to ensuring that we win and lead the peace.

I join those who have been paying tribute to the Government and to NATO on the outcome of all that has taken place. The Prime Minister has talked in the past of a moral crusade. The conservative in me wants to leap up and be more pragmatic than that—and to say that that kind of language does not fit the situation. But when it comes down to it, we are talking about a battle of imperfect good against outrageous evil. I am proud to have been part of a country that has played its part in bringing Milosevic to heel in Kosovo. We were right to do that and we will be right to see it all the way through.

This has been a debate of the highest quality. It was opened by the Foreign Secretary and by my hon. Friend the Member for Stratford-on-Avon (Mr. Maples), who made some extremely valuable points in his maiden outing, asking questions which I know the Secretary of State for International Development will be keen to answer. Incidentally, I intend to give the right hon. Lady plenty of time to respond to the debate.

We were pleased to hear from the Chairman of the Select Committee on Defence, who said that his Committee would look into the conflict and see what lessons could be learned from it, and that will be a valuable exercise.

It was interesting to hear from the right hon. and learned Member for North-East Fife (Mr. Campbell), who brings experience to these debates. He spoke movingly of the true horror of the war and had many interesting thoughts about how we must now win the peace and restore the property and legal rights of the Kosovar Albanians.

The hon. Member for Halifax (Mrs. Mahon) told us that she had to leave the debate early. I do not agree with her point of view, but I respect her right to bring it to the debate. It would not be much of a debate if everyone agreed.

My right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) voiced his concerns about the ground given to Milosevic by NATO and the possible closing of the door on independence. It was good to hear the Foreign Secretary's intervention on that point. My right hon. Friend also made an important point about the new arrangements not giving NATO the right of free access across the former Federal Republic of Yugoslavia, and the impact that that has on our ability to arrest indicted war criminals. We all want those men, and perhaps women, to be brought to justice, but without the power of arrest and the power to gain access to them, any rights are toothless. My right hon. Friend was right to ask those searching questions and to ask also whether more could have been done to avert war.

As usual, the hon. Member for Swansea, East (Mr. Anderson) made a contribution that showed his experience. He spoke of the difficulties of alliance diplomacy and brought his experience to bear on some of the key issues, including the legal basis of the action that is taking place—that clearly has to be discussed on a wider stage—and the importance of our relationship with Russia.

My hon. Friend the Member for Mid-Sussex (Mr. Soames) made a moving and powerful contribution, speaking with conviction about the importance of the United Nations and how we have to try to make it work again. In the context of globalisation, multilateral global institutions and their mechanisms have to work more effectively, and we must have a debate about that important matter. As usual, my hon. Friend spoke from his considerable knowledge—knowledge which I wish

[Mr. Streeter]

I had—of our armed forces, the skill of the British troops, the role that they are playing and some of the challenges that lie ahead.

My hon. Friend suggested some imaginative ways, including twinning, of helping the communities in Kosovo, and spoke words to which we should all listen, about the need to make sure that we commit enough spending to defence, whoever is in government, to ensure that Britain has the resources to enable it to do what it perhaps does better than any country in the world. If that is our contribution to the global debate, let it be so and let us pay the price required to achieve it. I strongly agree with my hon. Friend.

Mr. Bradshaw: The hon. Member for Mid-Sussex (Mr. Soames) also spoke about the desperate need for a more effective European common foreign and defence policy. Is that aspiration shared by his Front Benchers?

Mr. Streeter: No. It is good to have a debate in which many different views are expressed, but I do not agree with my hon. Friend on that.

The hon. Member for Walsall, North (Mr. Winnick) has spoken consistently in support of the Government's action throughout the conflict, and rightly called for the KLA to be brought quickly under control. The hon. Member for Tatton (Mr. Bell) congratulated the Government and spoke from his experience about the need for more for infantry battalions and engineers. We are always wise to listen to his view on such issues.

The contribution of the hon. Member for Liverpool, West Derby (Mr. Wareing) did not surprise us, but I respect the hon. Gentleman personally and he brought value to the debate by introducing another point of view to it.

My hon. Friend the Member for Hertford and Stortford (Mr. Wells), the Chairman of the International Development Committee, has been consistent in his view of the diplomacy and military activity that has taken place in the past few months, and he rightly looked ahead to how best to get the refugees home and support them through the winter. I am sure that the Secretary of State will respond to many of the points he made.

The hon. Member for Harlow (Mr. Rammell) made powerful points about how and when we intervene—we need to have a debate about that—and spoke of the lessons that we must learn.

The House listened carefully when my hon. Friend the Member for Uxbridge (Mr. Randall), who has great personal experience of the Balkans, put to us another point of view. His was a measured contribution to which the House would be wise to listen and he rightly talked of the importance of reaching out to the Yugoslav people. Welcoming Serbia into the greater European family of nations should be a medium-term objective, and we should not forget that Serbs are people too.

The hon. Member for Linlithgow (Mr. Dalyell) made a brief contribution, raising the question of the KLA, and the hon. Member for Richmond Park (Dr. Tonge) spoke about the importance of caring for the traumatised children and the host families and made other points about caring for the returning refugees.

The debate has been valuable and it has been a privilege to take part in it. I have three or four points to raise with the Secretary of State, the first of which has been made by many Members. We need to learn the lessons of what has gone on, whether it has been a success or a failure. Conservative Members have called for an inquiry into all that has taken place, but that is not playing party politics; it is simply an attempt to learn what we can do better next time. That is absolutely vital.

I have travelled around the world in the past 12 months—that has been part of my international development portfolio—and I have learned that decisions we make in the west affect the lives of people in the developing world. We need to learn the lessons relating to past decisions about our diplomacy, how we intervene and what we say and do. It is absolutely essential that the Government set up a formal inquiry in due course, so that those vital lessons can be learned.

In particular, I ask the Secretary of State to comment on the role of the United Nations High Commission for Refugees. During yesterday's Question Time, we discussed its plan to oversee the return of refugees, and the fact that that plan was already being overwhelmed by the reality on the ground. There is no point in imposing a bureaucratic plan if the operation involved will be clogged up by the thousands who are leaving in advance. We must be flexible, and reflect what is actually happening.

When I was in Albania two weeks ago, I engaged in discussions with senior UNHCR officials who told me that in 1998 a plan had been drawn up to accommodate the possible mass exodus of refugees from Kosovo, and to respond urgently and instantly to the fear that ethnic cleansing would drive hundreds of thousands of refugees across the border. When the horrible eventuality ensued, however, the action plan was nowhere to be found: no one could find it. When the exodus began, the UNHCR was not ready.

I consider that an astonishing tale. It may not be true—certainly I find it hard to believe—but I was told it by senior officials. Perhaps the Secretary of State will comment on it. Let me ask her this: what are the British Government doing to ensure that the UNHCR is radically improved, following all that we have seen over the past few months? I know that this is not our Government's primary responsibility, but I hope that we are taking the lead in improving the performance of the UNHCR, which has a vital role to play in overseeing the support of refugees in Kosovo and the reconstruction of their lives.

Yesterday, I referred to the current return of refugees. We all recognise the need for caution and the danger of mines, but—here we are talking about people who are based in Albania and Macedonia—what kind of mentality can draw up a return plan that suggests that refugees will not start to return in any numbers until three weeks after NATO goes in, and that a further three or four months will elapse before the main body of refugees return? Have these people not spoken to the refugees? All those to whom I spoke in Kukes had only one thing on their minds: to get home as quickly as possible. It is not a bit of good for the UNHCR to say that that is inconvenient or dangerous; it is what the refugees are going to do.

If the UNHCR is to make a valuable contribution, it must have a plan that is in touch with reality. Of course the refugees must be warned about mines, and of course we must do what we can to clear Kosovo of mines;

but these people are going home. Make no mistake about it: when the last Serb forces have withdrawn from Kosovo on Sunday, there will be a mass return, and we must be ready for it. I ask the Secretary of State to seek an urgent meeting with Kofi Annan, and to impress on him the need to overhaul the UNHCR's working practice and capacity.

Can we be confident that adequate food, water and medical supplies are being reserved in preparation for the return of refugees? Is the Secretary of State satisfied that the supplies will be sufficient this weekend to support the hundreds of thousands who are likely to return? Can she also say something about the condition of the Kosovars who did not flee the country, but stayed sheltering in the countryside? What steps are now being taken to meet their urgent medical and other needs? Perhaps those are the people who have suffered most of all.

What is the Department doing to support the demining that is now so vital? What resources are being pumped into that, and will the Secretary of State confirm that the need is urgent? Will she also confirm that humanitarian help will be available to Serb civilians who remain in Kosovo, and that our approach will be simply that humanity is humanity, from whichever ethnic background we come?

Is the United Kingdom still taking refugees each week? If so, when is that phase of our help expected to end? Has it not always been our priority to see people return home?

Will the right hon. Lady comment on the situation at Pristina airport? Is it not true that the Russian presence there is not just a minor inconvenience, or diplomatic incident? Is it not hampering our aid effort because we are unable to get supplies flown in as we would like? Does she think that the matter can be finally resolved with our friends in Russia at this weekend's International Monetary Fund talks?

I was going to make several other points about long-term reconstruction, but I should like to give the Secretary of State plenty of time to respond to the points that have been raised. As I have said, it has been an excellent debate. We are all pleased that NATO has won the war. We commend NATO for that. We all agree that we must now win the peace. We must get the Kosovar Albanians home and begin the long and difficult task of reconstruction so that we can see peace, stability and, in due course, prosperity in the Balkans.

6.36 pm

The Secretary of State for International Development (Clare Short): I am grateful to the hon. Member for South-West Devon (Mr. Streeter) for giving me extra time. I want to respond as fully as I can to the good contributions that have been made. I will try to ensure that we respond in writing to those that I do not manage to reach.

It has been a good debate, although it has been a little too much of a post mortem. We have not got the refugees home. I am not blaming anyone for that, but hon. Members are talking almost as though it is over. In fact, we will have a problem as big as the one we had earlier. It is a welcome problem, but there is still a lot to do. There will be much pain and mess. Many children who were driven out of their homes and into camps will be blown up by mines and unexploded ordnance when they get home, so we should not be complacent about what is left to be done.

There has been broad support in the House for the action. It is notable that people who oppose wars always talk of those who defend military action as jingoists, saying that they wallow in that action. There has been none of that. It has all been with great regret. As the hon. Member for South-West Devon said, it was imperfect good against outrageous evil. We always knew that.

War is never good. It is always better prevented. None of us celebrated the war in Kosovo, but most of us thought that it was absolutely necessary. I say to those who opposed the war: of course we all respect their right to do so, but I did not hear a single one of them say what we should have done to prevent ethnic cleansing from being rewarded. Our failure to act in Bosnia made Milosevic stronger and stronger and more willing to go on in Kosovo. Regrettably, there was no other way. Of course, if we had acted earlier in Bosnia, who knows?—but we did not. We should have stopped Hitler earlier.

The hon. Member for Mid-Sussex (Mr. Soames) said that we could not have undertaken the D-day landings in the current climate. I agree—we could not have sustained our action in the second world war. We would not have kept on.

There has been carping from the media. They expected instant results and no one to get hurt. During the second world war, they would have said, "Mr. Hitler criticised the bombing from his bunker today." They would have said that the concentration camps were not there when the war began, so they were really our responsibility. Some of that is worrying. Is this country capable now of taking military action when it is necessary to defeat monstrous evil? There are profound lessons to discuss and to learn, but we have a bit of time in which to do so.

The shadow Foreign Secretary, the hon. Member for Stratford-on-Avon (Mr. Maples), made an impressive and eloquent speech. He talked about the handling of Russia. Clearly, that is a delicate and complicated matter, but we have had contradictory behaviour from Russia. It has co-operated on the UN Security Council resolution, which was important for the world and in resolving the problem—but then came that strange behaviour with its sudden military activity in Pristina.

The most worrying thing is that there might not be an organised Government in Moscow. If the country's decision making is split, that is very worrying for future stability.

It is the view of all those close to the ground that the situation at Pristina airport is not a major problem. It can be handled. It is not stopping aid resources being brought in. Of course, we need to do this delicately. There can be no zone; there can be no partition. We all agree about that, but for the future, we should handle Russia delicately now, and look at the conditions in Russia and the terrible growth in poverty.

Russian men have lost nine years of life expectancy since the collapse of the Soviet Union. The growth of poverty and instability in the country is serious for its people and for the future of us all. We need to give the matter more attention.

The view of our military forces and of NATO forces generally is that most Kosovo Liberation Army members have behaved remarkably responsibly. Furthermore, the United Nations Security Council resolution states that the KLA should demilitarise, not disarm—there is a difference. People will not be able to go around loaded

[Clare Short]

with arms, but neither does every last scrap of weaponry have to be removed. Talks are in progress to reach an agreement on those issues.

There have been some bad incidents, and some arrests, since KFOR entered Kosovo, but KFOR has been very even-handed in dealing with any abuse, whether it comes from Serb forces or individuals or from the KLA. We hope that we shall be able to reach a sensible settlement on those matters.

Initially, the United Nations will lead the new civilian authorities, and local police forces will have to be established and trained. Many very responsible young men joined the KLA and should be encouraged to become part of the new policing arrangements, so that they have a responsible job in bringing order to their country. We have to make arrangements such as that.

We are very clear that we should try, in every way that we possibly can, to ensure that the Kosovar Serbs are made to feel safe. That is part of the agreement and of everything that we have said. Enormous pressure is being put on the KLA to ensure that there is no victimisation, and KFOR has given great assurances on the matter. Nevertheless, 38,000 Kosovar Serbs have left. Although we regret that, not all the Kosovar Serbs will leave.

We know that, in any exodus, everyone does not leave. There will still be Serbian people in Kosovo, and they will have to be reassured that they are full citizens and are protected absolutely. Those who are guilty of terrible war crimes, as some are, should be dealt with by the International War Crimes Tribunal, not in reprisals. We shall do everything in our power to secure that objective.

The hon. Member for Stratford-on-Avon asked whether Yugoslav forces have co-operated in providing information on mines and demining. The answer is yes—although, of course, that does not mean that all the mines have been cleared, or that KFOR has detailed reports on all the mines. Nevertheless, Yugoslav forces have co-operated, in accordance with the agreement.

We are also clear that, as long as Milosevic and his regime remain—he is an indicted war criminal, and the regime is deeply corrupt and oppressive—there will be no reconstruction assistance to Serbia. We are equally clear that the moment there is any change of regime, we shall do everything in our power to co-operate with Serbia in helping it to become part of modern, democratic Europe. Although that is the position, if humanitarian assistance is needed, it will be provided; it goes to anyone, regardless of his or her origins. If Serbia has such a need, it will be provided for.

As my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs said, it is very significant that the Orthodox Church leadership has called for Milosevic to step down. Let us really hope he does, as that would be the best thing for the future of the people of Serbia.

The right hon. and learned Member for North-East Fife (Mr. Campbell) paid tribute to Louise Arbour. I join him in that. She has been responsible for dealing with war crimes not only in former Yugoslavia, but in Rwanda—which is also recovering from terrible genocide, although the international community failed to act in that case. She has done a very fine job, and I am sure that we all wish her well in her future job. We must, if we can, find someone else in the international system who is as good to take over from her.

My hon. Friend the Member for Halifax (Mrs. Mahon) had, as she said, to leave the Chamber before the end of the debate. She knows that I have great affection for her, but profoundly disagree with the position that she has taken on the conflict. I should tell her—and everyone else who says that we should not act without United Nations authority—that, if we had waited for such authority, we would not have acted in Kosovo, so that ethnic cleansing would have been rewarded, and territory would have been taken by rape, pillage and the killing of children.

At the United Nations Human Rights Commission hearings, Kofi Annan, the United Nations Secretary-General, said that he was proud to lead an organisation of sovereign nations, and to live at a time when we have more respect for democracy and human rights than ever before in human history. He also said, however, that, in recent years, there have been three terrible incidents of genocide and ethnic cleansing—in Cambodia, Bosnia and Rwanda—and that there has now been another one, in Kosovo. He said that for as long as he leads the United Nations, no organisation based on sovereign states can be used as a cloud to allow ethnic cleansing and genocide to go on.

The Secretary-General of the United Nations has said that UN arrangements were imperfect and there had to be a way to deal with such situations. The UN has sensibly taken on responsibilities as soon as possible. It is not good enough to say that we can do nothing in the face of a great evil unless the UN says so. We had to act against forces that were not only evil but preventable and threatening massive and increasing instability in Europe, probably spreading to the territories of the former Soviet Union and creating a danger of continuing war and conflict for our continent. Those who say that we should not have acted without specific UN authorisation disagree with Kofi Annan and are wrong.

Many hon. Members spoke about environmental damage. I have met the head of the UN environmental agency in the past few days. It is going to carry out a survey of Kosovo and Serbia and report to the international community. He said that a quick survey of the Danube had been carried out and the situation was not as bad as some people claim. He is going to do that for the benefit of us all, but he thinks that the reports of terrible environmental degradation are exaggerated.

The right hon. Member for Tonbridge and Malling (Sir J. Stanley), a former Minister for the Armed Forces, raised some important issues to which I do not have time to do justice. Some of them relate to the new international arrangements in the post-cold war world, such as what kind of NATO and United Nations we want. Paragraph 11(e) of the Security Council resolution says that the Secretary-General should facilitate

"a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords."

That leaves the future status of Kosovo open and it will be decided by the UN. Mr. Milosevic says that he is determined that it will remain part of the former Yugoslavia, but he is not speaking the truth, just as he does not about many other matters.

I agree that the record of arresting war criminals since Bosnia has been very poor. That is partly because of the nature of Republika Srpska and all the difficulties

involved. Milosevic thought that he could get Republika Srpska to be part of his greater Serbia. The situation should become easier if we are wise about settling Kosovo. I cannot believe that the right hon. Gentleman thinks that we should invade Serbia to get the war criminals. Obviously we should get all of them as soon as we can, but the Dayton settlement meant that we have been operating with our arms behind our backs. I think that we shall make faster progress now.

Sir John Stanley *rose—*

Clare Short: I am terribly sorry, but I do not have time to give way.

My hon. Friend the Member for Swansea, East (Mr. Anderson), the Chairman of the Select Committee on Foreign Affairs, spoke about training journalists. We have been doing that. The World Service has scheduled extra programming. We have been training Kosovar Albanians in the camps, because information is desperately needed there. We have been providing wind-up radios. We shall continue with that work, because access to the truth is an important part of democracy. We are engaging in ever more such programmes across the world and I guarantee that we shall try to expand the work further.

I share in the tribute that the hon. Member for Mid-Sussex (Mr. Soames) paid to the armed forces. When I went to Macedonia, many thousands of refugees were stuck on the border in no man's land, people were dying, babies were being born in the mud and there was a real danger of cholera. They had been there for days. Our armed forces set up a kitchen and cooked 26,000 meals. No one ordered them to do it or provided the money. When I went there I said that I would pay for it, but the armed forces spent money without being asked and ferried all the meals up. Then they started building the camp. It was very moving and I felt enormously proud of them. I am sure that they saved many people from dying. We should always be enormously proud of them.

I apologise to my hon. Friend the Member for Walsall, North (Mr. Winnick) and the hon. Member for Tatton (Mr. Bell) for having left the Chamber when they spoke, but I had some things to do. I have been given a report of what they said.

My hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) has consistently taken a position sympathetic to Mr. Milosevic. I profoundly disagree with him. He continues to argue that position, as he has a right to do, but I think that he is deeply wrong. He and many others—John Pilger, Tariq Ali—are so anti-American that they are against what the US does, not against what is wrong. The US has been wrong in the past—

Mr. Wareing *rose—*

Clare Short: I cannot give way because of the time constraints. It is morally blind to take one side regardless of what it does. It is profoundly wrong to stand against taking action against ethnic cleansing just because the US is in favour of action. My hon. Friend the Member for West Derby claims that we are all pro-Croatia and Tudjman, but that is not true. The Croatian regime is ethnically oppressive and undemocratic, the economy is in poor shape, and the people of Croatia will need help in reforming their institutions, so no one here speaks in favour of the situation in that country.

I apologise to some of the hon. Members who spoke because I will not have time to address their comments. I briefly addressed the point made about the KLA by my hon. Friend the Member for Linlithgow (Mr. Dalyell), but I do not have time to speak at any great length.

My hon. Friend the Member for Harlow (Mr. Rammell) talked about the need to make progress with European defence co-operation. I ask Conservative Front Benchers not to be so anti-European that they adopt foolish positions. Some 80 per cent. of the air power used was US air power. Europe spends 60 per cent. of what the US spends on defence, but we spend it so ineffectively that we do not have 60 per cent. of its capacity. We must be able to collaborate and use resources more effectively. The nature of war has changed and we need different equipment. We must therefore seek better European defence co-operation.

The overwhelming task now is to get the refugees home in safety. Some of those who were displaced internally are weak and malnourished, but they are not in such bad shape as some people feared. They are under-nourished, but most of them have had some kind of nourishment. The priority is to get food and medical supplies to them and get them home.

As I have said before, we cannot tell the refugees in Macedonia and Albania that they cannot go home. They need information. They need to be advised about where the mines are and what the dangers are. We are undertaking massive mine education campaigns. There have already been some accidents, and I fear that there will be more. However, the refugees are starting to move home. Those who lived near Kukes can see their villages from the border and they want to go home.

The return will be phased, as we have learned from Bosnia. The people who are close and who know they are safe will go early. The young and the fit go home to fix up the house or to find out the situation, and then send for the children and the older people later. Some of the more vulnerable will stay in Macedonia, Albania and here and go back as their families get things ready for them. Then we will be left with the very vulnerable—the children who became separated from their families and the elderly people whose children were killed. They will need special help to get home and we must ensure that provision is made for them.

The return will be messy, but we can support people as they make their own decisions. It will be chaotic and untidy, and the UNHCR is unwise to think that it can control it all. I do not agree with the hon. Member for Hertford and Stortford (Mr. Wells) on this point. He knows that I respect him greatly, but I must tell him that now is not the time for speaking at length about what went wrong with the UNHCR. It is still in charge of the operation to return people to Kosovo and we must work with it and strengthen it. Things are a bit better now, but there are lessons to be learned when it is all over and we will get on to that job at the appropriate time.

Britain has a capacity to move more quickly than some others do. We have offices in Tirana and Skopje and we shall open an office in Pristina. We can spend our money quickly and we therefore have flexibility. We operate through the most effective agencies we can find to assist

[Clare Short]

programmes on the ground. We need to examine the specific role Britain can play to make the best contribution we can make, and we will try to make a big contribution on demining.

The military will demine on the routes they will use, but the rest of the country needs to be demined too. We have agreed with the UN Mines Advisory Service—we had a meeting in London—that we will help. The Halo Trust, a British NGO, has started surveying for mines and unexploded ordnance.

We will begin to do the job systematically. I said to the head of the United Nations Environment Programme that the people surveying the mines and those examining the environmental damage should act together and see where the problems are throughout Kosovo and Serbia. I remind my hon. Friend the Member for Halifax that unexploded ordnance is both NATO and Serb, and the mines are all Serb.

We will bring in building materials to enable people instantly to patch up their houses and get into some accommodation, perhaps putting up tents beside the houses to see them through the winter, and then we will move on to more long-term facilitation for rebuilding. Reconstruction will take a long time. The process needs to run seamlessly as people get home and start to rebuild. Wherever possible we want to empower people to solve their own problems rather than doing it for them.

The new civilian authorities will be led by the UN. There is a Secretary-General plan, and we will implement it as soon as possible. A society has to be built from scratch, with schools, hospitals and medical systems, and we have to settle what law will apply. It will not be easy. It will take time and there will be a lot of mess but we must do it as well as possible.

I must say to my hon. Friend the Member for Linlithgow that there are a lot of drug addicts and drug dealers in Scotland. That is what is wrong with what he said. Scotland Yard may have reported that there are some Albanian criminals in the world, but to speak of people who have been bombed, raped and killed as though they were all criminals is unbearable.

I am humbled by the courage of people who kept their dignity as they were driven out and made to live in camps. Now they are going back and they are determined to rebuild. That does not mean that they are all saints—no people are—but their dignity is humbling and they have a considerable job to do.

Mr. Dalyell: Will my right hon. Friend give way?

Clare Short: I am really sorry, but I cannot because I have only a couple of minutes left.

There are special problems because the World Bank cannot lend to Kosovo any more than it can to Montenegro, first, because it can lend only to countries that are members, and, secondly, because of their status as part of the former Yugoslavia. We need to make special arrangements to ensure that Kosovo and Montenegro get the reconstruction help that they need, and to make up for the fact that the World Bank and the other development banks cannot help them.

The other countries in the region have been absolutely remarkable in their support for the NATO action, in a way that they were not at the time of Bosnia. They have the beacon of modern democratic Europe before their eyes and they desperately want to be a part of it. They know that the old poison of the Balkans—ethnic hatred, separation and attacks—cannot be part of their future if they are to be part of a modern Europe. That gives us a fantastic historical responsibility and opportunity.

The region wants to change and to become part of a modern democratic Europe. We have to help in that process. It will not be easy. The neighbouring countries have not been bombed—people sometimes talk as though they have—but they are in transition from communism and many of them are hardly making the transition. Albania is the poorest country in Europe.

Macedonia complained and complained. It heroically took a lot of refugees but when we said that we would help with money, it did not have the Government systems to tell us how much was needed. We had to send in experts—from the Adam Smith Institute, as it happens—to work out what was needed. Incidentally, the experts told me the other day that they never supported Thatcherism. Macedonia's Government financial systems do not work. Helping the countries to reconstruct is not simply a matter of throwing money around. We need to build democratic societies from scratch. It will not be easy, but it is possible.

Anything less means that all this can happen again. That is the story of the Balkans. We have in our hands the real chance to take the poison and nastiness of ethnic hatred, and the taking of territory by ethnic cleansing, out of the region and to make the Balkans a part of modern Europe. That is a great responsibility and it will take years. We need to work together.

We have had a problem in the conflict, but there is still a major problem in Russia and for the people of Russia.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Mr. Dalyell: On a point of order, Mr. Deputy Speaker. May I gently say, as a former elected member of the executive of the British-American parliamentary group, that some of us feel a little hurt at just being told that we are anti-American, when our objection is to certain—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman knows that that is a matter for debate, not for the Chair.

LIAISON COMMITTEE

Ordered,

That Mr. Rhodri Morgan be discharged from the Liaison Committee and Dr. Tony Wright be added to the Committee.—*[Jane Kennedy.]*

Footwear Industry

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

7 pm

Mr. Phil Sawford (Kettering): I begin by thanking my hon. Friend the Minister for Energy and Industry for the interest that he has shown in the footwear industry. I welcome the fact that he supports the footwear industry action plan launched in Rossendale last year. I am also grateful for his Department's support of the benchmarking programme between the United Kingdom and Italian footwear industries, and for its efforts in promoting the benefits of British safety footwear.

I am sure that most hon. Members know that footwear is the traditional industry of Northamptonshire. Thousands of people in the county are still employed making shoes. The skills and expertise are part of a proud tradition, and we continue to produce some of the finest shoes in the world. I am told that Northamptonshire produced most of the boots for Cromwell's army, so the tradition goes back some time.

Mr. Phil Hope (Corby): He never paid for them.

Mr. Sawford: There is a rumour to that effect, which we shall pursue with my right hon. Friend the Chancellor.

Anyone born in the county, as I was, will more than likely have some connection with the footwear trade. Two of my grandparents worked in the footwear industry all their working lives. My parents met in a shoe factory: she heard him clicking, he admired her uppers, and here I am.

I must be one of the few hon. Members who walk into Parliament each day wearing shoes made in their home town by people they know personally. Being Northamptonshire born and bred, I am very proud of that. Also, although it is not a fetish, I notice what other hon. Members wear on their feet. Without being too critical of my colleagues, few of them wear anything as good as a pair of Cheaney's finest when they enter the Chamber. My hon. Friend the Minister visited the factory recently, and I invite him to buy a pair of top-quality shoes made in Desborough. I shall be glad to collect them and deliver them to him.

I want to highlight the successes and opportunities in the industry, and to draw attention to a number of problems and concerns. It is important to set the context. There is no doubt that the industry has declined. In 1979, more than 80,000 people were employed in the British shoe industry. The total is now nearer 20,000. However, the industry is still important. It produces 89 million pairs of shoes a year, with a value of more than £500 million, and almost half the output is exported. Many other industries would be doing well if they could match that.

The industry provides employment for more than 20,000 people, and is a world leader in men's formal footwear and in youth street fashion footwear.

Mr. Hope: I thank my hon. Friend for giving way and can tell him that I, too, am wearing a pair of Cheaney's shoes, which I bought from the factory shop in Desborough, so he no longer need bother to look at my feet.

However, I hope that that is not being disloyal to the Dr. Martens factory—

Mr. Paul Stinchcombe (Wellingborough): I am wearing a pair of those shoes.

Mr. Hope: My hon. Friend the Member for Wellingborough (Mr. Stinchcombe) is wearing shoes from that factory, which is in my constituency and also in his. It employs 2,300 people locally and about 3,000 nationwide. It sells 10 million of the 89 million shoes made in the United Kingdom and it has a £280 million turnover. In a recent global survey, Dr. Martens was rated one of the world's 100 best-known brands. I spoke to the managing director today—

Mr. Deputy Speaker (Mr. Michael Lord): Order. Interventions should be much briefer. If the hon. Gentleman intends to make a speech, he should do so after the hon. Member for Kettering (Mr. Sawford) has finished his.

Mr. Hope: Will my hon. Friend address concerns about the high rate of the pound, which is affecting exports of Dr. Martens, and import penetration?

Mr. Sawford: My hon. Friend has mentioned Dr. Martens, but there are many well-known names, including Barkers and Loakes. Many small family businesses produce good shoes, but Dr. Martens is perhaps one of the biggest success stories in the shoe industry in Britain. In addition to having a high reputation for our footwear, we have a good reputation for research. The Shoe and Allied Trade Research Association, which the Minister has visited, is at the forefront of testing, innovation, research and development. It deals with the shoe trade in Britain and thousands of companies around the world.

Britain is a world leader in footwear design and teaching. Cordwainer college has an excellent reputation, and the variety of ethnic styles and outrageous designs on show at its Barbican exhibition last year was impressive. Young people are coming through, and our training programmes have much to contribute.

The footwear industry is an important part of my local economy and in the constituencies of my hon. Friends the Members for Northampton, North (Ms Keeble), for Wellingborough (Mr. Stinchcombe) and for Corby. I am delighted to see all of them behind me. The industry is also important to the national economy. Exports have doubled during the 1990s, and the Department of Trade and Industry has assisted with much-appreciated trade fairs and export promotions.

Ms Sally Keeble (Northampton, North): My hon. Friend will know that the famous Church's of Northampton produces excellent shoes. Will he comment on the difficult export position in which both Church's and Griggs find themselves because of trade barriers that certain countries have raised?

Mr. Sawford: That is one of the issues that I had intended to raise. The UK footwear industry is open and competitive. Through good times and bad, we have successfully met the challenge of overseas competition.

[Mr. Sawford]

However, 85 per cent. of footwear sold in Britain is imported. That is not true of other countries, and many foreign markets are effectively closed to the UK industry. We welcome efforts by the Government to press for a sharp reduction in tariffs, and I ask the Minister to press that case hard during the millennium round of trade negotiations. I hope that he will stick rigidly to the goal of removing all tariffs by 2010.

Talking to manufacturers and employees, I have found that they fear that the UK or the European Union may make concessions on our tariffs while other countries maintain restrictions on our exports. I ask the Minister to keep a watchful eye on negotiations to ensure that market access is fair to all parties. The industry asks only for a fair system and a level playing field, and we should support those aims. I congratulate the National Organisation for Footwear, Leather and Shoe Repairs on its accreditation with the Department for Education and Employment. It is recognised as a national training organisation, and I ask the Minister to join me in welcoming the industry's increased investment in the skills of its employees.

I know that I am asking a lot, but will the Minister also look favourably on any request for support from his Department for any project to upgrade the recruitment and career resources of the industry? There is a perception that the industry is old-fashioned—a sort of sweatshop industry. That is not how it is. It is an industry with a future, a lot of high-tech and opportunities. It is important that we promote the industry in that way to attract the right people to develop their skills and a career within the footwear trade.

I am sure that the Minister knows that China is the world's largest footwear producer. It incorporates many state trading companies within its industry. Proof of dumping and customs fraud by Chinese traders has been found through the European Commission. Will the Minister do his best to ensure that any future trade agreements with China are rigorously fair in both directions?

Mr. Paul Gates, the general president of KFAT—the knitwear, footwear and allied trades union—drew attention to that particular issue this week in Llandudno at the union's national conference. He said:

"China imports into the UK some 40 million pairs of footwear. Much of this is produced in modern factories with the Latest Machinery. Indeed, I learned of one factory which is investing $43 million on the latest equipment. No UK company can make this sort of commitment. That is why we are calling for China's entry into the WTO (World Trade Organisation) to be with 'Developed Nation Status'."

It is important for the industry that China's entry is considered and approved, but with that developed nation status. We are not dealing with a third-world economy. When it comes to producing shoes, China has the technology, the modern equipment and the factories. There is no reason to be more generous to China than we need be.

Mr. Gates also called for the whole issue of tariff and non-tariff barriers, which restrict the ability of UK manufacturers to export overseas, to be addressed at the next round of WTO talks at Seattle. I hope that the Minister and his Department will take that point on board.

The industry needs more IT support. Footwear is no more low-tech than any other industry these days. Many companies want to develop their IT, computerisation and, particularly, electronic commerce. Our smaller companies and traditional family businesses in and around Northamptonshire and elsewhere in Britain do not always have the resources and skills to take that forward.

Mr. Stinchcombe: My hon. Friend mentioned small family businesses. Will he join me in expressing concern to the Minister that some of those firms feel that they are over-regulated?

Mr. Sawford: Yes, I think that they do express that view. That has not happened just in the past two years. I know that many of those businesses feel that successive Governments have perhaps regulated them a little too much.

Mr. Gates has called on the Government to work alongside regional development agencies and to recognise the need for positive help and support on IT. I hope that the Minister will note that and provide support if his Department can be of assistance in that direction.

I do not intend to speak for too long, but I hope that in this short debate I have been able to highlight the successes of our footwear industry as well as its challenges and concerns. Yesterday I was interviewed by a television company which said that it wanted to talk about the crisis in the industry. I said that that was not my agenda or how I saw it. That is not what we are talking about here. There are problems in terms of trade agreements and negotiations, and the industry has become depleted since its heyday; but, for all that, we are highlighting successes—we are proud of our industry.

I am most grateful to the Footwear Manufacturers Association and KFAT for helping to prepare me for this debate. I thank my hon. Friend the Minister for his interest in this important industry. Finally, I thank those people in my constituency and in the rest of Britain who use their skills to make the shoes that many of us wear every day when we come to Parliament.

7.15 pm

The Minister for Energy and Industry (Mr. John Battle): It is traditional to compliment hon. Members on winning an Adjournment debate, and I congratulate my hon. Friend the Member for Kettering (Mr. Sawford) on that. However, I want to do more than that. The way in which he used a constituency example—a personal story—not only to champion the excellence of the production skills of a company in his constituency, but to spell out the structural questions relating to a whole sector, was quite remarkable. I enjoyed the personal tone and the lively and interesting way in which he presented the case. It was a model of what Adjournment debates should be.

I notice that my hon. Friends the Members for Corby (Mr. Hope), for Northampton, North (Ms Keeble), for Wellingborough (Mr. Stinchcombe) and for Derby, North (Mr. Laxton) are in the Chamber. They were anxious to speak, but, at this time of the evening, were unable to fit in more than one sentence. It is unfortunate that we cannot hold a longer debate in which to raise these matters; they are precisely what we should be talking about in the Chamber.

My hon. Friend the Member for Kettering and I began the day together in the Chamber, because he switched the place on—as it were—with his question at Trade and Industry questions. Now, he is putting the lights out tonight—what a day. He assiduously represents his constituency in raising these matters.

When I was elected to this place in 1987, my hon. Friend the Member for Linlithgow (Mr. Dalyell) asked me how I got here. It was somewhat unexpected because I won against the trend. I explained to him that I had traipsed around my constituency, knocking on doors and talking to people. He made the remark, "What makes a good politician is shoe leather". A winning politician is about shoe leather. I think that we could take my hon. Friend's remark especially personally in the case of the footwear industry.

I enjoyed my visit to Cheaney. My hon. Friend the Member for Kettering patiently persisted in urging me to go there, to see one of the United Kingdom's leading manufacturers. From that visit, I learned about the blend of traditional craft skills with the latest high-tech technologies that has transformed what is regarded as a traditional sector, and has shown how that sector can be regenerated and built up for the 21st century. It was a good experience. My hon. Friend invites me to buy a pair of shoes, and I shall be more than happy to do so. If he is willing to act as their transport, he can be my guest. I am happy to purchase a pair of stout shoes, as I shall continue to do a great deal of walking; I shall be glad to do so in a pair of Cheaney's best.

In February 1998, I gave a speech at the footwear liaison action group's first national conference to launch its action plan for the industry and to try to get ahead of the game—not to treat events as a crisis, but to anticipate what we would be up against. The fact that the hon. Friends whom I mentioned are in the Chamber shows that the regional clusters that we talk about in my Department exist. There is a cluster of excellence in the industry that should be supported, and should be given the best assistance that we can provide to meet the challenges of global competitiveness that face industry.

The sector has real strengths: quality, design, innovative products, world-leading flagship brands—Church's, Clarks, Dr. Martens or Cheaney's—and an amazingly strong export performance. There is a positive attitude towards improving the sector's performance, from the trade associations, the business support associations and, of course, the Cordwainer college, which my hon. Friend congratulated. The college is internationally renowned for the design talent of Patrick Cox and others. The list is impressive. It provides a firm foundation that will ensure a successful future for the industry.

Some ideas have already emerged from the action plan. There are developments in relationships with customers—life style clothing retailers, department stores, mail order companies and so on—to build and develop supply chain management. There are benefits from the clustering that aids collaboration between manufacturers, components suppliers and educational establishments; that has already happened in Northamptonshire, providing a model of how to do it. Export markets have been developed, using innovative sales techniques and methodologies.

I hope that high-tech in the industry will also include e-commerce, because that is where the trade of the future will be. That needs to be plugged in to the overall development. Marketing—especially effective branding—should be used to add value. Changes should be explored to improve adaptability and flexibility to new market demands. Technologies should be adopted that make production more efficient and, indeed, environmentally friendly. I have seen evidence of that in my visits. The industry is pursuing those opportunities enthusiastically, and many manufacturers have taken up the challenge and are well-positioned to break through into the 21st century.

In the time available to me, I shall focus on technology and innovation. We cannot meet the challenge of global competitiveness on low wages: only one company can be the cheapest; everyone else must compete on quality, innovation, new ideas, new processes, new products and new ways of doing things. That involves technology, looking at production methods and management systems, and innovating to meet the needs of the market. Here in the UK, companies in the footwear sector produce some of the highest-quality footwear in the world and have done so for generations. I expect them to do so well into the 21st century.

The British Footwear Association runs an ADAPT project—Quickfoot—to help smaller UK manufacturers adapt to the threats and challenges posed by international competitiveness by offering a series of events and diagnostic support. With the participation of Nottingham Trent university, Cordwainer college, Business Links, the Department of Trade and Industry and Eurocad Projects Ltd., that project has delivered a range of consultative and training events to the smaller companies that make up the majority of the UK footwear industry.

UK footwear manufacturers increasingly use CAD-CAM digital last-making and other high-technology and environmentally friendly applications to ensure that the sector has a positive international future. In 1997, the shoe and allied trades research association, with some support from the DTI's innovation budget, ran a project to develop water-based adhesives for the footwear industry to replace some of the solvent-based adhesives. Such innovation is world class and world leading, and it sends a signal to other sectors to transform traditional manufacturing industries into ones of which we can be proud in the 21st century.

There are several education and training schemes and projects run with DTI support either by the Leicester and County Footwear Manufacturers Association or by the national footwear training organisation, which was recently granted national training organisation status by the Department for Education and Employment. Those schemes are designed to ensure that there is adequate and appropriate training in the sector; to attract youngsters and school leavers and to persuade managers to enter the footwear sector because they have a prosperous and successful future there; and to encourage closer links between companies, schools and colleges, so as to ensure that the right skills are taught and the right imagination, willingness and commitment to the sector instilled in the next generation.

With DTI support, the BFA has launched, here and in 12 overseas markets, the industry's largest-ever marketing exercise. The BFA produced a life style brochure that demonstrates the capacities and capabilities of footwear manufacturers in the made-to-order sector. The brochure was sent to more than 2,000 freshly researched contacts, all of which are potential specifiers of own-label footwear.

[Mr. John Battle]

The 22 participating companies have started to assemble new marketing methods to ensure a market for their products.

The footwear liaison action group is a partnership between the Department of Trade and Industry, the Department for Education and Employment, the KFAT, Business Link Northamptonshire, the British Footwear Association, the Leicester and County Footwear Manufacturers Association and the Northamptonshire Footwear Manufacturers Association. All have come together to combine, co-ordinate and co-operate, even in the context of competition, to determine when to compete and when to co-operate for the good of the whole sector. They are working together to support the footwear industry.

FLAG's steering committee has consulted many parties on the range of challenges facing the industry and has drawn up an action plan under three main headings. "Education and training" identifies skills shortages and challenges misperceptions of the industry to increase graduate recruitment. "Competitiveness" addresses supply-chain management issues and runs the Footprint project, which is designed to enhance the use of information technology and other high-tech technologies. "Marketing and exports" encourages branding, sets out a benchmarking project looking at Italian footwear companies, and seeks means of enhancing the safety footwear sector. The group has also advanced a number of projects for support from the DTI's innovation budget. Some are already up and running and others are nearing approval and start-up. I hope that they will prove helpful.

The group is responsible for organising national footwear conferences, such as the one held in Rossendale last February. I think there is to be a second conference on 11 November in Northamptonshire. We hope to build around those conferences and add some momentum and dynamism to the whole sector. Companies are certainly making more use of business support organisations in their local areas.

I must move on to the issue of trade. Given the problems and challenges facing the sector, it is absolutely remarkable that footwear manufacturers achieved an export figure of £517 million in 1998. What is the sector up against? It has received assistance from the DTI's support for the exhibitions and seminars abroad scheme and for overseas trade fairs. This relatively small sector is doing very well in winning resources to participate internationally, which speaks volumes for the industry's tenacious and forward-thinking approach.

There are several important issues to consider. The Government acknowledge that the sector has suffered as a result of both high tariffs on footwear exported from the United Kingdom and low tariffs on imported footwear, particularly products from developing countries. However, the United Kingdom will not be acting unilaterally and we want to see other World Trade Organisation members offering reductions in their tariff rates in order to achieve a level playing field. We will work to that end.

Several of my hon. Friends mentioned China. Any complaints of alleged dumping are lodged with the European Commission, which investigates on behalf of all member states, including the United Kingdom. Each case is then considered carefully by the Government. When there are allegations of fraud, we encourage the Commission to investigate. We are fully apprised of the various non-tariff barriers restricting access to the Chinese market, and we are pressing the European Commission—which negotiates on behalf of the United Kingdom and other member states—to address those matters robustly in the continuing negotiations concerning China's accession to the World Trade Organisation. That issue is part of the negotiations and we will continue to press the Commission about it. It is a vital matter for the sector.

I am aware also of the sector's priorities and goals set out in the British Footwear Association's recently published trade policy paper, and we will take full account of them during the World Trade Organisation market access negotiations. That is consistent with the aim of opening up markets fairly and creating a level playing field that will enable this quality sector to flourish. A paper has been submitted arguing that many overseas markets have high tariffs and other market access restrictions, and that there should now be reciprocity. We cannot wait: we must press hard to ensure that happens.

There have been requests for projects to upgrade recruitment and careers resources in the industry. Officials in the textile, clothing and footwear unit will consider on merit any applications for project support, including those involving the innovation project. We anticipate that the national footwear training organisation will make a strong application and, if it fits the usual project criteria, I hope it will be viewed favourably. I can say no more than that in the Chamber. Let us see what can be done.

The point of this debate is to get ahead of the game and anticipate future difficulties. The industry today is facing real difficulties involving China and tariff barriers. However, the WTO and the European Commission are forums for negotiation and we will keep challenging and working on behalf of the sector. The sector has realised that the traditional crafts and skills, honed over generations—which are a pleasure and a delight to see in action—can be blended with new technologies, including information technologies, mechanical equipment technologies and CAD-CAM design. That will lift the sector but not denature traditional crafts. Traditional hands-on crafts can be blended with the best scientific and technological advances to develop and deliver a product that is serviceable and a pleasure to wear.

I cannot think of a more vital industry. Try walking around London or elsewhere in modern Britain without shoes. That is practically impossible. We want to ensure that the British footwear sector is strong. There is a cluster of excellence in the region represented by my hon. Friends, and I am sorry that we cannot debate this matter further tonight. Let us treat this Adjournment debate as the beginning of our conversation.

Question put and agreed to.

Adjourned accordingly at half-past Seven o'clock.

House of Commons

Friday 18 June 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PETITION

Gaming Act 1968

9.33 am

Mr. Jim Fitzpatrick (Poplar and Canning Town): I wish to present a petition, which states:

To the honourable the Commons of Great Britain and Northern Ireland in Parliament assembled.

The humble petition of Martin Bowers, Chairman and Company Director of the Peacock Gymnasium, Caxton Street North, London E16 1JL, Charity Number 102296, and Fred Cutts, Trustee of the Peacock Gymnasium, Caxton Street North, London E16.

Sheweth:—That since implementation of the Gaming Act 1968, no areas in London other than those described as permitted areas, namely the boroughs of Westminster, Kensington and Chelsea and part of Camden, have been identified as appropriate for 'casino' operation.

Wherefore your Petitioners pray that your honourable House do urge the Secretary of State, the Home Office, to acknowledge that the mischief the Act then sought to address having now been achieved, to now include the area known as Docklands as a permitted area within which casinos may operate (subject of course to other existing regulations)."

To lie upon the Table.

Tourism (New Millennium)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

9.34 am

Mr. Edward Garnier (Harborough): On a point of order, Madam Speaker. I apologise for interrupting the proceedings of the House, but I wonder whether you have had a request from a Minister to make a statement about the written answer that was snuck into *Hansard* yesterday in response to a planted question from the hon. Member for Dartford (Dr. Stoate), which is reported at column *213*. It announces that the Government will not now implement part II of the Family Law Act 1996 in 2000, as had been previously expected.

As I understand it, the Act, which humanises and liberalises the law of divorce, was passed under the previous Government with the co-operation of the then Opposition and with the personal blessing of the then shadow Lord Chancellor, Lord Irvine of Lairg. It now appears, as a consequence of the planted question, which was tabled on Wednesday for answer yesterday, that the Government have admitted that they are not prepared to put the resources into the necessary reconciliation procedures that would be required to make the Family Law Act 1996 work.

I wonder whether the Parliamentary Secretary, Lord Chancellor's Department, or any other Minister, has had the decency to condescend to come to the House to tell us why the Government will not do what they said they would do in opposition.

Madam Speaker: I have not been informed so far today that any Minister is seeking to make a statement on that issue. The hon. and learned Gentleman will understand and appreciate that Ministers make statements either orally at the Dispatch Box or by written answer. If the hon. and learned Gentleman wishes to pursue his point, he must find ways and means to do so through the Order Paper.

9.37 am

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): May I begin by offering many congratulations to the hon. Members for East Surrey (Mr. Ainsworth) and for West Suffolk (Mr. Spring) on the Opposition Front Bench on surviving the reshuffle? It is always a pleasure to see them in their places. I wish to apologise to the House and especially to the hon. Member for West Suffolk and to my hon. Friend the Minister for Tourism, Film and Broadcasting for my inability to stay right to the end of the debate, because I have to be in Scotland this afternoon. I will read with great care what is said.

I am pleased that we are able to have this debate today. It is the second debate on tourism in a few weeks in the House and there have also been several debates recently in the other place. I am especially pleased to see with us this morning my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry), who played such an important part while we were in opposition in laying the foundations of a robust tourism policy which, I am pleased to say, we are now able to implement. The document "Breaking

[Mr. Chris Smith]

New Ground", which my hon. Friend played an enormous role in producing, has been the foundation stone on which we have sought to build.

I note in passing that, during this Parliament so far, we have had far more debates on tourism than in any previous Parliament. That reflects a growing recognition by the Government and the House of the importance of tourism as an industry. It is of course a vital industry, which contributes £53 billion annually to earnings in the economy. It supports at least 1.7 million jobs and it accounts for some 18 per cent. of the increase in employment in all sectors of the economy since 1987. It is also set to grow still further over the next five to 10 years.

Our strategy, "Tomorrow's Tourism", was launched on 26 February, and I am pleased to say that it is already having an impact. Under the strategy, all branches of government involved in tourism or hospitality are helping to foster a modern, competitive tourism industry for the new millennium. We want that industry to contribute fully to economic prosperity and job creation, to improve quality of life for everyone while contributing to greater social inclusion; to contribute to sustainable development and urban and rural regeneration; to help sustain local communities and economies, particularly those that have depended traditionally on tourism-related employment; and to contribute to the appreciation and conservation of our natural and built heritage. All of those things are part of the effect that tourism can, and should, have.

"Tomorrow's Tourism" was developed with the help and co-operation of Departments across Whitehall and some 200 representatives of the tourism industry. It contains specific proposals for action by central and local government, the tourist boards and by the wider industry. The Government will ensure that we follow up those proposals, and we are committed to reviewing and reporting annually on the progress made in implementing the strategy. I am particularly pleased that we will ensure that there is co-ordination between all relevant Departments across Government by holding a high profile tourism summit each year where Ministers will review progress and consider future action.

We are beginning to implement several key and specific action points from the strategy. It refers to the need to provide effective support for tourism and to introduce a coherent approach across Government. We have already begun to do that. We are setting up the new English Tourism Council, which will provide strategic leadership to the industry in England. We interviewed recently for the position of chairman of the ETC, and we hope to make an announcement about that very soon. The establishment of the English Tourism Council will enable us to free up more money for the English regions to spend directly in support of their individual regional tourism needs. The balance of the money devoted to supporting tourism in England will shift from the centre to the regions, and I believe that that is right.

We are also starting to work with the regional development agencies, which became operational on 1 April, and we will establish shortly regional cultural consortiums that will bring together all cultural and tourism activities in a region to ensure that we can influence properly the work of the RDAs. We are already providing additional funds for the British Tourist Authority's overseas marketing work, and we are taking up a wide range of policy and regulatory issues with other Whitehall Departments. At the same time, we are ensuring that tourism businesses—from large hotels to the many micro-operators within the industry—can benefit from Government initiatives such as the new deal and the forthcoming creation of the new small business service, and all the measures to support small business that my right hon. Friend the Chancellor announced in the Budget.

Mr. Peter Ainsworth (East Surrey): Can the right hon. Gentleman clear up a matter of some uncertainty? In the event of regional assemblies being established, does he believe that the regional cultural groupings to which he referred will report to the assemblies rather than to any national body?

Mr. Smith: That is not my view or intention. The role of regional assemblies—as and when they emerge—will obviously be extremely important. I hope that there will be cross-representation from the assemblies to the regional cultural consortiums. The consortiums will bring together all the bodies—mainly national or nationally derived bodies, such as the regional arts boards, the regional arms of the English Sports Council and regional tourist boards—to discuss what is needed to develop culture and cultural activities in the regions.

Mr. Ainsworth: I raise this matter because, as the right hon. Gentleman may recall, I drew his attention recently in a written parliamentary question to an issue involving a castle in Wales. I received a reply that it was a matter not for him as Secretary of State—nor apparently for the Secretary of State for Wales—but for the Welsh Assembly.

Mr. Smith: The hon. Gentleman may have forgotten—I would be surprised if he has—that my writ does not run beyond Offa's dyke when it comes to built heritage. I am responsible for the oversight of built heritage in England, but I am afraid that I have no power or locus to intervene in relation to castles in Wales—attractive though that proposition might be.

At the heart of our published tourism strategy, "Tomorrow's Tourism", is the principle of ensuring quality in terms of both standards of accommodation and the service that visitors receive from the people running hotels or visitor attractions. Quality of accommodation and quality of service must lie at the heart of any approach to the development of tourism in this country. I recently read a most interesting piece about the results of work done at the behest of the British Tourist Authority, which sought the opinion of first-time visitors to Britain as they left the country about their impressions of tourism in the UK.

We scored very high marks for heritage—including Welsh castles—for history, pageantry, the performing arts and for visitor attractions, which achieved a 90 per cent. plus approval rating. We scored rather good marks—one might be surprised to hear this if one thinks back 10 or 15 years—for the quality of food. We scored rather good marks for the friendliness of people and the welcome that visitors had received. However, I am afraid that we received very poor marks for the quality and value for money of accommodation.

That is why the strategy places so much emphasis on the importance of getting quality in accommodation right. I am very pleased that the English tourist board, the Automobile Association and the RAC have almost completed their inspections under the new harmonised accommodation grading scheme for hotels and guest houses, which will be launched to consumers in September. My Department is working with the Department of Trade and Industry and with the Department of the Environment, Transport and the Regions to discover how we can use the spread of different Government support mechanisms to improve accommodation facilities.

Alongside the need to improve quality in accommodation sits the need to improve quality of service. For too long, people have regarded careers in tourism and hospitality as a second-best option: not real jobs, but temporary or casual employment without decent remuneration, career structures or training. I believe that that perception is now mistaken. Many of the larger players in tourism and hospitality are putting in place high-standard, good-quality training and career development for their staff. They appreciate that decent remuneration, good facilities and conditions of employment, decent training and good career opportunities make for a motivated work force who will provide good service and not only enable visitors to have a good experience during their stay but encourage them to return.

There was evidence of that change of mood within the industry at the hospitality careers festival, which I launched on Monday and which has lasted throughout the week. It has drawn thousands of young people from around the country to learn about careers in hospitality and tourism, and it is a good sign that the industry is keen to ensure that we reverse the old cycle of despair and turn it into a virtuous cycle of good employment and good service.

I am also pleased by the way in which the industry has responded to the new deal challenge issued by the Government. Of all the industries in this country, tourism and hospitality have so far responded best to the opportunities offered by the new deal. Many new deal entrants to the industry—including, I am pleased to say, several in my constituency—are making a success of their participation.

In addition to the provision of effective support through Government structures and the emphasis on quality of accommodation and staff training, a major issue facing tourism and hospitality is the onset of the millennium, which offers this country significant tourism opportunities. The British Tourism Authority estimates that the millennium will help to draw in an extra 2 million tourist visitors from overseas during the millennium year. The millennium dome—which, I am pleased to say, is now known around the world as the most impressive celebration of the millennium—and a wide range of millennium projects and festivities planned by communities throughout the country realise the BTA's slogan, "Britain, now is the time." The millennium offers the opportunity to draw in visitors who might not otherwise have thought of Britain as the destination of their choice.

Mr. Michael Fabricant (Lichfield): That is all lovely, touchy and feely, but what action is the Secretary of State taking to ensure that people will not be exploited by excessive costs and charges if they want to go out and enjoy themselves on new year's eve?

Mr. Smith: The hon. Gentleman does not strike me as being lovely, touchy or feely, but perhaps I am being a touch churlish, so I immediately withdraw that remark. We must balance the need to ensure that people are not exploited with the consideration that those who work through the millennium evening and night and the early hours of the next morning, when they might prefer to be out celebrating with their friends and family, should be properly and decently remunerated.

As well as providing the opportunity for a number of major capital projects—some £1.4 billion of capital has been spent on schemes throughout the country, not only on the millennium dome—the millennium offers us the chance to hold the millennium festival, in which £100 million is being invested by the Millennium Commission and other lottery distributors. More than £50 million has already been allocated to large projects and festivals around the country, including major arts festivals, youth sports competitions, oral history projects and local heritage projects. Many more such projects will be set up as smaller grants of up to £5,000 are distributed. That means that many exciting millennium activities will add to the major capital projects and attractions for visitors around the country.

There are of course other tasks to be undertaken. The first is the provision of better information for customers and businesses. If quality is the principal theme of "Tomorrow's Tourism", better information is its second most important one. I am pleased that the BTA is now using new technology to make it easier for tourists to find out about Britain. The majority of the BTA's 36 new websites will be launched this year. The BTA is also publishing themed information to appeal to tourists with specific interests. A few days ago, my hon. Friend the Minister for Tourism, Film and Broadcasting helped to launch the movie map, which identifies Britain as the place where many film locations can be found. Many tourists want to come and see where a particular favourite movie was filmed. I note in passing that the four current biggest grossing films around the world, including "Star Wars", were all filmed in Britain, a fact of which the British film industry should be very proud.

The Government will also be exploring with the industry how it can give customers clearer pricing information; for example, on hotel accommodation. My hon. Friend has also been exploring the cost of telephone calls made from hotel rooms, many of which are charged at very high premium rates. We shall find out what can be done to help the consumer.

The new small business service aims to simplify and give coherence to the Government's support for small businesses, which constitute the bulk of businesses involved in the provision of tourism services and activities. The service will help them with many matters, including coping with regulations. My Department will be working very closely with the DTI to ensure that tourism truly benefits from the service.

As part of our work, we shall pay particular attention to the needs of traditional resort towns and communities, particularly, but not solely, in coastal areas. For many decades, tourism has been their staple industry,

[Mr. Smith]

but traditional forms of tourism may well be in decline. We shall assist the local authorities and regional tourist boards in those areas to develop strategies to transform their appeal and begin to expand their tourism industry in the modern world. That will be one of the major priorities of my Department and the new English Tourism Council in the coming years.

I am keen to ensure that, across government, the mainstream funding mechanisms for regeneration, ranging from support from the European regional development fund to the work of the single regeneration budget areas, are applicable to those resort towns where the impact on employment of changing patterns of visits and holidays can be very dramatic.

Mr. Ronnie Fearn (Southport): The Secretary of State mentioned seaside resorts; we are very concerned about the decline of some, but not all, of them. He mentioned that help will be given, and various methods are suggested, but has he any specific ideas on whether section IV grants, for example, will be reintroduced to enable the improvement of small hotels, for instance?

Mr. Smith: I cannot give the hon. Gentleman the specific assurance that he seeks. However, we must ensure that all arms of government are working with the needs of seaside resorts and other resort towns very much in mind. I am pleased, for example, that, in his constituency, the heritage lottery fund has come through with support for the refurbishment of the pier, which will undoubtedly help to stimulate the regeneration of tourism in his area. We must consider all the different ways in which the Government can support such areas.

Mrs. Jacqui Lait (Beckenham): In pursuing that point, may I ask what the right hon. Gentleman is doing to encourage his Government to give seaside resorts objective 2 status?

Mr. Smith: That matter has not of course yet been finally determined, but I am in close discussion with my right hon. and hon. Friends across government about precisely how best objective 2 status can be applied and where the funds that flow from it can best be deployed.

As well as providing better information for customers, "Tomorrow's Tourism" focuses on the theme of encouraging the wise growth of tourism. Ensuring that that growth is sustainable is extremely important. One of the great debates in tourism around the world is on ensuring that, in encouraging people to visit attractions and places of interest, the quality of the natural environment, built heritage and attractions is not destroyed. Ensuring that the balance is right is therefore very important. That is why the English Tourism Council will be asked to report annually to me on progress on achieving more sustainable forms of tourism development.

We shall ensure that tourism features in the Government's forthcoming White Papers on urban and rural policy. The English Tourism Council will also undertake research on why 40 per cent. of the population do not take a long holiday. Obviously, for some, there may be physical or employment barriers to doing so. Finding out why such a large proportion of the population do not take any long holiday during the year, and considering how we can ensure that opportunities for them to do so can be created, are some of the items on which—we hope—the English Tourism Council will focus.

We very much hope that the conditions for travellers with physical disabilities will continue to improve as the remaining provisions of the Disability Discrimination Act 1995 come into force over the next five years.

There is indeed a bright future for the tourism and hospitality industries in this country. "Tomorrow's Tourism", which we published in February, has been widely welcomed as the best and most comprehensive national tourism strategy ever produced. Over the next few weeks, our regional roll-out of that strategy, as my hon. Friend the Minister for Tourism, Film and Broadcasting talks to people in the tourism industry in each region about how to implement it, will take that process further forward. The appointment of a chairman and chief executive of the new English Tourism Council is imminent, and the reconstitution of the tourism forum will maintain the momentum that we have gained.

As a country, we continue to attract visitors. On the provisional figures for the first two months of this year, inward visitor numbers and spending look very much like improving on those of last year. But we must strive to improve the quality of the overall tourist experience that Britain offers so that we can both maintain and improve our market share of international tourism as well as maximising domestic tourism—encouraging people to take some breaks during the year here in Britain even if they take their main holiday abroad. That is what our strategy seeks to do.

Mr. Desmond Swayne (New Forest, West): Does the Secretary of State appreciate the growth over recent years in activity holidays, particularly for children, which stands to be diminished by the impact of the minimum wage, especially since employers are not allowed any abatement for the granting of full board to their employees?

Mr. Smith: I am pleased that I gave way to the hon. Gentleman; I did not think that he would make such a fool of himself. He is right to say that that activity tourism is on the increase—and rightly so. Intelligent and innovative hoteliers and facility operators are ensuring that they tailor what they have to offer to the activities in which people want to participate. He is completely wrong to say that the introduction of the minimum wage somehow diminishes the industry's ability to serve the visitor.

The hon. Gentleman cannot have been listening to the remarks that I made about the importance of quality of service. Firm after firm in the tourism and hospitality industries readily recognises that decent remuneration of employees is an essential component of providing a good service. Well-remunerated, well-motivated staff provide a good service. That is what the visitor wants, and what the industry is increasingly providing. I am pleased to say that more and more firms are now far more attuned to the needs of their employees and of visitors than the hon. Gentleman.

Mr. Swayne: Will the Secretary of State give way?

Mr. Smith: No, I am drawing to a conclusion.

Our strategy seeks to improve our market share of international tourism and to maximise domestic tourism. It will succeed if all key players—central Government, local government, the English Tourism Council, the BTA, the tourist boards and others—are committed to making it work. We have already begun to implement it; good progress is already in train. I look forward to a further flourishing of the industry in years to come.

10.8 am

Mr. Peter Ainsworth (East Surrey): I thank the Secretary of State for his kind remarks on my reappointment and that of my hon. Friend the Member for West Suffolk (Mr. Spring) to our respective posts. This is my first public opportunity to thank the Leader of the Opposition for keeping us in our posts. It is a sad fact in politics that one spends much time getting to know a brief and then, all too often, just as one is beginning to know one's way around the terrain, one is moved to completely different terrain and someone else must start all over again. I am therefore delighted to have been given the opportunity to continue with what in many ways is the widest and most interesting brief on offer in Westminster.

I am also delighted to have the opportunity to debate this very important industry. The economic case for supporting tourism has often been stated, but it cannot be stated enough. The figures that the Secretary of State gave are worth repeating. If things are repeated, they occasionally sink in where it really matters. The travel and tourism industry is worth more than £50 billion to the economy every year—more than we spend on the national health service. It accounts for roughly 4 per cent. of England's gross domestic product and 7 per cent. of consumer spending. It is a huge employer, providing one in five of all new jobs and 1.75 million jobs overall.

Tourism is big business and it is set to become the biggest business in the world in the next few years. But if tourism were only about business, I would not be here today, and nor would the Secretary of State. If tourism were only about business, it would be sponsored by the Department of Trade and Industry.

It is significant, and not a little depressing, that I have recently become aware of a growing body of opinion within tourism that the industry might be better served were it treated like any other business, such as car manufacturing or pharmaceuticals, and sponsored by the DTI—but tourism is different. We are constantly told that, in the next century, we shall work for less of our lives—that we shall have more time to spend on being ourselves. If that is the case—I think that it probably is—the age in which people have been very much defined by what they do as much as by who they are may be coming to an end.

The arts, television, film, the entertainment industry, sport and holidays—these are the things that fill our lives when we are not at work. These are the things that are sponsored by the Department for Culture, Media and Sport. Far from being a rag-bag of peripheral and politically marginal activities, these are the things that make life worth living. Some of those present may be aware of the memorable remark made by the actor Stephen Fry last year, when he said that he doubted that there were many people who would sit up on their deathbed and say, "Oh my God, I wish that I had spent more time in the office."

It has always seemed to me that one of the fundamental purposes of politics is to improve the quality of life. Improving the standard of living is only a part, albeit an essential one, of that wider agenda. The issues collectively sponsored by the Department for Culture, Media and Sport are by no means peripheral to our lives, and any political philosophy that treats them as a diversion or a curiosity is in danger of making itself marginal. Tourism is not only by far the largest industry in economic terms that comes under the DCMS banner, but the glue that holds the whole idea of the Department together.

I am acutely aware that the 25.5 million people who visit Britain every year do not do so for the weather. I was told last night that the managing director of a major German company, currently based in the United Kingdom, indirectly offered some advice for this debate. He said that if he were running the British tourist industry, the first thing that he would do would be to mount a major campaign to persuade people that London is not always foggy and that it is not always raining. Looking at the beautiful day outside the House today, it is hard to disagree, so I commend that policy to the British Tourist Authority.

At the moment, however, people do not come to Britain for the weather; they come for the theatres, the galleries, the museums, the historic buildings, the concerts, the sporting events and the fashion. They go to Notting Hill at the moment, too. Without those things, we would have very little to market to the world. The British Tourist Authority knows that, which is why it has published its film map, which the Secretary of State mentioned. Yes, we could do with a world-class modern visitor attraction near the capital; yes, the dome will be the focus of international attention next year—but without the complex, rich, historic and evolving hinterland that is our culture, we would have precious little to offer.

That view is shared by the chief executive of the Association of British Travel Agents. Commenting on the Department's consultation exercise last year, which followed the comprehensive spending review, he said:

> "We were . . . disappointed to note that tourism rates virtually no mention in the Secretary of State's preface to the consultation papers . . . The economic importance of travel and tourism dwarfs the rest of the DCMS's portfolio. Indeed, it is possible to argue that without the economic benefits that tourism brings much of the UK's cultural infrastructure would disappear."

I know that that view is shared by the Select Committee on Culture, Media and Sport, which published its very critical report last year. No doubt, the Secretary of State is well aware of its contents and looking forward to the outcome of the Select Committee's current review of the relationship between the Department and its quangos.

The idea of cool is cheap, transitory and based on a narrow perception of contemporary glitz. It is essentially very superficial. This seems an appropriate time at which to comment on the dome.

The Minister for Tourism, Film and Broadcasting (Janet Anderson): You were there.

Mr. Ainsworth: I was indeed there the other day; I am grateful to the Minister for pointing that out. I visit it quite regularly.

Mr. Fabricant: Commiserations.

Mr. Ainsworth: I enjoy visiting the dome, and I have seen a major transformation on that site since it was a

[Mr. Ainsworth]

barren wasteland. The structure of the dome has been there for some months, but the contents are starting to be put in place. A huge amount of work is taking place and more than 700 people are employed on the site. I again take the opportunity to pay tribute to Jenny Page and all the people who are working on that project, who have done a terrific job to date to get the work done on time and to budget.

There are problems with the dome. There is a huge amount still to do and time is short. There are fewer than 200 days to go until the opening. I suspect that the really difficult bit, the introduction of the technology, involving moving parts—the sort of thing that the Health and Safety Executive gets excited by—has yet to be tackled.

There is another serious problem, which I wish to draw to the attention of the Secretary of State. That is the public attitude to the dome, which is still extremely negative. During my visit to the dome last Monday, I spent an hour with Talk Radio, which has been appointed official radio station to the dome—I am very pleased about that. Talk Radio found it difficult to discover a single caller in the whole country who would ring in to say that they thought that it was a great idea.

There is a real problem of perception. The other evening, one of Labour's distinguished Back Benchers described the whole project to me as a crock of something which I can assure the Secretary of State was not gold. The Government need to work on persuading people that the dome is not a waste of money. There is still a widespread perception that public money is going into the dome. Not a penny of public money is going into the dome, but no one yet seems to be aware of that. It falls on the Government to convince people that what is happening in Greenwich will be worth while, is not drawing money away from the national health service and will be an exciting celebration of Britain in the new millennium.

Mr. Fabricant: Is there not a perception—which, of course, is wrong—that the dome will be pulled down after a year? I believe that the most exciting aspect of the future of the dome is what it will be used for after 2001.

Mr. Ainsworth: I accept that one of the key issues—decisions need to be taken on that pretty soon, because time is going by—is the after-use of that site. Invitations have been sent out to people to come up with ideas, and the response has been pretty good, but it is terribly important that the Government get on with that process because there is no time to waste. The Greenwich peninsula site offers a real opportunity for London if the right decision is taken, and could bring major benefits in terms of urban regeneration, use of the river and so on.

Mr. Chris Smith: Will the hon. Gentleman accept, however, that if the previous Government had had their way, the dome would indeed have been pulled down at the end of a year, and that our decision that it should stay and that we should invite expressions of interest in future use has saved it?

Mr. Ainsworth: The right hon. Gentleman thinks that he is making a clever party political point. I was trying to be helpful to the Government by assisting them in persuading people that the dome is not the crock of something not gold that many Labour Members believe it to be. The fact that the dome—a building which I rather like—will remain in place complicates the after-use of the site and makes things more difficult.

I was pleased that the Secretary of State referred to other millennium projects that are under way, many of which are still looking for private sponsorship. It would be helpful if we could have an update today on the exact amount of private sponsorship that is still needed by millennium projects throughout the country. We do not want to end up with a lot of half-built white elephants with only one leg. It is true, as the British Tourist Authority will confirm, that the millennium programme—as the Secretary of State is in a party political mood, I remind him that the programme was put in place by the Conservative Government—will attract visitors from around the world. It is vital that it presents a compelling and attractive offer to the international public next year.

It seems to me that there is a profound communality of interest—an interdependence—between tourism and all the other industries sponsored by the Secretary of State's Department. Those who are dissatisfied with what the Government are doing to and for tourism should be campaigning for a stronger Department, not a different one, to represent their interests. I hope and believe that they will do so. I believe also that they will be campaigning increasingly for not only a stronger Department, but a different Government.

What should the Government be doing to help the tourism industry? I generally take the view that the capacity of politicians to be unhelpful is infinitely greater than their ability to be helpful. Usually the most useful thing that politicians can do is to get out of the way. In making the case for clearer political recognition of the centrality of the tourism, hospitality and leisure industries to the quality of life, I am not arguing for greater political control or interference. The Government may contribute strategies, but it is the work of 1.75 million people that contributes £53 billion a year to the economy.

I keep meeting people involved in the industry—there were 200 of them, so it is not surprising—who confess to having been contributors to the Government's tourism strategy. It is hard to meet anyone in the industry who has not felt the touch of Tony on his shoulder. I know that the Government have produced a well-intentioned document, but well-intentioned guff is guff all the same. It is still guff when it comes out a year late.

I am still trying to find someone in the industry who asked for the English tourist board to be abolished. I am still trying to find out why its abolition will be helpful to the industry. I have been reading the responses of some of those in the industry to the Government's consultation document of last year. The Government were sent a strong message. The executive director of the Council for Travel and Tourism said:

"We can see no intrinsic merit in . . . replacing the ETB with new bodies undertaking essentially a similar function".

Robin Head, the head of Devon Farms Accommodation, said:

"There have been a number of occasions over the last few years when we have found the opportunity of talking directly to the ETB absolutely invaluable when trying to sort out problems."

Mr. Swayne: Is my hon. Friend not being a little churlish? Does he not think that the industry will today

welcome the Secretary of State's announcement that it will now be able to sort out problems by speaking to regional cultural consortiums?

Mr. Ainsworth: No, I do not. My hon. Friend makes an extremely compelling point in his inimitable way.

Devon Farms Accommodation is typical of a local organisation that does an enormous amount of work to promote tourism in its particular area. Its view about the abolition of the English tourist board was clear. It said:

"The options for an alternative structure to the existing ETB are all in danger of ending up with a body that will look remarkably similar to the ETB, but will lack the experience and expertise of current ETB staff."

That is a fair point.

Finally on this issue, Richard Wilkin, the director of the Historic Houses Association, said:

"The Association considers that the existing ETB performs its functions well and wonders why it is necessary to replace them with another organisation to perform the same role."

Unfortunately, as we have heard this morning, the new English tourism council has not been charged with performing the same role. It is not only a change of name, but a change of function. It strikes me—

Mr. Gareth R. Thomas (Harrow, West): If the Conservative party is such a fan of the English tourist board, will the hon. Gentleman explain why the Conservative Government reduced the income of the ETB from about £25 million in the 1980s to less than £10 million by the time of the general election?

Mr. Ainsworth: I ask the hon. Gentleman to be patient. I shall deal with funding later in my speech.

Mr. Smith: Will the hon. Gentleman be promising more money?

Mr. Ainsworth: The right hon. Gentleman will have to wait and see.

When the much-vaunted tourism strategy was eventually announced, the reaction of the majority of those involved in the industry was summed up by the British Incoming Tour Operators Association, which said:

"The regions will now be responsible for their own marketing and there is little doubt that competition will be directed against other regions rather than against our continental competitors . . . This is particularly disappointing".

It continues:

"Clearly, we have a major task to convince Government that allocating funds for tourism development and marketing in England is an investment, not a cost. Ministers in Scotland, Wales and Northern Ireland have bought into that premise: in England the Government seems to have lost the plot".

That was the association's conclusion. Yet the Secretary of State continues to say that the Government have the full support of the industry for their tourism strategy. That is simply not true.

It is a pity that the Secretary of State was not able to announce the identity of the new chairman of the English Tourism Council. We would have very much welcomed the announcement. We look forward with bated breath to knowing who the chairman will be, and subsequently the chief executive.

With the English tourist board marginalised and with its marketing remit removed, who will handle the 300 or so calls that come in each month to the board from consumers and the media? Will it be the British Tourist Authority? If so, it has not been given the necessary resources. Given that the financial constraints on the BTA are already leading to the closure of offices around the world and that there is a growing number of questions even over its ability to fund its part of the splendid new visitors centre in Regent street, I rather doubt that it is willing to pick up the tab.

I understand that international meetings are being planned, at which Wales and Scotland will have a place at the table along with France, Germany and other countries. However, the chair that should be occupied by England will be empty. The unnecessary and unhelpful abolition of the English tourist board is really the only material consequence of the Government's much-vaunted tourism strategy. The promise of an annual tourism summit may sound rather grand, but we shall have to see whether it is more than a classic new Labour photo opportunity.

Ministers claim that the industry is pleased with the Government's document. That is about as convincing as saying that the collapse of the Labour vote in the Euro elections was a reflection of the Labour party's popularity, or as convincing as saying that the tourism budget has been increased when, in fact, it has been cut by £2 million in real terms.

Mr. Smith *indicated dissent.*

Mr. Ainsworth: The Secretary of State seems to demur on the funding figures. The figures that I have quoted came from the Library. If the right hon. Gentleman takes exception to them, he should take up the matter with the Library.

The Opposition have spent a great deal of time listening to people in tourism over the past year. We set up our own tourism policy forum—which the Secretary of State was gracious enough to acknowledge when we last debated these matters—under the chairmanship of Sir Ron Watson. It is actively seeking ideas as we take our policies forward in this important area. It is doing so from a basis of considerable understanding of the industry and long experience of it.

It does not take long to find out what the industry thinks it needs from Government. There are several recurrent themes—excessive regulation and taxation; the so-called fairness at work proposals; transport problems; planning problems; an archaic licensing system; training and recruitment; the strength of sterling; and funding.

The extra costs of administering the minimum wage, the working time directive, the part-time workers directive, the parental leave directive and the thousands of other new regulations introduced since May 1997 all add up to a massive imposition on the tourism industry, which is in the front line of the regulatory assault that the Government have unleashed on the country.

The major companies can take most of that in their stride. They do not necessarily want to, but they can. However, an awful lot of companies in the tourism sector are small companies, and the burden on them is greatest.

Mr. John Bercow (Buckingham): Is my hon. Friend aware that, on 4 November 1998, the right hon. Member

[Mr. John Bercow]

for Hartlepool (Mr. Mandelson) told the Select Committee on Trade and Industry that the cost of the parental leave directive was "tiny" and "fractional". Does my hon. Friend agree that that illustrates the Government's ignorance of the fact that, for small businesses, such costs can make the difference between surviving and going under?

Mr. Ainsworth: I entirely agree with my hon. Friend, who makes a good point. On a related issue, I was interested to note that, in a debate in another place a few days ago, Lord McIntosh, pressed by my noble Friend Lord Luke, admitted that the Government had got things wrong over the working time directive to a significant extent. He said that the Government could have done better. I hope that the Secretary of State will urge him not only to express regret, but to take effective action to ensure that the situation improves.

Seventy five per cent. of the tourism sector comprises small businesses, to which the tangle of red tape poses a real threat. The fixed on-costs of compliance in terms of extra clerical work, computer systems and so on are much the same, whether a business is turning over £50 million or £500,000 a year. Many of the businesses in tourism are very small indeed. Hugh Becker, the founder of Micro Millions, makes a compelling case for explicit recognition of the particular needs of the very small company.

It is estimated that about a quarter of a million jobs in tourism are in businesses employing fewer than 10 people. In rural communities in particular, such little businesses play a vital role in underpinning the local economy. There is nothing of practical value to those businesses in the Government's tourism strategy. More than most industries, tourism needs flexibility in the way that it works. Nowhere in the strategy do I see any commitment to reduce regulation.

In that regard, may I say how sorry I was at the dismissive way in which the Secretary of State treated the question from my hon. Friend the Member for New Forest, West (Mr. Swayne). He will know that the British Activity Holiday Association has expressed well-founded concern about the impact of the minimum wage on those businesses. The association takes no issue with the principle of a minimum wage. Its concern is specific and relates to the £20 accommodation offset.

I raised the matter with the Tourism Minister in the House on 5 May and asked for her reassurance that she was taking effective action on behalf of those businesses to ensure that activity holiday centres would not close as a result of the introduction of the national minimum wage. I received no reply. I offer the hon. Lady now another opportunity to provide reassurance to the House and to the British Activity Holiday Association that she is lobbying hard on its behalf.

Janet Anderson: I had intended to deal with the matter in my winding-up speech, but I thank the hon. Gentleman for giving me the opportunity to respond now. As he knows, the Government have asked the Low Pay Commission to look again at the accommodation offset, which is set at a limit of £19.95 a week, as it could cause serious problems for the industry if set at the wrong level or discontinued. The commission proposes that the matter be kept under review and it will deal with the longer-tem future in its report next September. I reassure the hon. Gentleman that we understand the importance of that for activity holidays.

Mr. Ainsworth: I am grateful to the Minister for that reply. In the light of what she said, I hope that the Secretary of State might think it proper to write a note of apology to my hon. Friend the Member for New Forest, West—

Mr. Swayne: In response to me yesterday, the Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney), gave the latest position. He said:

"Following the recommendations of the Low Pay Commission, there is no offset allowed for the provision of board when calculating whether the national minimum wage has been paid. There is a limited offset of up to £19.95 a week allowed against the national minimum wage to recognise the benefit of the provision of accommodation."

That is it. There will be no further concessions. The Minister of State's retort to me yesterday was:

"The hon. Gentleman's attitude of 'let them eat cake' is out of date."—[*Official Report*, 17 June 1999; Vol. 333, c. 548-49.]

That is one better than the folly of the Secretary of State for Culture, Media and Sport.

Mr. Ainsworth: The situation seems to be confused. I ask the Minister to write to me and to my hon. Friend, setting out the Government's present position and what they propose to do. There is considerable concern. I commend my hon. Friend for his work to secure the interests of activity holiday centres throughout the country and in his constituency.

Janet Anderson: I thank the hon. Gentleman for giving way. It might have saved us all time if he had listened more carefully to what the hon. Member for New Forest, West (Mr. Swayne) said. He was simply stating the current position. As I said, and I repeat, the matter is being kept under review by the Low Pay Commission, which we have alerted to our concerns about the effect of the accommodation offset, if it were removed, on activity holiday centres.

Mr. Ainsworth: We shall have to wait and see.

Mr. Bercow: I must support my hon. Friend the Member for New Forest, West (Mr. Swayne). Unlike the hon. Lady and the Secretary of State, I was present for Trade and Industry questions yesterday. Will my hon. Friend take it from me that the tone, as well as the content, of the reply from the Minister of State brooked no misunderstanding. He stated the current position and gave every indication to my hon. Friend that that position would not, and should not, change. It is time that we had an apology from the weakest Secretary of State in the Cabinet.

Mr. Ainsworth: We shall have to return to the matter. What my hon. Friend tells us of questions to the Secretary of State for Trade and Industry yesterday is typical of the arrogant and dismissive way in which the Government have treated our representations about the impact on businesses throughout the country of the imposition of the

minimum wage and a host of other regulations that they could well do without. The attempt to characterise the Conservative party as a party of people who wear stovepipe hats and want to water the workers' beer and grind the faces of the poor is ludicrous, far-fetched and insulting.

Mr. Smith: Am I right in thinking that we have just heard from the Conservative Front Bench a commitment to abolish the national minimum wage?

Mr. Ainsworth: The right hon. Gentleman is extremely inventive.

On the topic of transport, I do not see any attempt to solve the growing difficulty of simply moving round this country. All but 37 of the 140 road improvement schemes that the Government inherited have been dropped. Difficulties with road transport are a major issue for tourist centres such as Eastbourne, Scarborough and the south-west. The Secretary of State talks enthusiastically about coastal resorts—they indeed have many problems, and much needs to be done to help them—but if people cannot get to them no amount of effort from any Government will make much difference.

There is no doubt that the doubling of air passenger duty has been detrimental to the interests of tourism and it would be helpful to know exactly how robust the Government intend to be about the present European Commission moves to double it again on internal flights. It would be plainly ludicrous for up to two thirds of the cost of a cheap flight to Scotland to be tax, but, with £17 in every £20 spent by motorists at the fuel pump being taken in tax, almost anything is possible.

On 31 May, an article in *The Daily Telegraph* entitled

"Britain to fight EU flight tax demand"

said:

"The prospect of doubling domestic air passenger duty . . . which would raise £60 million for the Treasury, has alarmed the travel industry . . .

However a spokesman for Customs and Excise said Britain was prepared to go all the way to the European Court to contest the commission's interpretation."

That is encouraging, but unfortunately, a letter from Customs and Excise—a copy of which I have—to an industry representative who had inquired about this matter, following the article, says:

"Customs and Excise has yet to determine its final position in respect to the European Commission challenge to the domestic return leg exemption and there is, therefore, no basis to the content of the article."

Which of those statements is true? Will the Minister say in her winding-up speech exactly how robust the Government intend to be?

If the tourism industry is to fulfil the central role in the economic and social environment of the next century, it must be allowed to expand and the significance of tourism needs to be better recognised in the planning system. I am not referring only to mega-projects such as terminal 5 or new large-scale visitor attractions. I have a constituency case in which a local man has gone to hell and back simply in an attempt to convert a Victorian house into a guest house.

The sustainable tourism section of the strategy is long on aspiration but short on proposals. I shall not dwell on the complex issue of licensing laws, partly because they are so complex that I have difficulty in understanding them myself, but it strikes me as a good example of government that is not joined-up when the Department can publish a tourism strategy that does not even mention the laws governing how and when a tourist can buy a drink or a meal. However, I am pleased that, after 210 years, the Home Office has finally got round to reviewing the Sunday Observance Act 1780, which prevents dancing on Sundays. We will support that review if the consultation exercise produces a recommendation that is brought to the House in due course.

The strategy strikes a more positive note on training and recruitment. Here again, however, it remains to be seen whether aspiration can be converted into reality. I applaud the work that the industry is doing to improve its image as an employer and to raise the all-important standard of service, and only this week I was able to attend a gathering to celebrate the hospitality industry's first national careers festival. I pay tribute to the work being done on that by Springboard, the British Hospitality Association, the British Incoming Tour Operators Association and others.

Much remains to be done, however, and I know that there are those who think that there is unhelpful duplication and confusion in the way that the national vocational qualification system operates. Real joined-up government is needed to sort that out. I also understand that, despite what the Secretary of State said earlier, the take-up of the 40,000 places that have been offered by the industry under the new deal has so far been pretty dismal.

The quality of service that people receive from the tourism industry is improving, but it is still subject to some severe lapses. Mercifully, I was able to take only a glance at one episode of a television programme called "Tourist Troubles", but what I saw revealed rudeness, arrogance and ignorance from some people in the industry that left me aghast.

British tourism is operating in an intensely competitive world market and the level of sterling in any one year is probably the biggest single influence on it. The balance of trade deficit in tourism is worsening—it was minus £3.9 billion in 1996, minus £4.7 billion in 1997 and minus £6.6 billion in 1998, which substantially reflects not only mistakes made in the Chancellor's initial Budgets, but, latterly, problems in the far east and the 30 per cent. appreciation of sterling against leading European currencies.

To those who suggest that that justifies early entry into the euro, I suggest that the worst reason for joining would be to seek the benefits of devaluation. Given anything like the present disparity between sterling and euroland, we would simply be locking in long-term uncompetitiveness. However, there is no discussion of those issues in the Government's tourism strategy.

Finally, there is the issue of funding. To those who take an interest in history, and I know that Labour Members take a keen interest, I say that I am fully aware that I am on a slightly sticky wicket, but not as sticky a wicket as the New Zealand cricket team had to play on a couple of days ago. There are those who argue that a £53 billion industry should be able to do its own marketing—the industry spends £150 million a year on that—but I accept that destination marketing can be done properly only by central Government. Destination marketing is about selling the whole idea and the whole product, and the

[Mr. Ainsworth]

Government are ultimately responsible for that. It is still far too early even for early pledges, but I am aware of the BTA's excellent work around the world and of its assertion that every £1 it spends yields a return of £27, of which £4 goes straight to the Treasury. One does not have to be an economic mastermind to work out that that is a magnificent return.

If the Government set the right framework, tourism will have an exciting future. It will grow in significance, both economically and socially, and provide new jobs in our cities and towns and, importantly, in our rural communities. However, the capacity of the Government to mess things up is substantially greater than their capacity to help. That will be especially true if they become obsessed with structures rather than encouraging output, if they show no genuine engagement in the issues that matter to the industry, if they continue with their naive faith in the power of regulation to enhance the quality of life, and if, despite having consulted, they put their own political agenda first.

I look forward to the months ahead as tourism strives to take advantage of the opportunities opening up with the new millennium and as Conservative Members develop new, positive policies based on the genuine needs and aspirations of this great industry.

10.48 am

Mr. Tom Pendry (Stalybridge and Hyde): I join the hon. Member for East Surrey (Mr. Ainsworth) in welcoming the debate, and I join my right hon. Friend the Secretary of State in congratulating the hon. Gentleman and his twin, the hon. Member for West Suffolk (Mr. Spring), on keeping their posts. When the hon. Member for East Surrey chided my right hon. Friend for being in party political mode, he clearly had his tongue in his cheek. The hon. Gentleman made a very party political speech, which was a pity because some Members of the House have been working across party lines to assist the tourism industry. I think that we were doing that work well.

As my right hon. Friend the Secretary of State said, we have had many such debates in the House over the past few months. That highlights the Government's concerns for tourism and, as he pointed out, the expansion of tourism presents a huge economic and employment opportunity for this country. I shall not trot out all the figures, although I accept the remark of the hon. Member for East Surrey that we cannot possibly spell them out often enough because tourism is such an important industry.

I congratulate my right hon. Friend Secretary of State on selecting this debate from his very busy departmental portfolio. It signifies the importance that the Government attach to tourism, which is backed up by the policy initiative, "Tomorrow's Tourism", about which we have heard. I am pleased to have played a part in raising the profile of tourism in the political sphere with the publication of "Breaking New Ground", Labour's pre-election tourism strategy. I also welcome the efforts made by my right hon. Friend and the Minister for Tourism, Film and Broadcasting, to develop and build on that initial document once in office.

I shall use this opportunity to raise several important issues in the tourism portfolio, to which I hope both Ministers will turn their attention. As hon. Members know, I am chairman of the all-party tourism group. I am pleased to see the secretary of that group, the hon. Member for Southport (Mr. Fearn), in his place. I am also fortunate enough to be the chairman of the all-party sports group. Until a moment ago, the secretary of that group, my hon. Friend the Member for Harrow, West (Mr. Thomas), was in his place, but he has temporarily left the Chamber.

More still needs to be done to promote the synergies between sport and tourism. It is disappointing to note that only one reference is made to sports tourism in "Tomorrow's Tourism" because sport is one of the fastest growing areas of tourism—be it in respect of international visitors following major sports events, of which this country has a rich stock, or the taking up of activity holidays. The variety ranges from the Secretary of State's favourite pastime, mountain climbing, to playing the links on the great Scottish golf courses, to pick just two examples.

The British Olympic Association reports that, between 1986 and 1998, the United Kingdom played host to some 34 senior world championships and 35 senior European championships in the sports that it represents. If we add to that the events of Euro 96, and the cricket and rugby world cups, we can see the potential. The British Tourist Authority has worked hard to promote the cricket and rugby world cups, which are being staged here this summer. It is now working on a more detailed sports strategy that it hopes to launch later this year. What a prize it would be for tourism if we were fortunate enough to host the soccer world cup in 2006—something that my hon. Friend the Minister for Sport is working hard to bring about.

May I make a plea that the Government get more actively involved in that area? There is much natural synergy between the Departments. Sport should be integrated into tourism thinking, as arts and heritage are integrated now. That could be achieved through the instigation of a special unit within the Department of Culture, Media and Sport to co-ordinate such opportunities. I understand that the former head—

Mr. Peter Ainsworth: May I pay tribute to the immense amount of work that the hon. Gentleman has put in to tourism and to sport over the years? He is a distinguished spokesman on both. Does he think that sufficient information is available about the value of sport to tourism in this country? There seems to be a dearth of statistics.

Mr. Pendry: I thank the hon. Gentleman for his kind remarks. I agree—I do not think that sufficient information is available. Indeed, I was about to say that I understand that the former head of sport within the Department is to become the head of tourism—if he has not done so already—which could be a useful first step.

An issue that has only recently come to my attention is one that poses a significant threat to the growth opportunities that have been discussed this morning. It concerns the European Union's infraction proceedings against the United Kingdom Government over air passenger duty, to which the hon. Member for East Surrey referred.

The all-party tourism group recently received a delegation of leading figures from the travel and tourism industry. We were addressed by the heads of the

Association of British Travel Agents, the British Tourist Authority, the Federation of Tour Operators, the British Incoming Tour Operators—heavyweight representatives of both the inbound and outbound industries. They described to us the damage that that tax has caused and continues to cause to tourism. The BTA estimates that APD has reduced by at least 3 per cent. the number of tourists choosing to visit the UK. That is not surprising when one considers that even our European APD is double the airport tax in France and Italy and more than three times that in Spain. Those countries are our major competitors in tourism.

As we approach the millennium, Britain should be experiencing a tourism boom. It would be tragic if we squandered the potentially massive economic benefits of a boom by letting unfair and uncompetitive levels of APD squeeze tourist numbers. My right hon. Friend the Secretary of State, ably supported by my hon. Friend the Minister for Tourism, Film and Broadcasting, has been strong in making the case in government for the need to keep APD as low as possible. We welcome the fact that it was not increased in the last budget, for which much credit goes to my ministerial colleagues.

However, we now face a new threat in the form of the EU's infraction proceedings against the UK's domestic return-leg APD exemption. Put simply, that means that the current level of £10 may rise to £20 on a return UK flight. That is hardly likely to encourage more visitors to London to visit our regions, or Scotland and Wales. Indeed, the consequences for Northern Ireland, which is struggling to develop its tourism, do not bear thinking about. Britain has led the way in the development of low-cost air travel and has seen a resulting tourism boom in the regions, particularly in Scotland. We must be careful to ensure that that strength is not lost and that those remarkable gains are not thrown away.

I recently undertook some research and tabled a series of questions to the Chancellor of the Exchequer on the economics of the APD. The answers make interesting reading. My hon. Friend the Economic Secretary to the Treasury confirmed that, if APD is charged on both legs of the domestic return flight—this is no doubt where *The Daily Telegraph* got its information from—an extra £60 million would accrue to the Treasury. That is a minor windfall by Treasury standards, but an extremely severe hit on an industry that must compete in the cut-throat international market of tourism.

I hope that my ministerial colleagues will make strong representations to the Chancellor, as I am sure that they have already. They are the industry's champions and this is one battle that I hope they win. If the EU infraction proceedings cannot be defeated, the Treasury should consider reducing the overall EU rate from the current £10 to about £8.50, which would be a revenue-neutral charge.

I take this opportunity to urge the Chancellor to go to every possible length to resist the imposition of that return-leg APD in the United Kingdom, but if we are legally obliged to introduce the tax, I urge that, at the very least, the European rate be lowered so that consumers, and therefore the industry, bear no increased tax burden as a result.

My hon. Friend the Minister will be aware of the Association of Recognised English Language Services. An often forgotten but important sector of tourism are the English language schools, which attract some 750,000 students to the UK each year and provide some £1 billion to the British economy. ARELS represents the quality end of the market. Its 224 members have all had to pass the British Council accreditation scheme, which guarantees high levels in both educational and pastoral care for all its students. Many of the issues with which it is concerned range across a number of departmental areas. I welcome the commitment in "Tomorrow's Tourism" for the DCMS to work with other Government Departments. We promised that before the last election, and it is a promise well kept. It should be of great benefit to organisations like ARELS, which seek closer co-operation with a number of Departments, especially the Department for Education and Employment and the Foreign Office.

I understand that the Government's tourism forum will continue its work as a conduit between the Government and the tourism industry, but I wonder why ARELS is not part of that. I hope that my hon. Friend the Minister will respond to that point when she winds up the debate.

Having been brought up in a seaside resort, I am pleased that the Government have recognised the social and economic importance of such resorts, as my hon. Friend the Member for East Surrey said—I call him my hon. Friend, because he is, even though he is on the Opposition Benches. I know that the British Resorts Association is well pleased with the Government's tourism strategy. Indeed, in response to "Tomorrow's Tourism", it has produced its own document entitled "UK Seaside Resorts—Behind the Facade", which states the case clearly for the regeneration of our seaside resorts.

I should particularly like to commend the work of my hon. Friend the Member for Blackpool, South (Mr. Marsden), who chairs Labour's Back-Bench committee on seaside resorts. It has a large membership following the last election. My hon. Friend and his colleagues have highlighted the need for targeted assistance to regenerate resorts that have been neglected during a long and turbulent period of change for the domestic tourism industry.

The Secretary of State and the Under-Secretary have been gracious enough to acknowledge the contribution that I have made towards tourism. The Secretary of State did so again today, and I am grateful for that. I do not want to spoil the party, but I think that, in some areas, the Government could have gone further. Their proposals fall short of some of those contained in "Breaking New Ground". I hope that the Secretary of State has not lost sight of some of the pledges to which a new Labour Government were committed, one of which was a new Development of Tourism Act. We made that commitment because we recognised that an Act that was more than 30-years-old needed updating to accommodate the structural changes and the different priorities of tourism.

Another important pledge was to harmonise quality hotel ratings across the United Kingdom. Scotland and Wales have gone their own way. Will the Minister tell us what is being done to adhere to the commitment that we made before the general election on a UK harmonisation scheme?

I congratulate the Secretary of State on initiating the debate. I sincerely hope that, with the coming of the millennium, we shall enjoy a significant number of extra tourism visitors as a result of the investment in quality proposed in "Tomorrow's Tourism".

11.2 am

Mr. Ronnie Fearn (Southport): I am pleased that the Government have given the House this opportunity to debate tourism fully—we have had other debates, but not a full one. I hope that that is an indication that the Government now take tourism seriously, because it vital to our future.

The Government's strategy for tourism correctly identifies the challenges and problems faced by the tourism industry as it continues to develop. The key is to find solutions to those problems in the new millennium. Speaking of the millennium, I must say that I think the dome will be a great success during 2000 and afterwards. I have been amazed by the exciting progress that has been made: it will be a great attraction—indeed, as a result of skilful pre-publicity, it already is. We in the House should talk it up, not talk it down.

I welcome the tourism forum, which is much in line with the Liberal Democrat proposal for a tourism commission. The forum has drawn in many sectors of the industry; it covers everything. Only by working with people with experience on the ground will we eventually make progress.

I hope that regional development agencies will take the same inclusive approach, especially in the north-west of England. I am worried that they will take an autocratic approach, as quangos often do. Nowadays, the Local Government Association takes a co-operation approach to tourism. Tourism needs that spirit to overcome many challenges. What about the RDAs? What safeguards have the Government put into the RDA system to ensure proper consultation and co-operation?

The tourism forum sets high goals. I agree that standards must be raised. We must invest in the people who work in the industry and at our tourist attractions. We must market effectively at home and abroad. If we are to increase tourism yield without damaging the environment, quality must be the name of the game.

The Government's strategy document has identified many problems but does little by way of proposing solutions or alleviating some of the burdens on tourism. Taxes on tourism have gradually risen—new and increased taxes have already been imposed or proposed, such as air passenger duty and road pricing for London taxis—and will continue to rise unless the Treasury is made to understand how it is milking this important industry.

I do not know when the industry will buckle under the stress, but I fear that it will reach that point quite soon. I am pleased that, as a result of pressure, the Government have wisely decided not to impose a flat-rate tax on restaurants, cafés and bars to fund the Food Standards Agency. That would have been over-the-top taxation on tourism.

Tourists cannot always be relied on to come to Britain no matter what the price. Many British holidaymakers no longer take any holidays in Britain, because leaving Britain even for a short break has become cheaper than a short-break holiday in this country. The continued strength of the pound is a key cause for concern. In that respect, tourism is no different from all our other imports and exports. What of the 40 per cent. of Britons who do not take any holidays, whom the Secretary of State mentioned? With domestic prices so high, that type of social exclusion will continue even when the pound falls.

To help people who do not take holidays, investment in affordable public transport must be stepped up to improve access to our seaside resorts, some of which—including my constituency of Southport—now attract investment for tourism developments from many sources, such as the lottery, European objective 1 and the single regeneration budget. That investment is valuable, and I hope that RDAs will see the potential in our seaside resorts, and will take up their cause. If visitors cannot reach the resorts easily, private industry will not be prepared to put in the funding needed to operate new tourist developments. Southport receives 4 million day visitors a year, but investment in rail links is urgently required. That problem is duplicated all over the country.

London hotels are some of the most expensive in the world, yet their prices are sometimes not matched by standards and quality. Property prices are high, but so are taxes. VAT rates are among the highest in Europe. The Government must do more to create a climate in which tourism can flourish. I must again ask what progress the Treasury has made on its investigation into the proposal that VAT rates on tourist accommodation should be reduced to average European levels. That important question has not been answered in the tourism document, although the detailed report produced by Deloitte and Touche has been on the Chancellor's desk for over a year.

I am pleased that the Department of Trade and Industry consumer affairs department is at last trying to get to grips with the apparent overcharging and poor treatment of single guests. When will the investigation be completed? More important, will the treatment of single travellers be included as a feature in the criteria for the new grading system? I hope that the new grading system will be easily understood, relevant to the needs of guests and well-monitored. If the scheme takes off, it could really help to encourage hotels to raise standards. When does the Minister expect the scheme to be fully implemented? The Secretary of State said that it would be launched in September, but when will implementation commence?

Mr. Chris Smith: I can confirm that September will be the date of implementation. Gradings will be announced and published for individual hotels and guesthouses across the whole of England.

Mr. Fearn: I am pleased to hear that. If the regional tourist boards are to implement the scheme, can we have assurances that they will stick to the same criteria to monitor standards? If the same standard of accommodation is classed as two-star in one area and four-star in another, the system will fail.

London is a great tourism asset, and a gateway to the rest of Britain. It has wonderful heritage sites, and great innovations. It is very fragmented, however, and the lack of effective co-ordination and strategy has led to uncertainty. I am very hopeful that the new London assembly will have both the range of powers required and the will to take the lead. I am optimistic that it will adopt a positive approach, and will see the value of tourism rather than just seeing that which is superficial.

The mayor and the assembly must work with the London tourist board, giving it strategic support and facilitating negotiations rather than imposing hidden taxes. I refer to the threat to black cabs of having to pay extra taxes to go into the west end, as proposed in the

document "Breaking the Logjam", produced by the Department of the Environment, Transport and the Regions. That would be an additional tax on our theatre industry, which is a major tourism asset. I hope that improving all forms of public transport will be a priority. West end taxis really are part of our integrated public transport system, and a vital component of the tourism product—as the Government have already stated.

The Thames is also one of our biggest tourist attractions, drawing in more than 2 million visitors a year. The "partners in progress" initiative launched by the Port of London Authority in 1993 provided boat owners and operators with licences. It has invested £25 million in sightseeing and restaurant services, creating many new jobs. I am very much in favour of an improvement in public transport on the Thames. I also seek assurances that existing providers of tourist and leisure cruises will not be penalised, and that all agreements with existing boat operators will be honoured by London River Services. London Transport should be commended on any improvements that it can make in addition to, not at the expense of, existing operators.

For many years, successive Governments have neglected to recognise just how much tourism contributes to the economy, unless that is related to how much tax they can squeeze out of it. This Government must never forget that tourism is worth £53 billion a year, and employs 1.75 million people—7 per cent. of our work force. That makes it more important economically than all the other functions of the Department for Culture, Media and Sport put together.

Air transport is vital to our industry. Will the Minister vigorously fight the threat to impose air passenger duty both ways on internal flights in the United Kingdom? Will the Department safeguard the one-way rate for day return visitors? Tourism is the largest industry in Scotland, and is also essential to the economic future of Northern Ireland. The great majority of international visitors to the United Kingdom arrive in London and then travel on within the United Kingdom. Is not the proposed increase in air passenger duty an incentive to tourists to stay in the London area, which, in the summer, already teems with tourists paying over the odds? Sustainable tourism involves encouraging visitors to spread out to all other areas; this measure deters them from doing so.

Mr. Fabricant: My hon. Friend the Member for Hexham (Mr. Atkinson) tells me that a return flight from London to Newcastle costs about £280. Would the hon. Gentleman be surprised to learn that it is possible to travel to Boston and back with American Airlines for about £210?

Mr. Fearn: I agree with the hon. Gentleman, having seen those prices. Perhaps the hon. Gentleman has been to Boston himself. As I said earlier, people are making the choice to our detriment.

The British Tourist Authority and the British Incoming Tour Operators Association are particularly alarmed by this development. I ask the Minister to take the matter very seriously. It cannot be handled by the new Scottish Parliament or the Northern Ireland Assembly; it must be dealt with here in Westminster. I urge the Minister to support Scotland, Northern Ireland and Wales, and also to ensure that the British Tourist Authority continues to market and promote Scotland, Northern Ireland and Wales abroad. Overseas marketing is still within their remit, despite the existence of their own Parliament and Assemblies.

I was pleased to be at the launch of the British Hospitality Association's careers festival this week. It is encouraging to see such a fragmented industry co-operating to produce such an event, and it is a signal that the tourism and hospitality business is now regarded as a good career option rather than casual work.

I hope that the days of low pay and high staff turnover are coming to an end. I believe that the minimum wage will give many workers a real living wage. Initial reports suggest that more businesses are beginning to invest in training their staff, and I am sure that that trend will raise standards of service in the medium to long term. Is the Minister taking any steps to verify the increase in training in tourism since the introduction of the minimum wage? What role will the regional tourist boards play in this regard? Will not the bidding system for funding encourage regions to compete rather than co-operating with each other? Finally, what will be the make-up of the regional tourist boards?

I have asked many questions. I hope that the Minister will answer many of them today; otherwise, I shall ask them again and again when she visits Southport on Monday.

11.7 am

Mr. John Grogan (Selby): Tourism authorities in Scotland have a distinct competitive advantage that gives them the edge over their colleagues in England and Wales. It is nothing to do with "Rob Roy", "Braveheart" or Sean Connery, or with the attractions that the Scottish Parliament may hold for tourists and visitors when it opens for business in a couple of weeks. In Edinburgh and Glasgow—as opposed to Birmingham and London—it is possible to get a drink after 11 pm. It is possible to have a drink with a meal in civilised surroundings without having to listen to loud dance music.

Mr. Fabricant: I share the hon. Gentleman's view about the abolition of licensing laws, but does he not agree that Scotland also enjoys a competitive advantage because it receives £3.76 per head in grant aid from the Government, whereas England gets only 20p?

Mr. Grogan: If the hon. Gentleman will forgive me, I shall develop my argument about licensing laws a little further. I may make other comparisons later. My central contention is that any measures that the Government take to boost tourism in England and Wales—especially in the context of the figures mentioned by the hon. Gentleman—would be dwarfed by the impact of abolition, or rather reform, of the licensing laws. That would have a major effect on the tourism industry.

I am delighted to note that the Government have committed themselves to liberalising and modernising the licensing laws. On 5 May last year, the Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), said that it was time that the laws controlling pub and off-licence opening hours were

[Mr. Grogan]

modernised. He said that new regulations should reflect changing social trends, and bolster the tourism and leisure industries. He did not call for total deregulation, but said that

"people should be able to decide when they want to go out and where they want to go".

A consultation paper has been promised early next year. It should be a White Paper, and "early next year" should mean January or February to allow the prospect of legislation in the current Parliament.

We all know that the licensing laws date back, if not to the middle ages, at least to the first world war, when Lloyd George famously said:

"We are fighting Germany, Austria and the drink and, as far as I can see, the greatest of these deadly foes is the drink".

The restrictive licensing laws that he subsequently introduced during the war have hampered the growth of our night-time and evening economies ever since, for the last 80 years. Our hospitality and tourism industries have become far more important during that time thanks to our increasing affluence, but they have been hemmed in by the liquor licensing laws. It is a great shame because some of our most innovative young entrepreneurs are in the hospitality sector. They are involved in bars, clubs and restaurants.

Mr. Fabricant: Is the hon. Gentleman aware that the police in Lichfield tell me that they would prefer it if, instead of young people all streaming on to the streets just after 11 o'clock, the pubs were allowed to close at different times, so that there would be—dare I use the word—staggered closing times?

Mr. Grogan: The hon. Gentleman is right to say that everyone spills on to the streets at the same time, with many people having drunk far too much in the final half hour. They are all after fast food and transport home at the same time. That is when trouble on the streets and violence occur. The crime argument is powerful.

The English have always had an ambivalent attitude to nightlife and the night-time economy. As long ago as 1941, a social commentator, Thomas Burke, wrote a book entitled "English Nightlife: From Norman Curfew to Present Black Out". The language is a little arcane, but it is worth bringing to the attention of the House. It states:

"Nightlife, nightclub, nightbird. There is something about the word 'night' as about the word 'Paris' that sends through some Englishmen a shiver of misgiving, and through another type a current of undue delight. The latter never get over the excitement of sitting up late, the others see any happening after midnight, even a game of Snakes and Ladders, as something verging on the unholy, as though Satan were never abroad in sunlight. A club they can tolerate, call it a nightclub and they see it as the ante room to Hell. This attitude towards entertainment after dark is held by most officials. Whenever they hear of some new development of nightlife they get a prickling of the thumbs and give the impression that they would be happier if the Universe had so contrived its system as to give the whole globe perpetual day."

That attitude has meant that, too often, our town and city centres after dark are the province of the young. Many people, citizens and tourists alike, are not catered for in towns and cities.

Our licensing law anomalies are not restricted just to those directly to do with hours. My local evening newspaper, the *Evening Press* in York—a city that depends on tourism—has in the past year highlighted some of the anomalies in a series of editorials. I quote from the edition on 2 October 1998:

"Each time a York cafe-owner explains to a puzzled foreign tourist that he cannot simply sit and sip a beer on the premises, it sounds more absurd.

There is no point in explaining that a restaurant licence only allows the holder to serve alcohol with food. The perplexed visitor will be confused enough already."

On 13 February 1999, the newspaper commented on the attempts of York city council to develop a café culture to attract more tourists to York. It said:

"If cafe culture is good enough for families on the European mainland, then it should be good enough for ours in York.

The support given by the licensing office to the notion of developing a sense of outdoor evening time bustle in England's ancient capital is to be applauded.

Serving drinks at pavement tables is more than just a sop to foreign tourists.

It is an opportunity to add excitement and colour to the grandeur of the architecture and street scenes of our historic city.

But while we are shouting bravo to the police and City Council . . . unyielding licensing laws are putting a dampener on the idea.

The price that has to be paid by enterprising cafés which have just received on-licences is that they must now bar from their premises all children aged under 14. That puts these premises out of reach for many families."

Hours are the crux of the issue. It is clearly absurd that, in order for pubs to be able to stay open after 11 pm and for restaurants to stay open after midnight, they have to make more noise—they have to have a dance floor, food and entertainment, which is invariably loud dance music.

I chair an all-party panel that is examining the issue of liquor licensing reform. Some of our most powerful evidence has come from Scotland. Mr. David Smith, chairman of the British Institute of Innkeeping in Scotland, said:

"Coming from Scotland, I find it incredible to witness the out of date licensing hours that are imposed on English public houses, particularly in the capital. This is nothing short of remarkable, even Cinderella was allowed out until 12.00 pm!

What do our visitors from Europe make of all this when they consider the sensible drinking hours they enjoy when spending their leisure time back home. These limitations will only serve to have a serious effect on tourism".

Mrs. Lait: I am enjoying what the hon. Gentleman is saying and agree totally. Does he think that we would get reform of our licensing hours much more quickly if they were imposed in the House of Commons?

Mr. Grogan: The hon. Lady raises a good point. Only the House of Commons, railway trains and airlines are exempt.

Short-break tourism is affected. That sector is becoming more and more important as people want to pack as much as possible into 48 hours. In the Sunday supplements, there are articles on 48 hours in Barcelona and 48 hours in Milan. It is not possible to write such guides for many English cities.

My hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) mentioned attracting big national events to Britain. The licensing laws harm our case. London First, the campaigning organisation for business, has said that

those laws reduce London's ability to attract major international events. They put us at a competitive disadvantage to other European cities.

The crime issue is the one that might finally clinch it for my right hon. Friend the Secretary of State for the Home Department. It is obvious that change is needed. All the experiments—policies as well; they are more than experiments—show that. In Scotland, there was a relaxation during the garden festival in Glasgow in 1988. In some English cities, including Manchester and Leeds, there was some relaxation during the European football championships. There have been many experiments in Dutch cities. They always led chiefs of police to say that relaxation of the laws cuts crime. That is the most convincing argument.

Perversely, reforming the licensing laws is probably the only way in which we will improve the behaviour of some British tourists abroad. As the *Evening Press* pointed out on 10 June 1998:

"At a time when foreign travel has become the norm, our inflexible approach to the alcohol trade is looking increasingly ludicrous. Some Britons holidaying on the Continent can be so overwhelmed by the ability to drink as and when they like that they over-indulge, explaining the somewhat ambivalent attitude of Europeans to British tourists."

The only way to change that is by changing our attitudes towards alcohol. Reforming our licensing laws is part of that.

I have allies in the Front-Bench team. I ask my right hon. Friend the Secretary of State for Culture, Media and Sport and my hon. Friend the Minister for Tourism, Film and Broadcasting to continue to press within Government the urgency of the case and to press for reform of the licensing laws before the next election.

11.27 am

Mrs. Jacqui Lait (Beckenham): The delights of Beckenham are manifold, but they are not a prime tourist attraction, despite Crystal palace park, which used to include Crystal palace, the home not of football on this occasion, but one of the predecessors of the dome. Tramlink will open soon, which will take the burghers of Beckenham directly to Croydon. We also have Eurostar, which helps to bring tourists both into and out of London passing by our back gardens. I wish that Eurostar were a bit more tourist conscious and that its marketing was more clever and flexible in terms of increasing the number of people who travel on that very good service and through that marvellous tunnel, of which I am proud and which I frequently use, particularly as I suffer from travel sickness.

The other joy and delight of Beckenham that brings in, or used to bring in, visitors, friends and relatives of my constituents is our green and open spaces. Since a Lib-Lab pact took over in local government and since central Government cut grants to Bromley borough, however, the parks and grass are no longer being cut; graffiti is not being cleaned up; and the streets are covered in litter. That is a strong recommendation for the Lib-Lab pact to resign, as well as the Government.

The dome is close to Bromley and Beckenham. We have watched with admiration, particularly those who have access to the closed circuit television screens, the dome being built. When one was bored and there was no crime on the streets of Bromley—something that happens fairly regularly—it was tempting to watch the construction of the dome, and fascinating it was too.

The knock-on effect is what concerns my constituents in Beckenham—the potential difficulties of arriving at the dome using any form of transport, and the extra clutter of parking on the streets that will inevitably affect the borough of Bromley and, I suspect, other nearby boroughs, although I would not wish to speak on their behalf.

The completion of the Jubilee line will, I hope, help those who live in constituencies north of the Thames, and it is a pleasure for me to be able to say that one of the major contracting engineers on the project is based in Beckenham, and the people there reassure me that the Jubilee line will be open in time for people to use it to travel to the dome.

Those of us who live south of the Thames, however, will still have problems getting there. I would be grateful for any reassurance that Ministers can give not only that there will be transport facilities for people south of the river to get to the dome, but that the streets of Beckenham and Bromley will not be further littered with cars left by people taking other means of transport to it.

My other connection with the dome is personal. I have an uncle in the United States, who lives in Greenwich, Connecticut. He was one of the pioneers of satellite and cable television, and he is in the process of trying to link up Greenwich borough and Greenwich, Connecticut for the millennium eve. He is having difficulty in encouraging the powers that be in Greenwich, London to participate in the event, so I hope that we can move that idea gently forward. It will be good public relations and good for tourism, and will build closer links between those two areas.

Most of the tourists who come to the United Kingdom go primarily to London, Oxford and Edinburgh. It is difficult to attract them beyond those three destinations. We all work in London, and some of us live there, and we all know about the sheer pressure of tourism in London, especially in the central areas.

I have listened and tried to evaluate the thinking behind the move towards regionalisation of the tourist boards. I do not have a problem with their being strengthened; there is a real need for that, but I do have a problem with the idea of the English tourist board being downgraded.

As one of our biggest problems is the difficulty of getting the bulk of tourists out of those three primary destinations, why do we not give the regional tourist boards the opportunity to advertise and market directly in other countries? Other countries allow that to happen. In some places it has evolved naturally through the market.

In France, which I know quite well, Maison de la France does most of the public relations and advertising within the UK for France as a destination—and extremely successful it is. Millions of us go to France every year. In France the regions, or rather the departements, can, if they wish, do their own marketing and advertising. I am aware of the efforts made by the Tarn and Picardy in particular, as those are both areas that I visit fairly regularly. Their marketing in the United Kingdom is not done under the auspices of Maison de la France. That allows those departements to reach out and attract tourists in different ways from those used by the bigger organisation, using different media, public relations and advertising.

I do not understand why we cannot give our regional tourist boards the same flexibility to market and advertise. It will not stop most of the tourists who come here for the

[Mrs. Jacqui Lait]

first time wanting to go to the three major destinations, but it may mitigate some of the effects, build up the opportunities for our regions and enable them to attract more tourists.

I do not want the regional development agencies to take that job on as their direct responsibility. That would be a bad idea—indeed, I do not think that the RDAs are a good idea anyway—but the regional tourist boards should have that flexibility.

I do not want to repeat the arguments put by the hon. Member for Selby (Mr. Grogan). I commend his ideas thoroughly, and he put them in an entertaining and interesting way that made a major impact. I congratulate him on making that particular point. Indeed, it was ironic that the petition presented this morning by the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) was on a similar deregulatory theme, and I applaud and support his efforts, too.

It is sad that the present Government have not continued with the Conservative Government's proposal to increase the number of casino licences available throughout the United Kingdom. It is not only the British people who want the opportunity to go into casinos; casinos are also a tourist attraction. In the United Kingdom, with its well-developed form of regulation and its understanding of the high standards required of people who operate casinos, we could easily offer a high-quality casino product.

Mr. Jim Fitzpatrick (Poplar and Canning Town): Does the hon. Lady agree that docklands would be an appropriate area for a licence? The exhibition and conference centre now being constructed will be the biggest in the United Kingdom when it is finished. That, plus the number of hotels in the area, means that the clientele will be there to generate more income for that part of the leisure industry, which is important to us.

Mrs. Lait: I would have no problem in suggesting to the Government that I would have gone further than the Conservative Government's proposal. If there is a desire and a proven business plan for a casino in any area, then people of high standing and quality, who can manage the facility, should be allowed to do so. There is no need to consider casinos on a geographical basis, as happens now. I am relaxed about saying that the market should decide.

That is how I would approach the licensing laws, too. If people do not want to use a pub at midnight it will not open at that time. Let us try to match the provision to the demand. We can then build the licensing system round that, rather than allowing the licensing system to drive the provision.

My hon. Friend the Member for New Forest, West (Mr. Swayne) mentioned activity sports, and there was some discussion about them. I have long championed chess, and helped to get it moved from the Department of Education and Science, as it used to be called, to the Department for Culture, Media and Sport, with the object of getting it recognised as a sport.

I am well aware, because of my previous incarnation representing Hastings and Rye, that chess is an international tourist attraction, and the United Kingdom is recognised as one of the countries that produces high-quality chess players. At the moment, chess does not have access to the funding that would allow it to offer the high-quality facilities to match the quality of the playing and the players that we produce in this country.

I urge the Minister to take away my suggestion and those of many others, that the Department take a serious look at chess as a sport. I know about the argument that chess is a mind sport, not a physical activity, and the Sports Council is unhappy about that, and feels that it does not therefore have a locus in providing aid. However, there must be some ingenuity within the Department that would allow chess to be recognised as a sport and properly funded, so that, among its many other attributes, we could use it as a way of attracting more tourists.

There have been many references to the need to help the seaside resorts become more attractive to tourists. I have long believed that seaside resorts need to think more imaginatively because of the change in the pattern of British family holidays. Over the past 20 years, many have done so and are now offering a year-round product. However, as the hon. Member for Southport (Mr. Fearn) said, getting to them is a nightmare.

Seaside resorts around the country have high unemployment rates and a low economic basis. They share a pattern of deprivation that matches objective 2 status. Shortly after the general election, I wrote to the hon. Member for Hornsey and Wood Green (Mrs. Roche), who is now the Financial Secretary to the Treasury but was then a Minister at the Department of Trade and Industry, suggesting that the Government should consider designating the coastal strip as a region to meet objective 2 status. That is not impossible. The Secretary of State said that he was working with other Departments on objective 2 status. Perhaps the Minister will have another look at my suggestion. Seaside towns are not just for holidays. They need to provide industrial and commercial jobs throughout the year and must be well connected to the rest of the country. We have to tackle the problems of deprivation, because the communities are often remote. Objective 2 status would be one way of helping.

Our high rates of excise duty on tobacco and alcohol have created a growth area in the tourism business that I am sure that the Government did not intend when the rate imbalance first emerged with the creation of the single market in 1994. Anyone who stands in Dover docks for five minutes can see how many people use the ferries and trains to smuggle and bootleg tobacco and alcohol. They are no longer just the small local—dare I say it—entrepreneurs who used to pop over to Belgium for a haversack full of tobacco or to France for a white vanload of Blue Nun. Well organised criminal gangs are using mules recruited from the unemployment register, despite the alleged success of the new deal, to bring over large quantities of cheap tobacco and alcohol.

Mr. Fabricant: My hon. Friend will know that Burton is not a million miles from Lichfield and is a home of brewing in the United Kingdom. Is she aware that up to 15 per cent. of the alcohol consumed in the United Kingdom is reckoned to be brought in in the way that she has described? Brewers are not the only ones to suffer. A number of pubs are likely to close as a direct

consequence. Does she agree that pubs are a tourist attraction and, if they start to close, inward tourism will be damaged?

Mrs. Lait: My hon. Friend makes many of the points that I could make. This is a big issue that I could talk about for a long time, but I promise that I shall not. I am most grateful to him for adding to what I was going to say.

On the day that the Government announce that tobacco advertising will be banned before Christmas, they should be concerned about the fact that the number of people smoking is increasing by 2 per cent. a year. I suggest with the utmost humility that there is a correlation between the increase in smoking and the differences in excise duty. It is ironic that, in a debate on tourism, we can point out that the existence of different duty levels is creating tourism that none of us wants. I hope that the Department will make that point strongly in its next Budget submission to the Chancellor. We have to resolve the difference in duty. We cannot solve the problem merely by increasing the number of customs officers and police. That has never worked in the past and it will never work in the future. The only way to address the issue is by taking the profit out of smuggling and bootlegging.

I agree that everyone, including children under 12, should have their own passport. Unfortunately, the UK Passport Agency decided to introduce the change at a time of year when the largest number of people want a passport. Instead of making the change in the dog days of November to March, the agency has decided that everyone going on holiday should have their new passport in May, June, July and August. My brother—this is a relative-friendly speech—is trying to set up a business deal in France. His passport runs out in August. To try to help the agency, he thought that he would go and get his new passport in May, in time for his next business trip on 10 June. The agency promises speedy service. However, it cannot produce passports quickly at the moment because all the kids are getting passports and there is a real jam. My brother's business, which is tourism-related, is being affected by the agency's inability to produce passports quickly. Will someone please get a grip on the agency and tell it to leave the change for a year and do it in the dog days? Passports should be sent to the people who need them as fast as possible.

Mr. Peter Ainsworth: I take it that my hon. Friend does not think that the situation is a secret ruse to try to redress the trade imbalance in tourism.

Mrs. Lait: I would never accuse my brother of such a thing. He is merely trying to add to the Exchequer's income.

Mr. Ainsworth: By buying Blue Nun.

Mrs. Lait: No, by making a profitable investment. He does not have to smuggle or bootleg tobacco and alcohol.

I urge the Minister to try to make the UK Passport Agency get on top of the problem, because my brother is not the only one who is affected. I am receiving similar complaints from constituents. We have to provide an efficient service not just to tourists coming to this country, but, as we become richer and ever more of our people travel, to our constituents and the British people who wish to travel.

11.49 am

Miss Geraldine Smith (Morecambe and Lunesdale): I welcome the opportunity to speak in the debate because I represent a seaside resort that depends heavily on tourism. It is important to us that British tourism reaches its full potential.

We are fortunate to live in a country rich in tradition, history and cultural diversity, with the ballet, the theatre, the opera and the cinema, as well as areas of outstanding natural beauty such as the Lake district and the Yorkshire dales; I could go on at length. So why do we not capture a better market share in tourism? Tourism is the fastest-growing industry in the world, but we have lost out over the years. We are not getting our fair share, and I am glad that the Government have recognised that and are beginning to do something to tackle the serious difficulties that we face.

In some areas, we do well. Tourism in London is successful, although there are some difficulties. It has been said that the prices of hotels in the capital are very expensive compared with elsewhere in the world, and the quality of service is often sadly lacking. We must address those problems. However, millions of tourists come to London each year and it is well marketed overseas.

The same cannot always be said of other areas, especially the British seaside resorts. They have been left for years to stagnate and decline, with nothing done to help them. The response from the previous Government was, "Well, leave it to market forces. If people do not want to go to the seaside, tough." During the 1980s, I watched the place where I have lived for most of my life decline, and the Government did nothing to help. Unemployment rose and the only use for small hotels was as Department of Social Security hostels, as welfare dependency increased under the previous Government. That was the story for British seaside resorts in the 1980s; I do not want that to be the story in the new millennium.

The Government can do much to help. The new strategy is right to envisage a co-ordinated approach to marketing and greater use of new technology. Why is it that I can walk into a travel agents and book a holiday to any seaside resort on the continent, but I cannot book a holiday at a seaside resort in Great Britain? I could not get a late package deal to Morecambe or Scarborough. We must make the seaside resorts more accessible.

Mrs. Lait: The hon. Lady is making many of the points that I made and I am sympathetic to her argument. Has she thought about looking on the internet? Many British areas have websites and it is possible to book holidays in the UK through the internet.

Miss Smith: That is helpful, but less than a third of people in this country have access to the internet. Those people who probably would be most likely to visit British seaside resorts—those with smaller incomes, who might want a short break—might not be connected to the internet. We must widen access, and one way to do that is through tourist information centres. There is no reason why people should not book holidays in different parts of the country.

Mr. Fabricant: The hon. Lady makes an interesting point. Is not it a sad state of affairs that, for people who do not have a lot of income, it is probably cheaper to go to southern Spain on a package deal? Is that not ironic?

Miss Smith: It is a sad state of affairs, which is why more needs to be done to help the British tourism industry, so that we can get cheaper deals. I am sure that many hotels often have no guests. Perhaps if they reduced their prices and offered late deals, they could get more people in. The Conservative party does not recognise the benefits of the minimum wage but, if more people had a higher income, the 40 per cent. of people who do not take a holiday might be able to afford to do so. That could be very beneficial for the British tourism industry, but the Conservatives have not yet decided whether they would abolish the minimum wage.

Mr. Peter Ainsworth: The hon. Lady has expressed eloquently the difficulties that many seaside resorts have had in attracting visitors in sufficient numbers. She will know that there is a long-term trend away from traditional seaside holidays. Does she think that the abolition of the English tourist board is helpful if the objective is to give people more information about where they can stay in England?

Miss Smith: I can judge only from my own experience, and I was involved in tourism for many years as a local councillor before I became a Member of Parliament. I have to look at my area and ask whether the English tourist board made Morecambe a successful seaside resort. What has it done for my area? The status quo is not good enough. The previous Government were willing to accept seaside resorts going into decline. We cannot afford to do that, because too many jobs depend on that not happening, including some 6,000 in my constituency.

Mr. Dominic Grieve (Beaconsfield): Is it not a little harsh to blame the previous Government, or indeed the present Government, for the problem, which is due to societal changes? Does the hon. Lady agree that those resorts that have tended to buck the trend are either ones that have turned themselves into caricatures of themselves in their marketing, such as Blackpool, or those that have aimed at a completely different clientele, such as Torquay? The basic problem is that there is no popular market for traditional holidays in seaside resorts. Unless people are prepared to think constructively and produce some alternatives to attract individuals to their resorts, no amount of Government money or tourist board activity will make any difference.

Miss Smith: That is precisely the attitude of the previous Government and that is why there are so many Labour Members of Parliament in seaside resorts.

Mr. Fabricant: I cannot resist asking the hon. Lady whether she thinks that tourism in Blackpool and Morecambe is helped by the fact that the Labour party has decided that the area is too down market ever again to hold its party conferences there.

Miss Smith: The last Labour party conference in Morecambe was in 1952, but I do not think that the Conservatives have ever been there. The problem is that we do not have the accommodation. We do not have the large hotels to take conference trade, but the Government can be helpful in directing hotel building to coastal areas to encourage regeneration through the planning process.

Problems with transport to seaside resorts has already been mentioned. There is a new fast Seacat service to Belfast from Heysham port in my constituency. The hardest part of the journey to that service is the last two miles, because there is no way to do it by bus and there is only one train a day. That service brings thousands of tourists into the area every year, but it might be stopped because people are tired of having to travel the last two miles by taxi. That is a simple problem that could be addressed with a bit of thought and co-operation.

One of the good aspects of the Government's strategy is that it involves people working together. It is about joined-up government at all levels—locally, regionally and nationally. We all know how fragmented the tourism industry is. Tourism affects planning, crime and disorder and licensing laws, so the Government must ensure that we make the necessary improvements.

The document, "Tomorrow's Tourism", refers to the regeneration of seaside resorts. Words are great, and I think that the strategy is a good one. However, the proof of the pudding will be in the delivery and in the resources allocated to back up that strategy. That is how the Government will be judged at the end of the day: it will be a matter not of whether we have a good strategy on paper, but of what has been achieved in my area and across Britain to promote tourism.

Seaside resorts face great problems. I have raised them with the Minister before, but I make no apologies for highlighting them again today. There is splendour and squalor side by side. People are trying to run small guesthouses that are situated next to DSS hostels. The problems in my constituency would match those of any inner-city area. We have pockets of deprivation and drug abuse and the urban poor have been attracted to the resort by the over-supply of cheap, rundown accommodation. An enormous number of absentee landlords who do not live in the area and have no connection with it make a lot of money out of housing benefit. Those issues must be addressed seriously. People who operate hotels, shops and all sorts of other small businesses must receive our assistance. They have struggled for years against the odds and they deserve our admiration. However, it is no good just admiring them: we must help them. I hope that the Government appreciate that fact.

The hon. Member for Beckenham (Mrs. Lait) mentioned the possibility of objective 2 funding for coastal areas. That is a very good point, which I have also made to the Department of Trade and Industry. Coastal areas need Government funding. The coalfield communities received funding when mining and other traditional industries declined, yet tourism in seaside resorts has declined and we have so far received little assistance. We must find alternative means of employment for those who live in such areas. Seaside resorts are isolated, so we clearly require a great deal of assistance with transport—not just road transport, but good railway and bus networks. A fully integrated transport strategy is needed so that people can visit the coast more easily.

The Government's document, "Tomorrow's Tourism", mentions several case studies. I draw hon. Members' attention to a constituency case on which I seek the Minister's assistance. There has been talk recently about a movie map. The film "Brief Encounter" was filmed at Carnforth railway station in my constituency. It was a lovely, mainline station, with a motorway junction nearby.

However, the station does not have a mainline platform and trains run straight through Carnforth to the Lake district.

The Furness line runs around the coast to Carlisle and the station would be a terrific inter-junction for visitors to the Lake district. They could park their cars—huge areas of derelict land could provide massive park-and-ride facilities—and then travel by train to the Lake district or the Cumbrian coast. Developers want to make that plan a reality and the local council is very interested. However, we cannot secure the necessary funding. That practical suggestion could boost tourism in my area, help public transport and relieve much of the pressure caused by motorist numbers in the Lake district. It is a matter of receiving assistance when we need it on the ground.

At the end of the day, the Government will be judged on what we have done in those areas. The strategy says all the right things and I think that the Government are taking tourism seriously. However, we require the resources and the funding to back it up. Struggling business people in our seaside resorts need help if they are to make a go of it and create many more jobs in coastal areas.

12.3 pm

Mr. Desmond Swayne (New Forest, West): It is relatively easy to develop a dislike of tourism. Those of us who appreciate the beauty of remote parts of the country are acutely aware that the tourist might destroy the very thing that he has come to see. Away from the remoter parts of the country, anyone who has been elbowed off the pavement in London by a hoard of Italian schoolchildren will be left questioning the benefits of this rather grisly trade.

However, one must temper those feelings with the knowledge that tourism provides employment for many of our constituents. It represents some 4 per cent. of gross national product, employs 1.5 million people directly and constitutes 6 per cent. of total expenditure. Many people—certainly those in my part of the world—will be acutely aware that, if it were not for tourism, parishes throughout my constituency would have no shops or commercial provision. Those small shops survive as economic concerns throughout the year because of tourist trade during the summer months. Tourism is therefore a vital industry.

To some extent, the Secretary of State paid tribute to the fact that in his speech. The problem is that there is a deficit between his words and his actions. The Government's policy has been a disaster. I sometimes wonder what is the purpose of the vendetta against an industry that is disproportionately made up of small concerns, private undertakings and sole traders. Of course, that fact might explain why there is a vendetta. Tourism does not consist of large corporate bureaucrats, who are now extremely sympathetic to the Labour party's aspirations and whose every expression of support for Labour is often a job application in disguise. Small firms lack compliance departments and, therefore, the ability to deal with, and welcome, the regulations and taxes that the Government have imposed on them.

The vendetta against tourism is evident not only in regulations and tax changes, but in some of the Government's principal acts of policy. My hon. Friend the Member for East Surrey (Mr. Ainsworth), the Conservative Front-Bench spokesman, has already drawn attention to the Government's extraordinary decision to abolish the English tourist board. I certainly was not reassured by the rather dismal prospect of regional cultural consortiums. Does not the Secretary of State recognise the strength of the brand image of England as a whole as a holiday destination, with the attractions of history, tradition, culture and warm hospitality?

There is a lack of credibility and sales potential in the slogans, "Come to the south-east region for a true south-east region experience," and "Enjoy the history and traditions of the north-east region." That regionalisation owes a great deal more to the Government's determination to see England broken up into bite-sized chunks for a Brussels banquet than to the needs of the tourist industry.

I want to concentrate particularly on the Government's tax and regulatory changes, which have had a truly devastating effect on the smaller enterprises that are the mainstay of the tourist industry. I shall give two examples. The first, as hon. Members might expect from exchanges that have already taken place, relates to activity holidays. I know a thing or two about activity holidays. Even as I speak, my 10-year-old son is on an activity holiday. One might question how he comes to be on holiday during term time. Such is the benefit of activity holidays in promoting healthy living, citizenship, leadership, social education and environmental awareness—many of the things that Labour Members say they are in favour of—that class 3 of the Burley Village county school has, en masse, during term time, gone on such a holiday to promote those virtues.

Members of the British Activity Holiday Association provide such opportunities for some 200,000 children a year. Next year, however, the situation may be different because, in providing that service, they rely on being able to create jobs for some 4,000 young people, many of whom are students aged between 18 and 21, and most of whom are employed on temporary, seasonal contracts of between two and eight months.

We have been accused of being mean-minded and mean-spirited in questioning the operation of the national minimum wage in this respect, but I draw attention to the fact that a vital part of remuneration for such employment lies in the provision of full board and lodging. Without such provision, organisations would not be able to attract employees. Anyone who knows anything about activity holidays knows that their locations are often remote. There is no alternative accommodation—nor is there a transport network, or cafes and restaurants selling food at prices that employees could afford.

Mrs. Lait: I did not want to interrupt my hon. Friend while he was in such full flow on the national minimum wage, about which I absolutely agree with him, but is he aware that, potentially, organisations that provide activity holidays for eight to 14-year-olds will not be recognised under the Tax Credits Bill, and will therefore be unable to claim for child care facilities? That is yet another difficulty facing such organisations.

Mr. Swayne: I am most grateful to my hon. Friend for that intervention because I was entirely unaware of that huge threat to the industry, which of course adds to the difficulty in which it already finds itself.

[Mr. Swayne]

As I was saying, part of the remuneration offered by activity holiday organisations is full board and lodging. If they cannot offer that, they will be unable to acquire staff, for whom there is no alternative provision. So, they would naturally expect an abatement of the national minimum wage for the provision of full board—but none is allowable. For the provision of accommodation, the abatement is less than £20 a week. The Secretary of State called me a fool, but I am not such a fool as to believe that, anywhere in the land, accommodation can be had for £20 a week—especially with full board thrown in.

This problem is faced not only by activity holiday companies; such provision is a feature of many other contracts and remuneration for jobs in small hotels and restaurants throughout the south of England and elsewhere. I am absolutely certain that accommodation cannot be had during the summer in Lymington, Barton-on-Sea, Milford-on-Sea or anywhere else for £20 a week. People who work in such enterprises are well aware of the advantages of the provision of full board and accommodation.

I shall quote from a letter from my constituent, Mr. Alan Outhwaite, who runs Travel Class Ltd., an activity holiday organisation my constituency. He says:

"The national minimum wage has cost us an extra £25,000 for this season—all totally uncosted when we set out our prices"—

and marketed them—

"in April 1999."

He will have no doubt been mightily relieved to have heard the Minister for Tourism, Film and Broadcasting say that the matter is under review. That is a great help now that it has already cost my constituent £25,000. We have already begun to question whether the perception that the matter is under review is correct. There was certainly no evidence of it in a parliamentary answer I received yesterday.

The deputy chairman of the British Activity Holiday Association sent me a fax on 16 June, saying:

"In respect of the National Minimum Wage legislation, . . . the British Activity Holiday Association's representation about the negative impact of the minuscule accommodation allowance of just £20 per week, the Low Pay Commission did not recommend any change to this rate and . . . consequently, member companies of the British Activity Holiday Association have already had to reduce the numbers of students and young people employed in the industry, thereby denying them the highly-valued 'life-time skills' experience that the industry previously provided to them."

This is a problem not only for organisers of activity holidays but for all those tourism enterprises, including small private hotels or restaurants, that provide board and lodging as part of remuneration. The latter have been hard hit by the Government's unwillingness to accept and act on representations that have been made by making a more generous provision for taking account of board and lodging in their regulations for the implementation of the national minimum wage.

As I have mentioned small hotels and restaurants, I wish to discuss another problem, which was drawn to my attention when I was visited at one of my constituency advice sessions by a Mr. Conway, who runs a small restaurant—the Candlesticks restaurant in Ringwood. Mr. Conway is 61 and his wife is 60. He has had the restaurant for 16 years, nursing it through two recessions, and it was his intention to retire in the year 2003 when he reached the age of 65. Like most small business people, Mr. Conway does not have a pension plan because his pension is effectively the business that he runs. The disposal of that business has to provide him not only with sufficient income for his pension but with somewhere else to live because, like so many of those who operate in our tourism industry in the form of restaurants and hotels, Mr. and Mrs. Conway, in effect, live above the shop. The premises from which they trade are their home, and, when they retire, they expect to be able to sell those premises and generate sufficient income to buy an annuity to pay for their retirement and to buy somewhere else to live.

Selling the restaurant should realise about £250,000. Before Labour class warriors say, "That is a very large sum", they should bear in mind that Mr. Conway must buy another property with that and pay for his retirement. Last year, the tax arrangements would have enabled him to do so—to realise that £250,000 and pay no tax. Now, however, because of the tax changes that the Government have introduced by abolishing income tax relief for capital gains purposes, he will have to pay £55,000 in tax as a consequence of selling that restaurant and realising the £250,000 that he thought would pay for his retirement and buy him somewhere else to live.

These are the small enterprises that predominate in our tourism industry. One might say that they are the sort of people the Labour party used to care for before it became new Labour. I am not a great man for state intervention and I have reservations about a strategy of promoting tourism. I prefer to see enterprises make their own way, promote their own products and thrive as a consequence of their own initiative and enterprise, but the Government's policy is characterised by a determination to see those industries wiped out as a consequence of their regulation and taxation policies. It might not be an intention: it might simply be lack of care and attention to the consequence of their actions—but that makes no difference to those who are affected by it. The consequence for them is the same.

12.20 pm

Gillian Merron (Lincoln): I am fortunate to represent one of the top historic cathedral cities, where my constituents and I enjoy the benefits of living amid a wealth of heritage and culture that spans some 200 centuries across the city.

More than 1 million people have the opportunity to visit us each year to share in the benefits of living in a colourful city that has deep historic roots as well as a vibrant future. As we have heard, tourism is a growth industry and its economic importance cannot be underestimated. One in six of all new jobs created over the past 10 years has been in tourism, and it is the fifth largest industry in the United Kingdom. It is probably no surprise that tourism is our largest invisible export, but it is a disappointment, as we have heard today, to have to face the fact that our share of the world market is not all that we might like it to be. That is great waste but it is also clearly quite a challenge.

Tourism has had a reputation for providing a variable quality of service, with poorly trained and often low-paid temporary workers. It has been seen as a somewhat haphazard sector. However, I believe that that reputation is heading for a great change as a result of the efforts

of local authorities such as Lincoln city council; of the implementation of the Government's "Tomorrow's Tourism" strategy; and of the contribution and commitment of people within the industry.

Last Friday, I had the pleasure of presenting an Investors in People award to the Hillcrest hotel. It is the first small hotel in Lincoln to receive the award. I believe that that represents a turning point, since the quality of training enjoyed by all the staff will make a major contribution to that hotel's prosperity and to the quality of service that is offered to tourists who come to Lincoln. Similarly, Government policies such as the national minimum wage have helped to put quality and standards at the very heart of tourism.

Many hon. Members have told me that they have enjoyed visits to Lincoln. Those Members who have not been blessed with the opportunity to make such a visit will be most welcome in future. Lincoln's appeal to tourists is predominantly in the uphill area of the city. It is an historic and unspoilt part of the city featuring the cathedral and the castle. The downhill area, separated by the aptly named Steep Hill, is lively with plenty of shops and places in which to socialise. It has the new university and an inland marina, the Brayford pool. A recent survey revealed the many plus points that visitors to Lincoln see and experience. However, the results of the survey highlighted the challenges that must be tackled.

Tourism needs to grow in a sustainable way so that it can contribute positively to the life and economy of Lincoln. People love to come to Lincoln but we must be mindful of the results of the survey, which are reflected in the city council's economic regeneration, tourism and arts strategy. It is right and proper to recognise that all those aspects are linked. In that context, we must examine the trends of tourism. Overwhelmingly, visitors to Lincoln are day visitors who travel by car. This puts tremendous pressure on car parks but there is also pressure on rail and bus stations. Those are areas that the city council has rightly identified as needing improvement.

Lincoln has a reputation for being difficult to reach, and this has contributed to it being too much of a well-kept secret. I am delighted that the Government have seen fit to address the problem, particularly by agreeing to dual the A46 from Newark to Lincoln. The work will begin in the early years of the new millennium. Its completion will be a tremendous boost to tourism and to Lincoln's prosperity.

It is also pleasing that there has been an improvement in the train services that connect Lincoln with the rest of the east midlands. However, we need much better rail links to draw in visitors from further afield. It is lamentable that the Conservative-controlled Lincolnshire county council has seen fit to cut rural bus services despite the Government's support for such services. These are important to tourism and to the quality of social and economic life within the county.

Lincoln city council's strategy rightly identifies the need to develop further visitor attractions downhill. A heated debate is going on in our city about the best location for a museum, which is an exciting and necessary development for the city and the county. There has already been an announcement by Lincolnshire county council—premature and unjustified, in my view—that uphill Lincoln castle is the council's preferred solution. That assessment has been much criticised by my constituents and by organisations such as the museum action group, which brings together many esteemed experts.

There must be a serious evaluation of downhill sites, so that the nature and needs of the collection and its visitors—tourists and local residents alike—can be properly considered. The question of a suitable location for a much-needed museum is a taxing one. It must be approached openly and with imagination and vision, so that we get it right.

Lincoln's role as a specialist and regional shopping centre is a prime draw for many visitors, who enjoy the excellent array of shops such as Imperial Teas, whose teas and coffees from every corner of the world are a joy, or Goodies, a traditional sweetie shop where sherbet fountains and quarters of pear drops are sold in paper bags, or the House of Wines, which stocks a fabulous array of German wines, and which recently initiated Lincoln's first-ever German wine fair.

The annual programme of events goes from strength to strength in our city, attracting tourists from far afield. The Christmas market, which has been inspired by our German twin town, Neustadt is the highest profile event. Hon. Members might also be interested in the jousting tournament or the international clowns convention.

Roman heritage is perhaps the most significant of Lincoln's hidden assets. I shall raise some concerns about that with my hon. Friend the Minister. Most of the field work is carried out as a result of planning conditions and is funded by developers. There has to be monitoring to ensure the preservation of sites and appropriate recording. However, developers almost invariably look for the lowest price, which can mean lower quality.

There is a tendency to neglect the analysis of data, which is funded by developers, as funding covers only the preliminary assessment of the findings. Furthermore, specialists in local pottery and artefacts, for example, are being lost to the profession as there are not enough resources from project income to cover the cost of their employment.

There is much to be done. I pay tribute to the work of Mick Jones, director of the city of Lincoln archaeological unit, and his team for their dedication and professionalism. They have done much to enhance the role and relevance of archaeology in our city and across the country. I should welcome the Minister's comments on Government support for such work.

In Lincoln, we have many other achievements that promote the well-being of our tourist industry. The talented and energetic Lincoln Shakespeare company is celebrating its 20th production, and Lincoln city council recently won an east of England award in national tourist information week for its St. George's day celebrations, in which St. George galloped through the streets to rescue a damsel in distress, after slaying a fiendish dragon—a vision which, I am sure, will interest many Government Departments.

In Lincoln, we have the tourism cake and the icing on it. The cherry would be the granting of lord mayor status for the city, which would be conferred by decision of the Crown. That would be an appropriate way to mark the millennium for a city noted for being steeped more deeply in history and tradition than many others, while also having the brightest of futures.

[Gillian Merron]

The United Kingdom, like Lincoln, must not be a well-kept secret. We must aspire and work to be the most visited country. Tourism is about enjoyment, but it is also about education, appreciation and economic prosperity. I welcome the Government's understanding of that and of the need to link the quality and well-being of tourism to other policies such as transport, employment rights and training.

Like other Labour Members, I look forward to our heritage being preserved, our present being honoured and our future being developed through, and with, the tourism industry, which is vital to our country and its standing in the world. We can achieve that only by strategic leadership and partnership. I look forward to supporting that and to seeing it happen.

12.30 pm

Mr. Michael Fabricant (Lichfield): It is a great pleasure to participate in this wide-ranging debate and it is apt that we are debating tourism because, looking at the Gallery and the people walking in and out of it, I see that the House of Commons is a tourist attraction in itself.

Tourism is relevant not only to the coastal regions, to which a number of hon. Members have referred, but to inland parts of the United Kingdom. We have heard from the hon. Member for Lincoln (Gillian Merron), and, before I get on to the main part of my speech, I want to say a little about Lichfield, which is about as far from the sea as it is possible to be in this country, although there is a lot of water in the city because of its many lakes.

People do not realise that Lichfield district has more than 4.5 million visitors each year, despite the fact that we do not have a good rail connection, and they spend about £73 million in the excellent restaurants and facilities in the area. Even though I was once accused by an ignorant journalist of being Member of Parliament for the M6, I can assure that House that neither the M6 nor the M1 nor the M40 come too close to Lichfield. I know that because driving back there on a Friday afternoon or evening takes about four hours.

If I may digress for a moment, I was delighted with the contribution of the hon. Member for Selby (Mr. Grogan), who talked about licensing laws. There are a number of pedestrianised areas in the centre of Lichfield and, on a lovely sunny Sunday, I went to Colley's Yard restaurant to sit outside reading *The Sunday Times* with a glass of red wine. I was shocked to be told that I would be breaking the licensing laws if I sat outside drinking.

I will not tell the House whether I sat outside and drank the red wine despite that, because that might be admission of guilt, but, as an Englishman, such laws seem absolutely crazy to me. As the hon. Member for Selby said, would they not seem even more crazy to foreign visitors? We have archaic rules which, as the hon. Gentleman said, were introduced in 1916 to prevent munitions workers from blowing themselves up.

I have spoken about those laws with the chairman of the Lichfield licensing Bench, Mr. Bob White, who is a justice of the peace. He would like the legal position to be changed so that it would be acceptable for pubs and restaurants to serve liquor, as the Americans would say, any time at all. The presumption would be that establishments could open 24 hours a day if they wanted—that should be up to the licensee—but local people could appeal to the licensing magistrates to define a closing time for a particular place that is, for example, next door to an old people's home or a hospital or in a residential area, where the slamming of doors would be a nuisance.

That would be reasonable and modern; after all, we are debating tourism in the new millennium. Good God, as we are entering the new millennium, it is time to wash away the laws that were introduced in 1916. I must pay tribute to my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), who was seen pulling a pint in a pub several years ago, when he was Home Secretary. Shame upon shame, horror upon horror—would England fall as a consequence?—he was introducing all-day drinking. Have we seen drunks rolling in the streets as a consequence? Of course not. Indeed, there has been far less drunkenness at lunch time because people do not hurry to finish their drinks. As the hon. Member for Selby said, there are lessons to be learned from Scotland, where people do not have to finish their drinks by 11 o'clock because it is throwing-out time. That seems far more sensible.

It is not just in Lichfield where crowds of people appear on the streets. I see that the hon. Member for Brighton, Pavilion (Mr. Lepper) is in his place. For a few years in the last decade, I was chairman of the Conservative party in Brighton, Pavilion. I went to Brighton, Hove and Sussex grammar school and took my masters degree at Sussex university. Those are my Brighton credentials. If the hon. Gentleman catches your eye, Mr. Deputy Speaker, I am sure that we shall hear that Brighton, too, would benefit from a more flexible licensing regime.

May I say a few more words about Lichfield? Lichfield enjoys a number of attractions, not only many restaurants. We attract some 5 per cent. of visitors from overseas. Those who come into the Lichfield tourist office are from Australia, the United States, Canada, South Africa and Germany. A significant number come to Lichfield district.

My hon. Friend the Member for Beckenham (Mrs. Lait) was telling the House about her brother's aim to link—

Mrs. Lait: It was my uncle.

Mr. Fabricant: My hon. Friend's uncle is trying to set up a telecom link between Greenwich in the UK and Greenwich in Connecticut. I am trying to do the same, because Lichfield is twinned, rather oddly in my opinion, with a town in France and one in Germany. I shall be politically incorrect and tell the House how that happened.

The original plan was to twin Lichfield with a cathedral city in Germany, Limburg. That made good sense. However, Limburg is twinned with a French town in the suburbs of Lyon. Residents of Lichfield had not visited that town, so they agreed to twin with the French town as well as with Limburg. They then visited the French town and discovered that it had little similarity with Lichfield because it was an industrial suburb. When they asked Limburg why it was twinned with that French town, they were told that in 1940 a Luftwaffe squadron from the Limburg region had bombed that French town because it was an industrial area. That is why the two towns twinned after the war—and it shows the danger of twinning.

I should like to see Lichfield in the United Kingdom twinned with Litchfield in Connecticut, which is not a million miles away from Greenwich in Connecticut. As I

said earlier, the irony is that, when representatives from Lichfield fly to Lyon, it costs them more than flying to Boston, which is the nearest international airport to Litchfield, Connecticut. That is because the Thatcher Government introduced freedom of the air and real competition between airlines, which is why so many American tourists visit the UK. However, there is no freedom of the air between France and the UK, which is why flights to France are so expensive.

I hope that the Minister will encourage the Department of the Environment, Transport and the Regions to introduce more deregulation so that there is competition in travel to Europe. There are cheap flights to Spain and Italy, but not to France, which still has a subsidised airline.

I shall mention the interesting sites worth seeing in Lichfield. I claim credit for the fact that I moved to Lichfield. Usually, great men are born in Lichfield and move away. Dr. Samuel Johnson was born in Lichfield, but left. David Garrick, the first knight of the theatre—some hon. Members may be members of the Garrick club and some will have gone to the Garrick theatre in London—was born in Lichfield, but left. Elias Ashmole, who founded the Ashmolean museum at Oxford, was born in Lichfield, but left. I want the House to note that Michael Fabricant was born in Rottingdean near Brighton, but moved to Lichfield by choice.

Mr. Grieve: It is all the more commendable that my hon. Friend moved to what was once one of the prettiest towns in the midlands in view of the destruction wrought on it by the planners between the 1960s and the 1980s. His intervention may be required in the future to preserve the little that is left.

Mr. Fabricant: I am not sure that that intervention will help tourism in Lichfield, so I shall not thank my hon. Friend for it. Huge areas of historic significance are left in Lichfield, and I invite him to visit the city, as I suspect that he has gone to Wolverhampton and thought that that was Lichfield. I live in a 500-year-old house by a cathedral that is more than 800 years old, although some of the outskirts of Lichfield may have been destroyed not by German bombers but by planners in the 1950s and 1960s. I can assure my hon. Friend and any tourists thinking of visiting Lichfield that there is still much of historic significance and interest to see there.

The Secretary of State's opening speech was filled with self-satisfaction and smugness, as is his nature. It is a shame that he had to leave early—he gave his apologies—to scuttle off to Scotland, no doubt paying a fortune because it is so expensive to travel internally in the United Kingdom. As the Select Committee on Culture, Media and Sport report pointed out, the problem with the Secretary of State is that, like the Government as a whole to some degree, he is full of good intentions but is highly and wholly ineffective. He introduced the idea of cool Britannia. There is nothing new about the phrase "cool Britannia". For those who are interested in rock music, it was a song in the 1960s by a punk rock band, whose name escapes me at the moment—just as the phrase "new deal" was first introduced by Roosevelt in the 1930s.

Dr. Alan Whitehead (Southampton, Test): It was the Bonzo Dog Doodah Band.

Mr. Fabricant: I thank the hon. Gentleman for that helpful intervention. It was far more helpful than that of my hon. Friend the Member for Beaconsfield (Mr. Grieve).

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. This is a debate on the general topic of tourism. The hon. Gentleman is testing it to its furthest boundaries. It would be helpful if we talked about tourism policy.

Mr. Fabricant: Cool Britannia has everything to do with tourism policy. The Secretary of State used the phrase "cool Britannia" to try to attract visitors to the United Kingdom, but failed. I listened with great interest to his opening speech. He said—it will be recorded in *Hansard*—that people come to the United Kingdom not because of modern buildings, modern art or modern music, which is what cool Britannia was all about, but because of our heritage, our tradition, our theatre and our other attractions that could in no way be described as cool Britannia. That is why cool Britannia is not being promoted by the British Tourist Authority. The Department's marketing has been wholly ineffective in that regard, and has now had to be reversed. This has been one of the Department's weaknesses. When the Secretary of State visited China to discuss relations with that country and tourism there, he did not once raise the subject of the human rights problem that deters many people from visiting it. That reflects his own weakness.

Much has been said about the millennium dome. I congratulate the Government on achieving its sponsorship targets. I, along with many others, thought that they would not be able to do that, but I was wrong. I am not sure whether the year of the millennium experience will be a success; only time will tell. I certainly will not make any predictions now in regard to whether the 12 million visitors target will be achieved.

What I find very exciting and interesting is the fact that the dome is built to last for at least 80 years. The Government are asking companies to suggest what they could do with it after the millennium experience has closed. There could be a major impact on tourism in London. I used to work for the broadcast electronic industry. Every year, the industry holds a big exhibition somewhere in Europe: it is known as the international broadcasting convention. It cannot be held in London, because there is not enough space, at least not in a nice, prestigious area. I mean space for the exhibition itself, not hotel accommodation. The convention has therefore gone to Amsterdam, and it is not the only one not to be held in London.

A possible use for the dome after 2000 is as a major convention centre. Alternatively, as was suggested earlier, it could serve as a venue for the world cup if Wembley stadium cannot be used. It is certainly large enough.

Tourism is an important element of Britain's economy, and we should not be ashamed of it. It is the largest foreign currency earner in the United States, and also in the United Kingdom. There is nothing wrong with that—and it reflects badly on the Department that the most important area for which it is responsible is not included in its title. Culture, the media and sport are included but

[Mr. Fabricant]

tourism is not, which suggests that promoting tourism in the United Kingdom may be a low priority in the Department.

As I said earlier, England—for which the Department is responsible—loses out badly in terms of grant aid for tourism. Whereas £8.25 per person is spent on tourism in Northern Ireland and £3.76 is spent on it in Scotland, a mere 20p is spent in England on promoting tourism abroad. That has to be wrong. We cannot take it for granted that people will come here simply because of our heritage. Other countries, particularly Australia and Germany, are promoting themselves heavily abroad, and the United Kingdom must do the same.

There has been some talk about the minimum wage. One of the great advantages of being in opposition—there are few advantages, but here is one—and of being a Back Bencher is that I can speak for myself. I am not opposed in principle to a minimum wage, but when the Prime Minister announced that a minimum wage would be introduced, he said, "What is wrong with it? They have it in the United States of America." He is right, but there is a crucial difference: in the United States, tourism and other industries—which I will not bother to list, although, for some strange reason, broadcasters employed in radio are included—are exempt from the national minimum wage.

I am not suggesting that people should work in sweat shops, but we have already heard from my hon. Friend the Member for New Forest, West (Mr. Swayne) and, indeed, from Labour Members about how the minimum wage has impacted on people's lives. In some ways, it is very good, but we hear of some people going abroad, for example, to Marbella or Greece, because it is cheaper. One of the reasons is that pressures on small businesses in the UK are driving costs up; they are certainly not driving them down or keeping them stable.

Miss Geraldine Smith: I am aware of a case of someone working in an amusement arcade and being paid £1.50 per hour. Do you think that that is right and proper?

Mr. Deputy Speaker: Order.

Miss Smith: Do you think that the minimum wage should be—

Mr. Deputy Speaker: Order. Once I am on my feet, the hon. Member must sit down. She is referring to someone in the second person. That means that she is addressing the Chair. I think that she meant to refer to the hon. Member for Lichfield (Mr. Fabricant).

Mr. Fabricant: Obviously, I do not know the circumstances, but supposing it was a student working in the arcade and doing it as a holiday job. Supposing the £3.60—

Miss Smith *rose—*

Mr. Fabricant: Let me finish. Supposing the £3.60 an hour rate means that that person will not be employed. When I was a student, I would rather have worked in an amusement arcade—in fact, for a short while, I worked on Brighton palace pier doing the turnstiles—for less than the minimum wage and earn some money than have no job at all because I had been priced out of the market. That is the only point that I make.

Not having made a prediction about the future of the dome, I will make one about the minimum wage. The £3.60 an hour rate will be kept for a number of years. I do not think that it will go up with inflation. The Government will allow it to wither and to die.

There is a problem. In the United States, the minimum wage, which is about $5.50, varies from region to region. The £3.60 an hour rate may not be much in London, but it is a hell of a lot in Northern Ireland. That, too, is a big mistake.

Mr. Swayne: Will my hon. Friend acknowledge that the British Activity Holiday Association submission to the Low Pay Commission was not a request to pay less than £3.60 an hour? It asked merely for a more realistic recognition of the value of full board and lodging. It asked that it should be accounted for at £35 a week, rather than less than £20 a week.

Mr. Fabricant: My hon. Friend makes his point well now, as he did in his speech. It is interesting to know that in the United States, too, similar provisions exist for that very purpose. The Government have not thought things through. They are good at coming up with marketing ideas but not at thinking the consequences through. By marketing ideas, I do not mean the marketing of Britain abroad—as I have said, "Cool Britannia" has not succeeded—but the Government marketing themselves to the British population. Their marketing was certainly effective in 1997, but it has not been so recently. We have all heard about the European elections, so I shall not bore the House with them now. It is, however, interesting to see how the tourist initiative in Lichfield is changing because both the city and the district are now Conservative controlled again, since the recent local elections.

The Labour Government have a lot to answer for. They have doubled air passenger duty—Members on both sides of the House have mentioned that—and increased fuel prices so that they are now the highest in Europe. Many people come to the United Kingdom for fly-drive holidays. In the United States petrol costs about $1.10 a gallon. The American gallon is only seven eighths of the imperial gallon, but even so, petrol there—or should I say gas?—costs only a third or a quarter as much as British petrol. In this country, it is expensive both to hire a car and to put petrol in it, and that will begin to deter tourists.

A dangerous trend is shown in the number of people who come here for the first time but do not visit again for a long time, simply because the costs in the United Kingdom are so high.

Dr. Whitehead: Does the hon. Gentleman accept that air passenger duty, so far as I recall, was implemented by the previous Government and set to come into force after the general election? The fuel price escalator, too, was a policy of the previous Government, so the hon. Gentleman is being a little careless when he tries to blame all that on the present Government.

Mr. Fabricant: The hon. Gentleman is right to say that the Conservative Government introduced those things,

but it is his memory that is a little careless. The Labour Government increased the fuel price escalator by 20 per cent. and doubled air passenger duty so, although I agree that it would be nice if those measures did not exist in the first place, the present Government have made a situation that was not good, far worse. Treasuries are always greedy, and our present Treasury is especially greedy.

Despite what was said by one of my hon. Friends, Lichfield is a pleasant place to visit. Despite the steps being taken by the Government to drive prices up, the United Kingdom as a whole, too is worth visiting—but the Department, and the Secretary of State, must do better.

12.57 pm

Mr. David Lepper (Brighton, Pavilion): I welcome this debate, not least because it has enabled the Opposition to continue to explore the ambiguities of their position on the national minimum wage. The press reports last week led us to think that it had been settled once and for all, but now we see that that is not so.

Earlier this morning, my hon. Friend the Member for Southampton, Test (Dr. Whitehead) asked me whether I had come here today to "boast for Brighton". As my hon. Friend the Member for Lincoln (Gillian Merron) talked about her town's bid to become a city, I shall take the opportunity to remind the House that Brighton and Hove has made a similar bid, and we have the same hopes.

Having heard what the hon. Member for Lichfield (Mr. Fabricant) said, before I go any further I must put in a disclaimer, in that the hon. Gentleman's place of birth, Rottingdean, and the Palace pier, where he worked as a young man, are, I am pleased to say, in the constituency of my hon. Friend the Member for Brighton, Kemptown (Dr. Turner), so I am not guilty by association.

Mr. Fabricant: The hon. Gentleman may be wrong about his own constituency. I think that he will find that the Palace pier is in Brighton, Pavilion.

Mr. Lepper: We could debate that point later, but as no voters live on the pier it is not an issue that I have come across in canvassing. I praise Nobles, the management of the Palace pier, who have made it a marvellous success that attracts 4 million visitors a year. I believe that it is the second most visited free tourist attraction in England, possibly in the United Kingdom.

I welcome the way in which the Government developed their tourism strategy. I am sure that my hon. Friend the Minister has fond memories of more than one day spent in my constituency, but particularly the day that she spent there as part of the consultation exercise, when she met hoteliers, restaurateurs and others involved in the tourism trade before we put our hard hats on and walked on the West pier. At the time we were still waiting for an announcement on our bid for lottery funding, which I am glad to say has now been agreed, to help refurbish and restore the West pier.

I should like to place on record my thanks and the thanks of many people in my constituency and in Kemptown and Hove to my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher), who is not here today. Over many years in opposition and in government he was very supportive of many of the proposals that have enabled us to develop the cultural industries that have become such an important part of our local economy.

I welcome the tourism summit that was held to launch "Tomorrow's Tourism" and the fact that it is to be an annual event. That is one of the many ways in which the Government will remain responsive to the needs and wishes of the tourism industry. Despite all the dismissive comments about our strategy document, I remind Conservative Members that *Leisure Opportunities* began its article on the strategy by saying:

"Tourism professionals have welcomed the government's new strategy".

Sussex Enterprise, my local training and enterprise council, joined in that welcome. Alan Brook from Sussex Enterprise wrote to me yesterday saying:

"The Government's 'Tomorrow's Tourism' document has been welcomed by the agencies involved with tourism strategy in Sussex. It marks a significant step towards the recognition of tourism as an important industry and highlights the main areas which need to be addressed in order to develop the UK's tourism potential."

Tourism professionals and business professionals have welcomed the strategy.

To avoid disappointing my hon. Friend the Member for Test, I shall do a bit of boasting for Brighton. There are 55,000 jobs in the Sussex economy directly linked to tourism, with another 17,000 indirectly linked. The Brighton and Hove conurbation has an estimated income from tourism of £145 million, of which £65 million comes from the conference trade. I have already mentioned the 4 million visitors to the Palace pier. The area attracts a total of 5 million tourists a year.

High standards in the tourism industry are important to us. I welcome the fact that part of the strategy involves encouraging 500 firms in the industry to become Investors in People, which is a very worthwhile scheme. I should like to place on record the appreciation locally of the work done by Brighton college of technology to help develop training in all aspects of the tourism industry. If I were not in the Chamber today, I would be at the local launch by Brighton college of technology and Springboard of our careers advice initiative in hospitality, tourism and the leisure industries. Despite what has been said about the national minimum wage by some Conservative Members, it has been welcomed in my area, especially by those working in the tourism industry, as a sign of the worth—in monetary and status terms—that the Government attach to employees in that essential industry.

Thirty years ago, wisdom prevailed in Brighton—as it was then, not Brighton and Hove as it is now—about the need to diversify. We became aware of the demise of the two-week seaside holiday in the UK and that more people were travelling abroad. We began to specialise in short breaks and, in particular, in business tourism and the conference trade by investing in a conference centre. However, because we were a pioneer in the conference trade, our conference centre will soon be in need of real refurbishment. It has bookings way into the next century, but we will soon need to make the case for help with the funding for refurbishment.

I am glad that Brighton is mentioned in the Government's strategy document, together with Bournemouth, as those seaside towns that began the process of diversification ahead of many others. We have recently begun to explore other areas of niche marketing in tourism. We are now recognised by the BTA as one of the British art cities, and I am sure that the £10 million investment made mainly by local ratepayers in the refurbishment of the royal pavilion in Brighton helped us to achieve that status.

[Mr. Lepper]

Gay tourism has become increasingly important. The gay pride event each summer now attracts some 60,000 to 100,000 visitors to the town, bringing in some £5 million in revenue. We have linked with the BTA's gay tourism initiative to explore the real value of the pink pound.

We have made investment locally for the new millennium, including work on the racecourse, improvements to the marina and a massive project to refurbish our Dome concert hall, the museum and the art gallery. We already have a virtual Brighton website. Hon. Members have already mentioned the importance of the internet in generating tourism markets and bringing people into areas. We estimate that the virtual Brighton website has some 250,000 visits a year.

Dr. Whitehead: Would my hon. Friend care to comment on the single regeneration budget, which is another important source of investment in the larger cities in the south-east that can have an impact on tourism? It is important in older seaside towns in the south-east to bring their amenities and domestic facilities up to scratch.

Mr. Lepper: I welcome that intervention and I agree with my hon. Friend. My local area has benefited from the single regeneration budget, and it has enabled us to lever in private investment required to match SRB funding to help to improve our chances as we move into the next millennium. However, reference has already been made to the fact that not all seaside resorts are in that happy situation and there is a real case to be made for objective 2 status for many of them, including my area and other parts of Sussex.

We are taking forward the initiatives that I have mentioned, but we need central Government and European funding to enable us to build on the investment that we have been able to make from other sources.

As I have said, the strategy document has been welcomed locally because it recognises the important role of local authorities in tourism. It gives a sharper focus to the work of the British Tourist Authority and recognises the importance of standardising destination management systems, including—and especially—the use of the internet. It suggests, and makes links with, many areas of Government policy other than those that are the remit of the Department for Culture, Media and Sport.

I have a few concerns. The document refers to support for the London tourist board—and I do not detract from the importance of that assistance. However, the board will receive £1.5 million annually for three years because of London's role as a gateway to the rest of the United Kingdom. Those of us in other parts of the UK need to be assured and to see that a significant element of that additional funding for London is being used in relation to its gateway role to ensure that we also derive some benefits.

Similarly, reference has been made to the dome and its potential role as a conference centre. The strategy document talks about a new international conference centre for London. I do not decry the need for that facility, but I urge the Minister to bear in mind the importance of the conference trade to towns such as mine and many others across the country. We must ensure that the correct balance is struck between attracting new conference business to London and sustaining existing conference industries in regional areas.

I have three additional points. Transport has been mentioned frequently in this debate, and Brighton and Hove could benefit from enhancements to our rail network, in particular. There is a fast rail link between Gatwick and London but not between Gatwick and the south coast. There is an abysmal rail link between Brighton and Hove and the channel tunnel at Ashford. That is to the detriment of not just the tourist industry but the economy generally in our part of the south-east. Sussex Enterprise, two county councils, Brighton and Hove council, BAA Gatwick and Connex have produced a strategy document on tourism, which I believe is being studied by the Department of the Environment, Transport and the Regions. I urge the Minister to discuss with her colleagues in that Department—if she has not already done so—the importance of transport infrastructure for our tourism and other industries.

My final point relates to an aspect of sustainable tourism: the role of English Heritage. English Heritage performs an important function and it is vital that it provides advice and funds the maintenance of our historic buildings. Many of our historical buildings—I think particularly of the Palace pier in Brighton—are also working buildings. They have lives other than as museum pieces. I urge the Minister to ask English Heritage to consider—rather more than it does at present—when commenting on planning applications and funding decisions, the importance of buildings, such as the Palace pier, that continue to bring revenue to their areas even though they have listed status.

Mr. Fabricant: Does the hon. Gentleman share my concern that English Heritage sometimes over-specifies work that might need to be done to change or repair a structure, whether it be a pier or a building, to the extent that the cost becomes prohibitive and the work does not get done?

Mr. Lepper: I cannot specify such a case; but I am not suggesting that the hon. Gentleman is wrong, and I know that he has a genuine concern. I hope that the Minister will take into account my point about the role of English Heritage.

In conclusion, let me say that the prospects for tourism in Brighton and Hove for the millennium are bright, but I emphasise the solutions that have already been suggested by my hon. Friends and the importance of assistance to seaside towns. Even towns that diversified early, such as Brighton, cannot always go it alone in making the most of that diversification.

1.17 pm

Mr. John Randall (Uxbridge): First, I apologise to you, Mr. Deputy Speaker, and hon. Members on both Front Benches for not being here for the opening speeches.

I welcome the opportunity to contribute to the debate. Hon. Members may know of my previous career in retailing. Not only was I a shopkeeper, but I should declare my interest as a shareholder in a Hungarian eco-tourism company. I am still, as it were, on the books as a specialist ornithological tour leader for Limosa

Holidays. I must point out, with a certain degree of regret, that, since being elected to the House, I have not had the time to take any tours abroad.

Many of my constituents are actively engaged in the tourism industry because they are involved with Heathrow airport, which is a major employer in the area. The area also boasts many hotels, and although they are not all situated in my constituency, many of my constituents are employed by them. Uxbridge is fortunate in having a golden location with a very good transport system and easy access to central London. West London is a good place from which to visit many exciting places. Lichfield might be a little too far away, but one can go to Oxford, Stratford-on-Avon and those hidden gems of the southern British countryside, the Chilterns.

Mr. Grieve: Hear, hear.

Mr. Randall: I am sure that my hon. Friend is often described as the gateway to the Chilterns.

Uxbridge has a vested interest in the promotion of tourism. If I had realised that so few hon. Members who represent London constituencies would be present, I would have concentrated my remarks on London. Only the two hon. Members who represent Harrow are here, but I had assumed that on a Friday the Labour Benches would be full of London Members putting forward London's case. I am therefore rather sorry that I shall concentrate my remarks on other matters. I hope that if either the hon. Members for Harrow, East (Mr. McNulty) or for Harrow, West (Mr. Thomas) are lucky enough to catch your eye, Mr. Deputy Speaker, they will speak for London, and I should like to associate myself with their comments, which are always of a high standard.

I have been extremely lucky in that I have travelled extensively throughout the world and visited many exciting places on every continent but, as I came to the House on this wonderful June morning, I could not think of any destination in the world that could match this country on such a day. Having only a few weeks ago spent a very pleasant week on half term with my young family in north Norfolk, I can report that, by popular demand, I am actively trying to book our summer holiday there. The holiday was a great success; perhaps I feel a little uneasy in Tuscany. I do not know what it is but there is something very special about this country.

As I said, I have a particular interest in wildlife and its role in tourism. It is perhaps not generally recognised in the House that sensible, sustainable promotion of our extensive areas of natural history interest can often extend the natural holiday season. I think of the Isles of Scilly in particular, where many birdwatchers from all over the world go in September, October and into November, providing much welcome resource for local hoteliers and restaurateurs—although sometimes local farmers despair a little when an extremely rare bird appears in one of their fields.

There is similar great potential in the area represented by the hon. Member for Morecambe and Lunesdale (Miss Smith), who is not in her place at the moment. I am sure that she is aware of it; I remember reading her maiden speech, in which she acknowledged the many wildfowl and waders to be found in Morecambe bay.

Our greatest assets are often overlooked because familiarity breeds contempt. In Britain, we have not only some of the best scenery but some of the most spectacular wildlife habitats. Our seabird cliffs, for example, are at top of the league in the world. Many ornithologists and holidaymakers generally would be very keen to see such a wildlife spectacular. It is something of which we should be proud and should give the opportunity to develop.

Mr. Fabricant: Will my hon. Friend concede that there is a danger of destroying beautiful areas and wildlife by attracting too many people to them?

Mr. Randall: I would concede that. That intervention, as in the one on my hon. Friend the Member for Beckenham (Mrs. Lait), shows that my hon. Friend seems to be psychic, because I was about to make that point. His natural impatience is probably as a result of my inability to make my points quickly. I was about to point out that any development must be sensible and sensitive—otherwise, we are in grave danger of killing the goose that lays the golden egg.

One side-track, which relates not just to wildlife and the environment but tourism generally, is that we have a great opportunity to promote growth in holidays and tourism for disabled people. We have a good record on which we may build. We could attract people from all over Europe, if not further afield.

We must not just guard natural areas against over-exploitation. Attractions that have introduced positive visitor-management schemes have shown that is it possible to increase a destination's capacity.

Mr. Peter Ainsworth: On the question of holidays for disabled people, is my hon. Friend aware of the wonderful work that is being done by the Holiday Care Association, which is based in my constituency and which I had the privilege of visiting recently, in promoting access for disabled people to high-quality holidays throughout the United Kingdom?

Mr. Randall: I am grateful to my hon. Friend for that intervention. I was not aware of the association's work, but I am certainly very interested to learn of it. Even non-natural sites must be sensitive in the way in which they attract tourists; otherwise, the exploitation and the number of visitors can put people off.

I hope that the Minister will shed some light on Government thinking on the relationship between the taxation and the preservation of historic buildings. Obviously, if a building is repaired, renovated or brought back into use from dereliction, either a site is created or an existing one is improved. I wonder whether, as part of their approach to boosting tourism, the Government would consider zero-rating VAT on the repair and adaptive re-use of historic buildings.

Let me return to the general picture of tourism. We know that the business climate may well become increasingly difficult for tourism in Britain as it faces more competition and consumer expectations grow. The Government have not helped to reduce the burdens of the industry by introducing more regulation. To be fair, many Governments seem to spend more time adding to the weight of regulations than considering how to make life easier; but this Government's record is not at all good. I speak as a small business man.

Since the general election, the Government have introduced 2,600 additional regulations. I feel that that can only damage and hamper many of the small businesses that form the core of the tourism industry. Seventy-four per cent. of such businesses employ fewer than 10 people.

[Mr. Randall]

The working time directive is causing problems to an industry that requires a great deal of flexibility with shifts and hours generally. That initiative is causing a problem for small business because of the additional administrative costs associated with the directive. All companies find extra clerical costs and computer work unwelcome, but the bigger ones can absorb those costs more rapidly than small businesses can. Very often, those few extra costs can drive the final nail into the coffin of a small business.

We know from Library figures that the Government have increased costs on business to the tune of £40,700 million over the lifetime of this Parliament. Is the Minister prepared to give us some specific information, or promise to examine the impact of those measures specifically on the tourism sector of the economy? What impact does she believe that those extra costs will have on the tourism industry?

Unfortunately, I have my doubts. I remember reading the June 1998 report of the Select Committee on Culture, Media and Sport, which criticised the Department for subordinating tourism in favour of more glamorous and trivial matters.

Tourism has been, and I hope will continue to be, a great success story, but I want the Government to confine their role to helping to promote the industry and its interests, instead of interfering in a rather damaging way, at a time that is likely to be a turning-point for British tourism's future success.

1.28 pm

Judy Mallaber (Amber Valley): I was interested in the comments of the hon. Member for Uxbridge (Mr. Randall) on wildlife because last week, on behalf of Derbyshire Wildlife Trust, I performed the ceremony of topping out an otter holt, which was a des-res, three-bedroomed place for otters to move into. However, it had nothing to do with tourism. I was sworn to secrecy. I am not allowed to tell anyone where it is because we do not want any visitors to come and disturb the otters. Otters can cope with a railway nearby but not with visitors, so the wildlife issue can work both ways.

I am very pleased to speak in the debate because tourism is important in my constituency. Like others, I shall take the opportunity to celebrate tourism, because the promotion of tourism and of what is happening in our areas is obviously important to our success.

I shall start by commenting that many hon. Members, particularly on the Government Benches, become rather worried if they find themselves appearing in *The Guardian* diary columns. I cannot understand why. I was pleased when I was referred to in Simon Hoggart's column recently, not because of anything that I had said, thank goodness—there was nothing about me being ridiculous or that I had said something embarrassing—but because he said that I am the Member who represents the Labour interest in the most beautifully named constituency in England—Amber Valley. I have only one problem with that: Amber Valley is indeed as beautiful as it sounds, but I knew that I would have difficulties when, having just been selected to stand for the constituency, I met my hon. Friend the Member for Tottenham (Mr. Grant), who congratulated me on my beautiful Welsh constituency. He was not alone.

If anyone wants to attract industry or tourists to their area, it is rather difficult when they do not even know what country it is in. In that respect, I am envious of my hon. Friend the Member for Lincoln (Gillian Merron). However, she does know where Amber Valley is because she came from near by. I am envious also of my hon. Friend the Member for Brighton, Pavilion (Mr. Lepper). The areas represented by my hon. Friends are well known. If they wish to promote them, at least people know where they are.

One of the tasks that I set myself in my maiden speech was to put Amber Valley on the map. I was intent on telling people where it is. I think that I have made enough noise about Derbyshire since being in this place, along with my fellow Derbyshire Members, particularly about its funding problems, to ensure that hon. Members do not fall into the trap of believing that my constituency is in Wales. Amber Valley is in the heart of Derbyshire and in the heart of England.

It is not surprising that people think that Amber Valley may be in Wales. Both Wales and Derbyshire are mining areas. Mining country is often extremely beautiful, so long as we can keep it away from opencast mining, which is a complete blight on any area. It keeps tourists away without bringing any benefit to the local economy.

Last week, the English Heritage board toured my area and I met its members after they had visited the neighbouring constituency, that of my hon. Friend the Member for Bolsover (Mr. Skinner). Hon. Members may be interested to know that my hon. Friend has his own castle—Bolsover castle is a wonderful tourist attraction. I do not think that it is often associated with him.

In my discussions with English Heritage, we agreed that there is a need to change people's perception of our industrial areas, which often combine glorious countryside, wonderful historic sites and fascinating and rich industrial heritage. Very often, people do not associate mining areas, for example, with anything other than gritty, horrible realism. In fact, these areas are usually beautiful and have considerable tourism attractions.

Promotion—telling people where we are and what attractions we have to offer—is essential to any tourism strategy. Traditionally, we have not put as much as we should into promoting tourism when we compare our efforts with those of other countries. I welcome the emphasis that is now put on tourism with the Government's strategy for tourism. That will be extremely helpful.

Amber Valley borough council has an active tourism strategy. The tourism information centre that was established in Ripley in 1994 registered 53,000 visits and 15,000 queries last year. However, it is still the case that only 11p per household per week goes into promoting tourism, which is an important industry within the area that I represent.

When I was using my computer last night, I was pleased to look at the website that has been developed by the borough council in recent months. It is excellent. It sets out many of the things that we have to offer. For anyone who wants to visit Amber Valley, the website is on www.ambervalley.gov.UK. It will help people to become aware of all the wonderful things that we have in the area. I hope that it will entice many hon. Members to visit us.

As I have said, Amber Valley has beautiful countryside. We are surrounded by the most amazing historic buildings, including Kedleston hall, Chatsworth, Hardwick hall and Wingfield manor. Visitors can go to the Belper river gardens or to Shipley country park, where recently a play was put on about the last rebellion in England. That rebellion was not very successful. The poor working people who were unemployed and starving in Derbyshire and Nottinghamshire decided to march on London to demand their rights under the leadership of Jeremiah Brandreth, who was a rabble rouser. The rebellion lasted about 12 hours before those involved were rounded up. It had all been set up by agents provocateurs. Jeremiah was hanged and others were transported. The rebellion did not do very well, but it made a wonderful play in Shipley country park, which is part of our tourist attraction.

Visitors can go for white-knuckle rides at our adventure theme park, American Adventure, or ride on a tram with the national tramway museum. They can look at the photographic site of its archives on their computer. They can paint plates or make frogs at Denby pottery. People can visit the national tramway museum or the midland railway museum. If they decide that they like the railway museum enough and want to stay in our area, they can have their marriage ceremony there. Visitors can go up and down on the narrow-gauge light railway that I was pleased to open recently, on which railway enthusiasts have worked for the past 12 years. Children can see the Fat Controller there, and Thomas the Tank Engine. As hon. Members may have seen in the papers recently, people can even have their wake there when they die. Our tourism attractions will look after them from birth, through marriage and children, unto death.

Visitors can sample Thorntons chocolates, visit Heage windmill, an historic mill that has received support from the national lottery and English Heritage, or visit the birthplace of John Flamsteed, the first astronomer royal, who founded the Greenwich observatory and whom we hope to commemorate at the millennium. There are many, many attractions in our area.

There are many beautiful walks in our area, which is also the gateway to the Peak National Park. Other hon. Members have mentioned that it is important that we get people away from the honeypots. Our honeypot in Derbyshire is the Peak park, which is being eroded through over-walking. We should encourage visitors to go there for a couple of days of their holiday, and then to visit some of the other wonderful attractions throughout Derbyshire.

As has been said, it is essential to our local economy that we develop our tourism industry. We all have good examples that we can quote. The midland railway museum has 20 trainees through the new deal programme who are learning skills to assist them to get into work.

There has been much mention of the links with film and media. Seven series of "Peak Practice" have been filmed in my constituency. Carsdale is, in fact, Crich in my constituency. The filming brings much spending and revenue into the area, and a small production unit has recently been opened on one of our industrial estates.

There are a few issues that I wish to draw to the attention of Ministers. My initial point, that people do not know where Amber Valley is, is critical to our ability to promote the attractions in our area. There is a particular problem relating to signposting, which needs to be dealt with by the Highways Agency, the county council and those who have responsibility for putting up signs.

We have had difficulty in obtaining permission to put up signposts on the boundary to Amber Valley, as opposed to the approach to a particular town. We also have problems with the signs at exits from the motorway. There are signs to Alton towers, which entails driving right through Derbyshire to get to Staffordshire, and signs to Matlock Bath, which is grossly overcrowded, but there are no signs to leave the motorway to go to the national tramway museum, which is one of only 26 museums throughout the country that is considered to be of sufficient national importance to be designated as such.

Like other hon. Members, I shall refer to transport. As has been said, many tourist attractions are not well linked to the transport infrastructure. It is often difficult for buses to travel within market towns as there is not a great deal of space for them, and the transport links are not very good. It is odd for me to say that, as Amber Valley is a transport heritage centre, with the midland railway museum and the national tramway museum.

When I visit the tramway museum, I look at the timetables for what was, I understand, the longest tram ride anywhere in the world, between Ripley and Nottingham. Travelling between the two places on the trams was an awful lot easier than it is now and perhaps link should be redeveloped. Nottingham has been given authority to develop its tramway up to Hucknall.

I would like us to reopen the railway line from Derby that goes through Ambergate, Matlock, Bakewell, Buxton and up to Manchester, as that would help to relieve the pressure on the Peak park. Our area has a good history of reopening lines—the Robin Hood line, for example—but further transport measures are essential to developing and promoting the tourism industry, to preventing us from having too many cars and to enable people to use public transport.

I ask my hon. Friend the Minister to ensure that the sustainable tourism issues that the Department considers are always compatible with the economic sustainability arguments put forward by the Department of the Environment, Transport and the Regions. For example, we have been trying unsuccessfully for years to develop a difficult brown-field site, but it is hard to unlock the site and get the necessary money in. We have a programme for developing the site, which is in the deprived Langley Mill area, which has single regeneration budget funding.

The site originally had planning permission for the sort of retail development that has now gone out of the window under the planning considerations that we want to operate. We have planning proposals to develop a cinema and the neighbouring canal basin and moorings as a tourism and leisure site, but they have been called in and will be the subject of a public inquiry. That is because the site is next to a settlement that is regarded as a small town in the structure plan. There are concerns about the car parking space that would be needed and that damage might be done to other town centres.

There seem to be some contradictions here, because we do not want people such as me to go by car to the cinemas in Nottingham and Derby. To my horror, because I am a great film fan, there is no cinema in my constituency and I have to travel a long way, usually by car, to get to one. However, planning decisions are taken which stop us

[Judy Mallaber]

having a cinema because of what will supposedly happen in respect of car parking. The decision may or may not be right, but it is subject to a public inquiry. I wonder whether there is always consistency between the sustainable development arguments that we use in these two spheres.

My hon. Friend the Member for Pavilion mentioned working buildings. The English Heritage board toured the east midlands last week, and was asked by the region to consider what is regarded as one of the board's most intractable problems—Wingfield manor, a building under the custodianship of English Heritage, but owned and lived in by a working farmer. Mary, Queen of Scots was imprisoned three times in this dramatic ruin and the Babington plot to free her and overthrow Elizabeth I was hatched there.

To sum up his visit, and after he had squared up to the farmer who lives in Wingfield manor, Sir Jocelyn Stevens, the chair of English Heritage, said it is a tragedy that English Heritage will be unable to deal properly with this wonderful romantic building which is owned and occupied by someone who does not like visitors. That is a serious problem. We looked at some of the equipment that the farmer has at Wingfield manor and it is clear that he is doing as much contracting as farming and he does not want to be there with the visitors.

There are difficulties in respect of achieving public access to buildings of historical interest to the nation when there are these other problems. I am not sure whether English Heritage has the ability to solve this problem, and I may [illegible] to Ministers with it. We have achieved public access to the building, but there are only 5,000 visitors a year to somewhere that I am sure could attract 50,000 visitors. The situation is unhappy from all sides.

I make a direct request to my hon. Friend the Minister on industrial heritage, which has not been referred to greatly in the debate. Industrial heritage visits are increasingly popular in my area and my local tourist information centre says that many people want to get involved with this.

Derbyshire has some of the finest scenery in England. Historically, in the valleys and hills of the county were found rich veins of minerals and an abundant water supply, which provided fuel for the industrial revolution. In many ways, the Derwent valley was the cradle of the industrial revolution. Jedediah Strutt built the famous Belper North mill for framework knitting in the cotton industry, and we have the Arkwright mill at Cromford. Jedediah Strutt's apprentice, Samuel Slater, developed the same industry in Pantucket, Rhode Island in the United States and the strong links that we have developed with that part of the US are valuable in attracting tourists to our area, and vice versa.

We have picked up the United States' concept of a heritage corridor. Amber Valley has trademarked the National Heritage Corridor, which has been created to try to preserve, protect and enhance the rich industrial heritage of the Derwent valley, based on the entrepreneurial skills in the area, particularly those of the Arkwrights and the Strutts. We were absolutely delighted that it was put on the tentative list of sites for consideration by UNESCO as world heritage sites. I appeal to my hon. Friend the Minister to visit our area with the Secretary of State and make sure that our application is put forward early for the final list of heritage sites. That would be extremely valuable in promoting what is already a valuable, much enjoyed and appreciated part of our heritage.

Less reference has been made today than I would have liked to the value of our industrial heritage. The qualification conditions that UNESCO set for world heritage status reflected the fact that it wanted to celebrate industrial heritage as much as some of the buildings that had been recognised in previous years.

I have raised a number of issues to which the Minister might like to respond. I live in the most fantastic area, which everybody must visit. May I make one final plug? I suggest that visitors leave from St. Pancras station, which is the most wonderful station there is. It is identical to Bombay station—both were primarily built by Butterley Engineering in Ripley in my constituency. There are now 31 trains a day to Derby, although they do not all leave at the right time. I like to claim the heritage and tourism at both ends of the railway line.

This has been an interesting and useful debate, in which I have heard of other places that I shall now seek to visit. The more that we can do to promote our tourism industry—we must do so more than we have in the past—the more flourishing it will be. That will benefit our areas and those who seek jobs in our communities.

1.47 pm

Mr. Dominic Grieve (Beaconsfield): It is a pleasure to participate in this debate and to follow the hon. Member for Amber Valley (Judy Mallaber), whose speech I listened to with great interest. I was struck particularly forcefully by one of the points that she made, because I know the area that she represents a little. Notwithstanding the fact that we live on a crowded island with a great deal of industry, it is easy to find attractive places closely juxtaposed to areas that most people would never imagine were worth visiting.

Before I came into the House, I had the unpleasant duty of prosecuting a company for serious pollution offences in the constituency of the hon. Member for Bolsover (Mr. Skinner). When I visited one of the dirtiest plants that I had ever seen in the United Kingdom, I was struck by the fields, the patchwork of lanes and the attraction of the local villages. It was a hidden jewel.

Tourism is about people going to places that they would not normally visit for pleasure. I hope that I will be forgiven if I was a little iconoclastic in my interventions earlier, but one cannot produce in this country whited sepulchres. Unless somewhere is attractive for people to visit, the economic benefits—and, indeed, the cultural benefits—that will flow from it simply will not occur. One or two of the speeches that have been made have expressed regret that certain places that may at one time have been attractive and popular no longer are. The first question that one must ask oneself before requesting state intervention is why that has come about.

Further to my somewhat rude intervention on my hon. Friend the Member for Lichfield (Mr. Fabricant)—for which I apologise—I happen to think that Lichfield is one of the loveliest places in the country. The remarkable cultural ensemble of the cathedral, the close and the high street, which I know well, should be very attractive, but I cannot escape the fact that, if Lichfield had been better

treated by the planners in the 1960s and 1970s, it would now be regarded as one of the jewels of the midlands and would have the potential to be as attractive as York is today. We would do well to look in our own back gardens when we consider tourism, because, if we do not, we will not produce anything worthy of attracting people to this country.

The Minister is aware of my membership of the Select Committee on Environmental Audit, which may shortly come to an end as I have been given other duties. How tourism fits with sustainable development is a material consideration, especially for the next millennium. As my hon. Friend the Member for Uxbridge (Mr. Randall) tellingly said, we could kill the goose that lays the golden eggs. There is no doubt in my mind that, in areas such as the Lake district, which are saturated by tourism, the balance of retaining the environmental attractions that draw people there in the first place is proving increasingly difficult to sustain.

In the past, because of the inevitable compartmentalisation within government, those put in charge of promoting tourism have seen themselves as an interest lobby on a single issue and have expected other areas of government to check them by saying, "You can't do that. You can't put this development here, because the environmental impact would be wholly negative." This is a non-partisan point, because that has been going on under successive Governments. Although things have improved slightly, there have still been problems. As a consequence, developments for tourism are extremely contentious.

I have serious doubts about the Cairngorm railway north of the border, even though the Secretary of State for Scotland wrote to assure me that the environmental impact assessment has been carefully taken into account. I have previously referred the Minister to the development in a forest outside Penrith, which was undertaken deliberately to promote tourism and attract tourists away from the Lake district. It has not been particularly successful commercially, but has implanted what is, in effect, an urban development in the middle of a deeply rural area with much biodiversity. I hope that the Minister will explain how tourism can be properly focused, so that, when carrying out their duties, those responsible for tourism will make environmental assessments to ensure sustainable development.

I am conscious of the time, so I shall not take up more than another minute or two. I want to leave time for the Minister's reply. However, I want to stress that, when we promote tourism and encourage development, deregulation and "small is beautiful" are the two key issues that we should emphasise. Tourist projects in my constituency close to London have been low key, but because the area is environmentally attractive, even though it is developed, they have been successful. People can visit farms and Beaconskot in Beaconsfield, which has been there for years; successive generations come back year after year to see the miniature village. The amenity of the Thames is an example of the difficulty of reconciling environmental considerations with leisure and recreation interests. Nevertheless, the Environment Agency is succeeding in striking a compelling balance.

I shall close my remarks because of time, but I ask the Minister to address those issues because they are of great importance to the promotion of tourism in the future. Many mistakes have been made, but they can be rectified. The Government—to pay them a compliment—are showing signs of addressing them, and of that I am very glad.

1.55 pm

Dr. Alan Whitehead (Southampton, Test): I apologise to those on both Front Benches for not being present at the beginning of the debate. I have listened carefully to nearly all of it, and I consider it to have been very worth while.

We are now discussing far more dimensions of tourism than we used to. It is traditional to think simply in terms of more being good: we need more tourists, more money coming in, more attractions and so forth. Today, however—and, increasingly, in general—we are also considering quality. Additional factors now need to be taken into account.

The obvious requirement is for people to return to this country, enabling us to establish a sustainable tourism industry, which means maintaining the number of visitors and attractions over a period. There is, however, a new dimension of sustainability, about which we did not hear a great deal today until the speech of the hon. Member for Beaconsfield (Mr. Grieve). We do not tend to take it into account very much: we hear more about troops of tourists going off in safari wagons and killing the very last Mexican staring frog as they unload their hampers. I commend the consultative document "Tourism—Towards Sustainability", produced last year, and the more recent document "Tomorrow's Tourism", which features an appendix containing an interesting set of responses.

Nowadays, it seems to be fashionable to take ever-longer holidays abroad. As has been said today, our seaside resorts have suffered a decline. There are problems of accessibility. We must think carefully about what we want from sustainable tourism. If we are not careful, we will kill the goose that lays the golden eggs in such places as the New Forest and the Peak district. We must have a clear policy for the management of resources, to ensure that tourists still visit those places.

There have been encouraging developments. North Yorkshire national park, for instance, has made it possible for people to visit without having to drive their cars into the middle of the park. Moreover, natural attractions are being allied with the attractions of nearby towns and cities to remove some of the pressure.

My city of Southampton, which is not regarded as a natural tourist destination, has gone a long way towards becoming one by hosting the round-the-world yacht race, a film festival and a balloon and flower festival. A number of other activities bring people back into cities and, indeed, bring cities back into people's purview as "short break" destinations where they can use public transport without basing themselves in areas where there is too much pressure on facilities. Such combination holidays, enabling the use of both natural and urban facilities, are important to sustainability.

As has been said, the accessibility of tourist destinations is important. I am referring not just to dual carriageways, but to public transport. Can people go on holiday simply by using public transport? Increasingly, that is no possible in this country.

I recenly visited Tintern. I noticed posters dating from the 1890s on the wall of the former station at Tintern. They offered tourist packages of days out on the train

[Dr. Alan Whitehead]

going up and down the Wye valley to Tintern. That, of course, is no longer possible; the railway was closed in 1995. If people want to go to the Wye valley, they will have to go by car. Being able to use public transport to get around tourist destinations is important. Investment in public transport that allows those destinations to work well is important too. We need cycle routes in the New Forest to allow people from Southampton to undertake their holidays in and around the forest without recourse to the car, if that is what they wish.

I am conscious of the fact that time is pressing. I make the case for taking sustainable tourism seriously. Tourism should be part of the other policies on sustainability that the Government are developing and taking seriously. How can we bring people back to have holidays in our country, but, at the same time, ensure that the amenities of the country and, indeed, of the world are secure for the future? That is the challenge. I am delighted that the Government have taken it up in their consultative document and in their tourism document, which has just been published.

2.1 pm

Mr. Gareth R. Thomas (Harrow, West): Sadly, lack of time prevents me from taking up the injunction of the hon. Member for Uxbridge (Mr. Randall) to promote London. I want to make one relatively obvious point and a second one. In the process, I want to celebrate the tourism potential of just one part of London: my constituency.

The relatively obvious point is the need for grant-making bodies such as English Heritage and various lottery funds to be fully signed up to implementing the Government's tourism strategy. I am delighted that Headstone manor, a 13th century moated manor house, the only one of its kind left in Middlesex, and in my constituency, has received a lottery grant of £1 million to secure its restoration and refurbishment and to enable the oldest parts of the building to be opened to visitors. I am delighted that the heritage lottery fund saw the good sense of the representations by Harrow heritage trust and the local Labour council, as well as me.

I am also delighted that English Heritage has started to shift its position in terms of how it allocates conservation area funding. In the Christmas Adjournment debate, I lamented its insistence that such funding should be directed primarily towards building repair, rather than, as is the need in Harrow on the Hill—an equally beautiful part of my constituency—the space between buildings, tackling the impact of traffic and improving the general street scene.

English Heritage is supporting a pilot project in my constituency. It is contributing some £30,000 to £35,000, which will be matched by the local authority. The final details of the scheme to help to slow and deter traffic and to improve the street scene are being worked up. I look forward to helping to facilitate the scheme's implementation. Nevertheless, the annual tourism summit needs to include representatives of such grant-making bodies to ensure that they continue to sign up to, and help to implement, the Government's tourism strategy.

The second key aspect of my comments is the need for the Government to recognise the importance of sport and event tourism. I mention in particular one of the lessons that the Select Committee on Culture, Media and Sport highlighted in its recent report on major events: the need for high-profile, active Government involvement in events. Obviously, the major event strategy and the new agency that my hon. Friend the Minister for Sport is chairing within the Department for Culture, Media and Sport are welcome.

I hope that my hon. Friend the Minister for Tourism, Film and Broadcasting will be able to say a little more about how the Government are working with the Manchester 2002 Games committee to ensure that the event is a huge success. I mention that point in the light of the bids to redevelop Wembley stadium and in the hope that, down the line, a redeveloped Wembley will be at the forefront of a world athletics championship—and, crucially, a British Olympic bid.

2.5 pm

Mr. Richard Spring (West Suffolk): I thank the Secretary of State in absentia for his characteristic courtesy in noting the fact that my hon. Friend the Member for East Surrey (Mr. Ainsworth) and I are continuing in our present roles. When the dear and revered leader sits down with Alastair Campbell to plan the future of the Cabinet, I wish the right hon. Gentleman well for his future.

It is interesting that, despite the remarks made about the English weather, we have a beautiful day today for the tourism debate. I wonder whether hon. Members have noticed that the sudden improvement in the weather in this country seemed to take place on Sunday evening. There is a definite correlation out there somewhere between approval of what happened on Sunday and the excellent weather that we have had this week.

Before proceeding to the main part of my speech, may I ask the Minister about the quality assurance that the Secretary of State mentioned? It is our understanding that the harmonised rating system that will be applied with the help of both the Automobile Association and the Royal Automobile Club will involve different systems in England, Scotland and Wales. I am sure that the hon. Lady will agree that that will be very confusing for overseas tourists, and I hope that she can shed some light on the situation.

Despite the Minister's intervention, there is still some confusion about accommodation offset. Yesterday's reply by the Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney) to my hon. Friend the Member for New Forest, West (Mr. Swayne) suggested that the minimum wage would be added to accommodation and food prices. That would be serious for activity holidays, and I hope that the hon. Lady will deal with that. The British Activity Holiday Association, in a letter to me, mentioned a monitoring period lasting until December, whereas I think that I heard the hon. Lady mention September. Will she be kind enough to introduce some clarity on that important point?

I congratulate the hon. Member for Stalybridge and Hyde (Mr. Pendry) who, as chairman of the all-party tourism group, is a man of considerable distinction in the House. I entirely agree that the role of tourism and major sporting events is crucial, and that we ought to consider that role in the new millennium.

I agree with much of what was said by the hon. Member for Southport (Mr. Fearn), especially about the strength of the pound, which has also been mentioned

with concern by the British Tourist Authority. I share his welcome for the removal of the threat of a levy on small businesses to pay for the Food Standards Agency, which would have had a serious effect on tourism.

I congratulate the hon. Member for Selby (Mr. Grogan) on a lively contribution to the debate. Many hon. Members will agree that our licensing laws are utterly anomalous and need reform. I also agree with my hon. Friend the Member for Beckenham (Mrs. Lait) about the importance of getting tourists away from the three main tourist destinations and persuading them to see the attractions elsewhere. I especially endorse her references to seaside resorts.

The hon. Member for Morecambe and Lunesdale (Miss Smith) mentioned the familiar problems of seaside resorts, and said that the facilities in her constituency were not adequate for the major political parties. I simply suggest to her that, in view of their recent results in both the local and the European elections, perhaps the Liberal Democrats could be invited to hold their annual conference in Morecambe bay.

My hon. Friend the Member for New Forest, West made a powerful point about activity holidays, and I am anxious to hear what the Minister has to say in response. I agree with what the hon. Member for Lincoln (Gillian Merron) said about her city. I recently visited Lincoln, and it is one of the great jewels of European civilisation.

My hon. Friend the Member for Lichfield (Mr. Fabricant), who is a distinguished member of the Select Committee on Culture, Media and Sport, referred to our anomalous licensing laws and the fact that the tourism industry in the United States is exempt from the national minimum wage. The hon. Member for Brighton, Pavilion (Mr. Lepper) talked about the importance of seaside resorts. My hon. Friend the Member for Uxbridge (Mr. Randall) talked about holidays for the disabled and the burden of regulations. I agree with the hon. Member for Amber Valley (Judy Mallaber) that Kedleston and Hardwick, which I have visited, are wonderful places. She was right to point out that the pressures on the Peak district are enormous.

Several hon. Members have referred to sustainable tourism, including my hon. Friend the Member for Beaconsfield (Mr. Grieve) who spoke eloquently about the pressures in different parts of the country. The hon. Member for Southampton, Test (Dr. Whitehead) took up the point in respect of the Lake district. The hon. Member for Harrow, West (Mr. Thomas) talked about the importance of sporting events and developments in his constituency.

The Department for Culture, Media and Sport issued a press release on 21 May headed "Government support for tourism pays dividends". It was yet another smoke and mirrors exercise by the Department, because it talked about the 5 per cent. increase in tourists from abroad making the total more than 5 million. That contrasts with the figures put out by the British Incoming Tour Operators Association, which show a decline in the past year.

The Labour party's pre-election strategy document for tourism and hospitality, called "Breaking New Ground", implicitly criticised the previous Government for having a balance of payments deficit in tourism of £2.95 billion in 1996. The tragic truth is that, by the end of last year, that deficit had nearly doubled to more than £5.6 billion. That all-time record deficit is very regrettable. In the first three months of this year, the deficit grew even more. There was a lot of talk before the election about closing the gap, but that is not happening. The gap is getting wider.

We have heard a great deal about the tourism strategy during the debate. The tourism industry in this country is not winning the battle against the competition. I hope that the Minister will make some specific comments about that.

Labour's pre-election document referred to encouraging investment in our infrastructure. As my hon. Friend the Member for East Surrey and I know from our visits to places such as Eastbourne, Scarborough and Torbay, which are heavily dependent on tourism, the infrastructure problem is causing serious anxiety. The roads programme in rural areas is being slashed. Highways are being detrunked and the financing is being transferred to cash-starved county councils, which are already putting up council tax by more than three times the rate of inflation.

The Labour strategy document also referred to an integrated approach. We await with interest to see whether that will come about in practice. The Minister for Sport has been unable to persuade his colleagues at the Department for Education and Employment to work with him on vital issues such as the role of sport in the primary school curriculum, the role of competitive sport in secondary schools, school playing fields and the declining number of physical education teachers. What hope is there for tourism?

We have heard that the English tourist board is being replaced by the English Tourism Council. Its remit has been ill defined and we are anxious to hear more about it. When the BTA was established by the Development of Tourism Act 1969, it was envisaged that amendments to that Act would be necessary to set up a body such as the English Tourism Council. Can the Minister confirm whether that is the case? It is not clear, and we have heard conflicting evidence.

Several hon. Members made the point about small businesses being swamped by a floodtide of regulations. It is true that we have seen a huge increase in the number of statutory instruments coming from Whitehall, and the European Commission has also played its part. Since the general election, the Government have imposed 2,400 new regulations on businesses, and the Institute of Chartered Accountants has calculated that the average small business, with 100 employees, will suffer to the tune of an additional £5,000 in costs. We need sunset clauses and an independent body to prepare and audit compliance cost assessments of the burdensome regulations. The reverse is happening, and that is why we are seeing an increase in bankruptcies in the small business sector. The tourism industry is made up of thousands of small businesses that are dependent on the reduction of the burden of regulation. They do not want the enormous increase in regulation that we have seen in the past two years.

The Minister will be aware that Cornwall is one of the premier tourist destinations in this country. She will also know about the eclipse in August and of the anxiety and concern that has legitimately been expressed in Cornwall about the future of tourism because of the hysterical reports that tourists will be fleeced, that the transport infrastructure will break down and that there will be water

[Mr. Richard Spring]

distribution problems. The result has been that bookings are down in Cornwall. In particular, farmers who have set aside areas for holiday camps are in real difficulties.

It is important that the Secretary of State visits Cornwall soon to assure the people that the Government support them. We need a positive message from the Government, otherwise Cornish tourism will be in real difficulties. However, I am fully satisfied that the planning co-ordination in Cornwall is more than adequate, and I hope that the Minister agrees.

Tourism has been hit by higher taxes, higher business rates, higher fuel bills and the strong pound. Tourism has been subjected to considerable pressure, including the floodtide of unwanted regulation. People in tourism earn their livelihoods in a practical way, and they need help. They do not believe that glossy documents will solve their problems and they do not want the ever-growing tide of taxation and regulation. They want a joined-up Government working in their interest, although the evidence from the Department on sport is so far disappointing.

Tourism waited and waited for the tourism strategy, but the best that can be said for it is that it is a curate's egg. By contrast, the Opposition have looked carefully at the tourism strategy, and we are working determinedly within our tourism policy forum to address all the issues that have arisen and worsened in the past two years to come up with some constructive ideas to address the concerns, hopes and aspirations of the millions of people employed in tourism and to make Britain the world-beating tourism destination that it thoroughly deserves to be.

2.19 pm

The Minister for Tourism, Film and Broadcasting (Janet Anderson): I wish to apologise if I do not refer by name to every Member who has contributed to the debate, but I have very little time left. I do not intend to give way, because I wish to try to answer as many of the points that have been raised as possible. I thank all those hon. Members who have taken part in the debate. The wide range of issues that has been raised shows how right the Government's strategy is and how important an industry tourism is.

As many hon. Members on both sides of the House pointed out, tourism is the fastest-growing industry in the world. The hon. Member for West Suffolk (Mr. Spring) referred to a tourism deficit in this country. He is quite right, and we aim to ensure that the United Kingdom gets its fair share of the growing international cake. That is precisely the reason for the Government's strategy, which was produced in February. As to the hon. Gentleman's specific point about Cornwall, I assure him that I intend to visit Cornwall shortly to see the situation for myself.

We decided to entitle this Government debate "Tourism in the new millennium" and the subtitle of the strategy document is "A growth industry for the new millennium". The millennium dome at Greenwich—which has been mentioned in this debate—the millennium experience and all the millennium projects going on around the country will put the United Kingdom at the front of the world stage as we enter the 21st century. It is clear that the dome is already an international symbol of the millennium, and the British Tourist Authority estimates that it will generate an additional 2 million to 3 million visitors to this country.

I hope the deal that the New Millennium Experience Company has entered into with National Express—whereby people around the country will be charged a flat rate of £29.95, which includes entry fee, to travel by the coach to the millennium dome—will resolve some of the potential transport problems mentioned by the hon. Member for Beckenham (Mrs. Lait). I thank the hon. Member for Lichfield (Mr. Fabricant) for his congratulations on the fact that we have reached our sponsorship target for the dome—in fact, we have exceeded it. We are glad of his support.

The Government's strategy document, "Tomorrow's Tourism", contains a raft of initiatives, which I will not outline in detail. However, I shall briefly summarise its main points. The strategy seeks to promote improved career opportunities in tourism. This week is hospitality week and many hon. Members have participated in constituency events designed to encourage more young people to enter that industry. The document aims to increase access to tourism for those on low incomes, for families, the elderly and the disabled—to which the hon. Member for Uxbridge (Mr. Randall) referred specifically. We know that 40 per cent. of people do not take a holiday of any kind, and one of the roles of the new English Tourism Council—to which I shall refer shortly—will be to conduct research in that area. It is important to discover why that is so.

The strategy aims to provide better information about tourism. Several hon. Members have said that it is often easier to gather information about holidays abroad than about holidays in this country. The British Tourist Authority is establishing 36 new websites in an attempt to improve that record. The document also seeks to promote the sustainable development of tourism, which is very important. My hon. Friend the Member for Southampton, Test (Dr. Whitehead) pointed out that we are approaching the tourism issue differently. Of course we want more people to visit this country, but we are looking at what that means for the future development of the industry. We must ensure that future generations enjoy the benefits of tourism. The strategy also seeks to develop and promote quality tourism experiences—I shall give some specifics in a moment—and to provide a new and improved structure for the industry.

The hon. Member for East Surrey (Mr. Ainsworth) asked why tourism was the responsibility of the Department for Culture, Media and Sport and not of the Department of Trade and Industry. It is because my Department is the best Department to deal with that industry. Our portfolio comprises other sectors and activities that are directly linked with tourism. Many hon. Members have referred to museums and art galleries, sport and film. The Department and the BTA jointly produced the movie map this week, and we intend to look carefully at the link between sport and tourism. That link is important now and will be even more so in the future. The development such niche markets and products formed an important part of our strategy.

I assure the hon. Member for West Suffolk that we are serious about the joined-up approach to tourism across Whitehall. Many of the issues raised today are the responsibility of other Government Departments and that, of itself, proves that our annual tourism summit—involving representatives from all Government Departments and industry in planning future action in tourism—will be absolutely crucial. The first summit will take place early next year.

Matters raised today include transport planning and licensing laws. My hon. Friend the Member for Selby (Mr. Grogan) knows that I share many of his views on licensing laws, and I am grateful to him and his colleagues in the parliamentary beer club for keeping up the pressure for a proper review of the licensing laws in the near future. I have been working very closely with my colleague in the Department of Trade and Industry, the Minister for Competition and Consumer Affairs. We are examining carefully charges for telephone calls in hotels and the use of single person supplements, which the hon. Member for Southport (Mr. Fearn) mentioned.

I was pleased to find out recently that the Office of Fair Trading is mounting an investigation into pricing at motorway service areas, where I know that many products are more expensive than those on the high street. That cannot be right.

An hon. Member—I believe it was my hon. Friend the Member for Test—referred to the Lake district. The Department of the Environment, Transport and the Regions is working on a transport strategy for that area. Anyone who knows what it is like to sit in a traffic jam near Lake Windermere on a Sunday will welcome the Department's actions. We are working with the DETR to ensure that our tourism strategy links in with its transport strategy.

I reassure the House that "Tomorrow's Tourism" is not a "here today, forgotten tomorrow" strategy, but a springboard to the future and a document to which we shall return regularly.

Many hon. Members have referred to the abolition of the English tourist board. As my hon. Friend the Member for Harrow, West (Mr. Thomas) asked in a timely intervention, if Opposition Members thought so much of the English tourist board, why during their tenure in office did they so substantially reduce its funding, from about £25 million to less than £10 million? Preparations are under way for the establishment of the English Tourism Council. I reassure the hon. Member for West Suffolk that we are considering how it should properly be constituted. The council is intended to provide better leadership to the industry. I was asked where people would go for information about the availability of holidays. They will be able to get such information from the regional tourist boards, which, as a result of our measures, will be able to bid for extra funding.

We want the English Tourism Council to concentrate on research, particularly on emerging markets and sectors. My hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) pointed out that not enough information was available about the link between sport and tourism. Perhaps the council will consider that. It will also concentrate on quality, including work on accommodation schemes, attractions and seaside resorts. It will oversee systems of data collection; it will have an important role in championing sustainable tourism, and it will disseminate best practice and innovative ideas. The tourism forum's work will continue under the leadership of the council and it will be responsible to my right hon. Friend the Secretary of State.

We believe that the new, voluntary, harmonised accommodation ratings scheme, which, as my right hon. Friend said, will be implemented in September, will allow rating of accommodation according to consistent standards. That scheme has our full support and we believe that it will work. We welcome the intention to streamline the inspection system. We have said that, because accommodation standards are so important, we shall consider introducing statutory measures if that voluntary approach does not work.

Many hon. Members have mentioned the role of regional tourist boards, which have often been critical of the funding arrangements with the English tourist board. In future, they will be able to bid for funds from the tourism council to support projects in their region which meet the aims of the strategy in "Tomorrow's Tourism". Regional development agencies will also play an important role, as will the regional cultural consortiums. One or two Conservative Members have implied that the regional cultural consortiums are not important, but I point out that the consortiums will have a very strong voice and are extremely important for tourism.

Many hon. Members have mentioned seaside resorts, which are already benefiting from single regeneration budget money, and we are making a strong case for them to be given serious consideration in the deliberations on objective 2 areas and assisted areas.

I have almost run out of time, and I have been unable to cover one or two of the points raised. Perhaps I could write to hon. Members—

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Monday 21st June, notwithstanding Standing Order No. 16 (Proceedings under an Act or on European Union documents), the Speaker shall put the Question on the Motion in the name of Secretary Marjorie Mowlam relating to the draft Appropriation (No. 2) (Northern Ireland) Order not later than three hours after the commencement of proceedings thereon; and the said Motion may be entered upon and proceeded with, though opposed, after Ten o'clock.—[*Mr. Dowd.*]

Pre-school Education

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.30 pm

Mr. John Bercow (Buckingham): I am pleased to raise the crucial subject of pre-school education. Interest in it is reflected in approximately 180 parliamentary questions since the general election and in at least three Adjournment debates—notably on 25 June 1997, 18 May 1998 and 28 April 1999, initiated by my hon. Friends the Members for Aylesbury (Mr. Lidington), for West Worcestershire (Sir M. Spicer) and for Meriden (Mrs. Spelman) respectively. My only regret thus far is that we have not in this Parliament had a debate on this vital subject in Government time, but I feel sure that that omission will soon be remedied.

In preparation for today's debate, I have visited the Grendon, Little Ashes, Marsworth and Tingewick pre-school playgroups in my constituency, and I have plans to visit the Bright Start, Oakley and Bourton Meadow groups in the very near future. In addition, I have of course spoken to key players in the debate about this vital area of public policy. I shall give two examples.

I have spoken to Rob Checketts, the campaigns and parliamentary affairs officer of the Pre-School Learning Alliance, a leading educational charity which has 18,000 constituent member organisations and caters for about 850,000 young children. I have spoken also to Mrs. Fiona Humphreys, a senior development worker in the alliance, and to Ann McPhee, the head of early-years education and child care at Buckinghamshire county council, which I must emphasise runs a very good ship. Its early-years development partnership is to be congratulated. Nothing that I say should be taken as cavilling at that record. This is a critical subject and I have done my best to focus on what I consider to be its essential features. I shall talk about the benefits that pre-schools bring, the problems that they face and the challenges that they pose to the Government.

The benefits are increasingly accepted and clear for all to see. There is the opportunity to acquire language and creative and social skills. Typically, there are very good adult-child ratios—ordinarily 1:10, sometimes 1:8 and not infrequently 1:6. There is parental involvement in the provision of early-years education and child care, and an opportunity for parents to acquire experience, training and qualifications better to equip them for their lives not only as parents but, potentially, in the job market. There is an expectation of better career prospects, less criminality and decreased dependence on the state among people who have taken part in early-years education. Those are real advantages.

We know of innumerable case studies of people who have benefited from such education—and of those who have not benefited, or have suffered from, incarceration within a formal school environment at too early an age. I think of the four-year-old boy in Surrey who was miserable in such an environment, did not get on and went into a pre-school where he did much better. I think of the four-year-old girl in north-west London, whose case has been brought to my attention, who did so much better in the relatively relaxed but constructive environment of a pre-school, where she received greater attention than she had in a formal school environment.

Moreover, the benefits are not theoretical and the evidence is not merely anecdotal. There is detailed and compelling evidence, not only from this country but from others, of the merits of pre-school education, which in Britain has been going on for at least 40 years. The National Foundation for Educational Research, the National Institute of Adult and Continuing Education and the Joseph Rowntree Foundation have all pointed to the advantages of pre-schools and, as I have emphasised, to the potential long-term as well as short-term damage that children can suffer from premature starts to a structured school environment. Evidence to that effect is also available from other parts of western Europe and from research conducted by leading academics in the United States.

Pre-schools face problems—principally, an exponential increase in closures. In 1997 and 1998, 1,500 pre-schools closed in this country, and it is anticipated that, in 1999, up to 1,700 such pre-schools will close. That is in spite of the fact that, in the first Adjournment debate to which I alluded, on 25 June 1997, the then Under-Secretary of State for Education and Employment, the hon. Member for Birmingham, Yardley (Ms Morris), said:

"we will not end up with a local authority-dominated programme."—[*Official Report*, 25 June 1997; Vol. 296, c. 800.]

A week short of two years on, it is precisely with such a programme that we have to contend.

In the most recent Adjournment debate, on 28 April, the Under-Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge), took pride in what she described as the Government's planned partnership approach. I hope that she will accept that, having made that remark, it is for her today to explain whether the expected closure of 1,700 pre-schools in 1999 is part of that planned partnership approach or an accidental consequence of the inadequacy of Government policies. We need to know, and I eagerly await the answer to that question.

The Government have undertaken a review of pre-school provision, recognising that there is a problem. Yet we are told that that review, which is to report to Ministers in August, will show—I paraphrase the Under-Secretary—not what is causing pre-schools to close, but simply how they can contribute to the expansion of early-years education and child care in the future. We cannot have the second without having the first; the two are conceptually and inextricably related. We need to know what is causing the problem so that we can effectively tailor the solution.

What is the source of the problem? There are many factors. First, there is no regulation of four-year-olds in school reception classes. There is no limit to the number of people who can be admitted. We know that, typically, there are adult-child ratios in those pre-school reception classes of 1:15 and sometimes 1:20, and that 90,000 children are in classes of 30 or more. Most people believe that that is far too large a class.

The second factor, which in a sense is the cause and explanation of the first, is that schools, buoyed by the offer of £1,130 a year for a four-year-old to join their ranks, are saying to parents, "Come, come now, or come never". If the parent agrees and the child goes, the money is provided, and the place in primary school subsequently is secure. The inference that we draw—and the inference drawn by thousands of parents throughout the country—

is that, if parents do not agree to send their children into school reception classes at four, they will not have a place thereafter. The evidence is so strong as to be undeniable that what is taking place is educational force feeding on a massive scale, which effectively amounts to a change in the starting age for education.

If the Under-Secretary believes that people should start school earlier, let the Government make a proposal, let it be debated and let the House decide whether it wants this to happen. It is simply not acceptable that the change should occur by default.

The third factor is the impact of the national minimum wage and the working time directive. Higher wage costs, increased national insurance contributions and the obligation of paid leave are a triple whammy which is doing massive damage to independent private and voluntary sector playgroups the length and breadth of the country. I say in all sincerity to the Under-Secretary that I am not making a party political point about the minimum wage or the working time directive; that is a different debate. I accept that many people in those groups, as a cross-section of the population, might well support the minimum wage and the working time directive. Some of them tell me that they do. They are simply making the point that the ham-fisted manner of their introduction is damaging to their cause and that that is a source of regret.

In considering these factors, it is ironic to reflect upon the performance of the Minister when she was in opposition. I am sure that she will not mind that I have been into the cupboard and have retrieved a skeleton for the House to consider. On 13 February 1996, during consideration of the Nursery Education and Grant-Maintained Schools Bill, the hon. Lady supported an amendment which, if agreed to, would have required the imposition of a statutory limit, of an adult-child ratio of 1:13. The hon. Lady is nodding vigorously from a sedentary position. She is not seeking to disavow her record but is evidently proud of it.

The corollary of that is that the hon. Lady must explain why she is now so dilatory about seeking to change the admission arrangements of reception classes and to oblige them to operate on a similar basis to the pre-school playgroups. It is precisely because there is no regulation that they are, like a vacuum, sucking in children and causing such problems for the pre-school playgroups.

On 16 June, only two days ago but more than a year after this matter was first subjected to review and consultation, the hon. Lady told me that the Government were considering whether to make changes in the arrangements. That is not good enough. The time for consideration is fast coming to a conclusion. The time for decision, action and remedy is approaching, if it is not with us now.

I do not doubt that the hon. Lady will tell us of the increased funding that the Government are providing to expand provision for three-year-olds—£41.5 million for 50 areas throughout the country to provide new free places for three-year-olds. There are two problems with that. First, that funding is being provided exclusively in metropolitan areas, and in areas where already the supply is good. The related point is that there is no funding or provision for rural areas, even though provision in those areas is frequently patchy.

Is there to be funding for some rural areas? If so, when will it be provided? Will the hon. Lady tell the House exactly how many more pre-schools will close in the interim? She will recognise that the situation is not static; it is fluid, it is evolving and it is constantly worsening. How many pre-school playgroup closures are an acceptable price to pay during the period in which Ministers cogitate before they come to a decision?

The hon. Lady's charm and persuasive powers are admired by many hon. Members throughout the House. However, I am sorry to have to tell her that her speech in May to the Pre-School Learning Alliance was not regarded as an unalloyed triumph. On that occasion, those present looked for reassurance. They were worried and they hoped that their worries would be assuaged. Yet, at the end of her contribution, they felt no better than they did at its start.

The challenge to the Minister is clear. There is a problem and it needs to be tackled. While Ministers dither, pre-schools die. In the short term, pre-schools need the kiss of life. In the medium term, and certainly in the long term, they need a level playing field upon which they can compete. I hope that the hon. Lady can offer me that reassurance and that pledge. I shall resume my place in eager anticipation of what the Minister has to say by way of reply.

2.44 pm

The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge): I congratulate the hon. Member for Buckingham (Mr. Bercow) on securing this debate. I bumped into him yesterday in the Strangers Bar, where I was able to congratulate him outside the Chamber—I take the opportunity of doing so now within the Chamber—on his promotion to the Opposition Front Bench. I said to him then, and I say to him now, that I look forward to sparring with him in future. Anybody tutored by Jonathan Aitken must have learned a thing or two.

I congratulate the hon. Gentleman on raising an issue that is crucial to children and their families—a view that we share. My encounter with him yesterday was made doubly pleasurable because he introduced me to the person whom he was with, who was the representative of the Pre-School Learning Alliance, to whom he alluded earlier.

As I hope to demonstrate, the Government support a vibrant voluntary sector infrastructure for the early years in our communities. It is an essential element of the third way philosophy to work in partnership with the private, voluntary and public sectors. I was therefore somewhat bemused to find that one of our partners seems to be rather busy inspiring debates—such as the one that has found its way into the Chamber today—which seek to challenge, criticise and undermine the Government's approach. I find that a rather strange way for the PLA to engage in dialogue with the Government. It is certainly not our third way. Perhaps it represents the emergence of a fourth way, in which the hon. Gentleman and the rest of the new Conservative Front-Bench team may be involved—a way that seems to lead nowhere fast.

I repeat to the hon. Gentleman that our aim for early-years education is to provide the very best start for our young children. That is essential because, as he knows, it is the way that we create true equality of opportunity. In the British education system in particular, it is vital for us to do so if we are to deal with the long tail of underachievement that has been a factor in our education for far too long.

[Ms Margaret Hodge]

I share the hon. Gentleman's view that Buckinghamshire county council is doing a good job in developing a strong partnership locally and providing a good infrastructure in early-years education. I am delighted that the council has made good use of the substantial additional resources that we have given it. This year alone, there has been a 13.5 per cent. increase in the council's SSA for the early years. It now has a budget of £9.3 million from the Government to establish that infrastructure.

In addressing early-years education, the hon. Gentleman dealt only with the Pre-School Learning Alliance. I regret that. As I said, for us it is the entire infrastructure and the offer, together with the diversity represented by the statutory sector, the private sector—to which the hon. Gentleman did not allude—and the voluntary sector, which provide the strength of the emerging early-years education offer that we are developing.

Four out of five of our young children are getting their early-years education experience in nursery schools, nursery classes or reception classes. Those concerned with early-years education should consider what is happening there, what the offer is, how we can improve it, and what is going right or wrong, if they want to ensure the best start for all the children in their community.

It does not matter where children receive their early-years education. The institution, whatever we call it, does not matter. What matters is the nature of the experience that children enjoy in the setting, whatever it is. It is important that that experience should be appropriate to the age of the child and to the stage in that child's development.

Mr. Bercow: I agree with the hon. Lady that it is the nature of the experience within the setting that matters. However, does she accept that there is a relationship between the adult-child ratio, especially in the early years, and the nature of the experience? In other words, if the adult-child ratio in a school reception class is unfavourable, the experience suffers. Does she accept that a haemorrhage is taking place in the independent, voluntary and private sectors, and that the Government must address that?

Ms Hodge: I accept that one of the factors that impacts on the nature of the experience that young children enjoy is the ratio of adults to children. That is why we have consulted on regulation, and why I hope to announce shortly some conclusions from that consultation process. However, other things matter, such as the training and qualifications of those who work with young children, the nature of children's play and learning in the setting, the curriculum, the desirable learning outcomes—on which we are consulting—and the inspection regime, which we have had in train for the part of early-years education that attracts the nursery education grant. Again, there is not a unified system.

A range of issues matter, of which the ratio of adults to children is only one, although I am delighted that a Conservative Member has suddenly accepted that that ratio, which we believe matters for five, six and seven-year-olds as well, is important. It is a shame that that was not recognised somewhat earlier, when the hon. Gentleman's colleague were in government.

We clearly value the role that the Pre-School Learning Alliance plays in the early-years education offer and, because of that, we set aside £500,000 last year to ensure that those pre-schools that were in difficulty could be sustained while they adjusted to a new arena. This year, we have set aside a further £500,000 for the same purpose. I have quite properly established a review to find out, but not in a negative way, why some pre-schools, as they existed in the past, closed. However, it will also examine, in a positive way, how, during the massive expansion in the funding of early-years education and as shown by the Pre-School Learning Alliance—the voluntary sector can contribute to that expansion.

The hon. Gentleman must accept that, if we are spending over four years 30 per cent. above what his party spent in its last four years in government; if there is such massive expansion; and if the voluntary sector can participate in that expansion, we must find out what barriers are preventing expansion. He makes claims, which have been put to him by the Pre-School Learning Alliance, of extensive closures. He will know that our figures do not show that. The figures that we have published in the education statistics on children's day care facilities show a reduction of about only 100 pre-schools to the year ending March 1998. *[Interruption.]* The hon. Gentleman shakes his head, but I am happy to ensure that he is sent the tables showing those figures. As he knows, we are in discussion with the Pre-School Learning Alliance to see whether and how we can reconcile our differing views.

Mr. Bercow *rose—*

Ms Hodge: I shall give way, but I will not be able to answer all the hon. Gentleman's questions.

Mr. Bercow: I am grateful to the hon. Lady for giving way. My question is simple: if, at the end of this year, the Pre-School Learning Alliance provides her with a list of the pre-school groups—named, area by area—that have closed, will she retract her remarks and admit that she was wrong and it was right?

Ms Hodge: No, I will not, and I will tell the hon. Gentleman why. I do not distrust the figures that are being put together by officials on the basis of official data; the reality of what is happening is in the very nature of a voluntary pre-school movement.

Pre-schools open and close. They open when a particularly active group of parents want to establish a pre-school, but those parents may not be replaced as they move on over time or the need for a pre-school in a particular area disappears. One school may close, but another may open. Let me give the hon. Gentleman one example: in Cumbria last year, seven pre-schools closed, but nine new ones opened. The opening and closing of pre-schools is intrinsic and essential to the value and the nature of the pre-school movement. That is why I have some problem with the Pre-School Learning Alliance's figures and why I am delighted that we are engaging in a debate with it to determine whose figures are right.

As the hon. Gentleman knows, our guidelines speak about ensuring the health of the voluntary and private sectors in local partnership. When I approved all the early-years child care partnerships, I took particular care

to look at the health of the private and voluntary sector partnerships. We shall double the number of places available to three-year-olds in the coming period, so I have stressed in the guidance that, as this Government are in the driving seat for the first time, we expect to see diversity in the approach that is taken.

There has been no sudden increase in the number of children going into statutory settings since we came to office. The figures show that, in January 1998, 79 per cent. of four-year-olds were in an LEA setting. That figure reflected the legacy that we inherited from the previous Government as a result of their ill-conceived nursery vouchers scheme. The most recent figures that we have, for January 1999, show that, a year after we came to office, the figure is exactly the same. There has been absolutely no change. Therefore, the suggestion that, since this Government came to power and started to expand early-years education, there has been a surge of children leaving the voluntary and private sector and going into the statutory sector is simply not borne out by the figures.

The hon. Gentleman discussed a number of issues. The early experience of Ofsted inspections demonstrates that the diversity and quality of the voluntary and statutory sectors are influencing parental choice. The voluntary sector has made great strides in improving quality, but if we want to give parents a choice, showing them openly the results of those inspections is bound to influence that choice. I referred to regulation and ratios. I agree with the hon. Gentleman that the time for consideration is fast coming to a conclusion, and I assure him that we are doing that.

On the minimum wage, the hon. Gentleman and I simply disagree. One of his hon. Friends wrote to me recently about a pre-school in his constituency that was complaining about the impact of the minimum wage. He showed me the budget of that pre-school, which showed that some of the people there, who were working with young children at a crucial period in their development, were being paid £1.80 an hour. If the hon. Gentleman believes that it is appropriate, in an early-years setting, to have people paid at that very low rate, I have to disagree. I am all for voluntary support by parents, whether the setting is private, voluntary or statutory, but I cannot accept that young children should be cared for and educated, at a stage when they develop so quickly, by people who are paid that ridiculously low rate.

The hon. Gentleman asked about the expansion of nursery education for three-year-olds. As he knows, we are determined to extend our early-years offer. We have said that we will double the number of places available for three-year-olds during this Parliament. We started that expansion this year in the 57 most deprived areas; next year, all areas, including the hon. Gentleman's constituency, will be able to enjoy it.

A debate that simply supports the Pre-School Learning Alliance is, at worst, muddled, illogical and ill-thought-out, and I urge the hon. Gentleman to think again. If it reflects the beginning of a change in Conservative party policy, it will lead to the destruction of parental choice at the behest of one specific producer interest. That should not be what we are about. It will curtail the independence of local authorities, partnerships and schools to determine, in a locally accountable way, their own policies and procedures. The hon. Member for Havant (Mr. Willetts) argued strongly against that when he was—

The motion having been made at half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at Three o'clock.

House of Commons

Monday 21 June 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Kosovo

1. **Dr. Vincent Cable** (Twickenham): From which budgets the United Kingdom costs of the Kosovo war will be paid. [86530]

The Secretary of State for Defence (Mr. George Robertson): Within the defence budget the costs of operations lie where they fall. Additional costs arising as a direct consequence of the United Kingdom's military contribution to the international response to the Kosovo crisis are, however, being separately identified and will form the basis of a claim on the Government's contingency reserve. It has been agreed that the reserve will cover the net additional costs of those operations when my Department is unable to accommodate them without detriment to other commitments.

Dr. Cable: I thank the Secretary of State for his reply and suggest that the armed forces, which are conducting themselves with their traditional professionalism, now face a more familiar and formidable adversary than the Serb army—the British Treasury. In that context, I express appreciation for his reply, which was reassuring. Will he reiterate that the costs of that necessary and important military adventure will not be met at the expense of other armed forces activity?

Mr. Robertson: The battalions of the Treasury are on the side of our forces in Kosovo, though they, like everybody else, remain professional and vigilant.

Ms Dari Taylor (Stockton, South): Given the scale of the atrocities that are being uncovered by KFOR, would it not be more appropriate for my right hon. Friend to say what would have been the cost of not acting in Kosovo?

Mr. Robertson: My hon. Friend is absolutely right. There is no doubt at all that the cost of doing nothing, or of standing back and wringing our hands at the beginning of the campaign, would have been immeasurably greater. There will be costs and the international community will have to pay substantially for the restructuring and the rehabilitation of Kosovo, and for helping the countries of south-eastern Europe in general, but they will be nothing compared with what the costs of standing back and letting ethnic cleansing succeed would have been.

Mr. Andrew Robathan (Blaby): I am glad to hear that the contingency reserve will be raided for the Kosovo costs, and I congratulate our armed forces on doing an excellent job, but the Secretary of State will know that they are stretched to breaking point. I know that he is concerned about that, but is he able to guarantee that there will be no slippage in equipment programmes, or in any other programmes in his budget, to make up the costs of the Kosovo conflict?

Mr. Robertson: I am grateful for the hon. Gentleman's congratulations, because I remember the letter he wrote to *The Times* on 13 May, but, as he is gracious enough to congratulate me on what the forces have done, I will not be so mean-minded as to remind him of what he wrote. I am conscious of the old adage, "Always forgive your enemies, never forget their names." I can tell him that, of course, considerable strains are being experienced by the forces at present and they are having to put up with considerable privations, as are the families of service people. That issue is high on our agenda and there will be no slippage in any of the equipment programmes. In the past two weeks, I have announced two major procurement decisions, giving our troops the best possible equipment for the future.

Mr. Harry Barnes (North-East Derbyshire): Although those contributions may be dealt with in terms of covering the current activity in Kosovo and the developments that are taking place, might it not be worth while for the international community to consider an area in which billions and billions of pounds could be involved if there were other such actions or attempts to resolve certain situations?

The Tobin tax, which is a tax on international currency speculation, could be popular. Will my right hon. Friend have a word with the Department for International Development and my right hon. Friend the Chancellor of the Exchequer? We might be able to take a lead on that, as we have on trying to tackle international debt.

Mr. Robertson: That question goes slightly beyond my remit. My hon. Friend should perhaps float the idea of taxing currency speculation with my right hon. Friend the Chancellor of the Exchequer.

Mr. Menzies Campbell (North-East Fife): The whole House is grateful to the Secretary of State for the insight that he gave us a moment ago into the internal workings of the Labour party or, separately perhaps, the Government. Can he reconcile the apparently conflicting reports about the effectiveness of NATO's bombing campaign? Does the number of tanks and armoured vehicles apparently retreating unscathed to Serbia undermine NATO's claims of success or emphasise that not only the air campaign, but the credible threat of invasion by ground forces capable of high-intensity warfare, persuaded Milosevic to capitulate?

Mr. Robertson: The right hon. and learned Gentleman is probably the only Liberal Member of Parliament who has declared himself out of the race for leader, so I will

not take any lessons from him on intra-party fratricide. He raises an interesting point about the amount of heavy armour that the Serbs clearly had in Kosovo during the past year. We may have underestimated the sheer number of tanks and armoured personnel carriers that they had—largely hidden—during the whole of the campaign. However, it was the relentless bombardment from the air that kept all those tanks hidden. So long as that bombardment went on, those tanks were not out destroying villages as systematically at the end of the campaign as they were at the beginning.

Mr. Iain Duncan Smith (Chingford and Woodford Green): May I pick up on the last question and ask the Secretary of State whether he agrees that, when we read the reports in today's papers about the sheer scale of the armour, vehicles, and troops that are coming out of Kosovo, questions remain as to exactly how those were kept so securely away from NATO targeting and NATO aircraft? Can we not learn from some of the problems that the Secretary of State has just described? If we are not to make similar mistakes in the future, do we not need a public inquiry—as we have asked for—so that the public can be absolutely certain that if we have to engage in such an operation in the future, we shall know its real limitations?

Mr. Robertson: I welcome the hon. Gentleman to his new position, which I am sure he will find extremely rewarding. I know that, on his first occasion at the Opposition Dispatch Box this afternoon, he would have wanted to congratulate British troops on their achievements so far. Yesterday, the last Serb troops looked at Kosovo through their rear-view mirrors. Yesterday, the air campaign was called off and during the night the Kosovo Liberation Army signed up to a military technical agreement showing how it will demilitarise and disarm. Today, we can justifiably say that we have had a substantial success in Kosovo, and that it is down to those who put their lives on the line throughout the campaign.

On learning how much armoury the Serbs had inside Kosovo, we shall clearly want to look at the evidence available to the troops now that they are in there. Despite the number of tanks, armoured personnel carriers, artillery and troops that the Serbs had in that area, they still lost. The ethnic cleansing has stopped and the Serbs are out of Kosovo.

Aircraft

2. **Mr. Nick St. Aubyn** (Guildford): What representations he has received on his Department's procurement policy in respect of United Kingdom-built aircraft; and if he will make a statement. [86531]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): The MOD receives representations on its procurement policy for aircraft and their components built in the UK from time to time.

Mr. St. Aubyn: The Minister will be aware, from forceful representations made by both my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) and me, of the growing concern about British Aerospace's facility at Dunsfold, which is a centre of excellence for return-to-work contracts for the RAF Harrier. Is he aware that, although half of that work is for foreign defence forces, the other half is for the RAF, and that a cloud hangs over the future of that work, which is the prime work carried out at Dunsfold? Is the Minister further aware that the competition for that work coming from the Defence Aviation Repair Agency is not, in the view of those at Dunsfold, fair competition as the DARA is based at an RAF airfield and the costs are not appropriate? Will he ensure that the great expertise and technical skills that the workers at Dunsfold have built up over the years will still be available to ensure that Harriers of the future are as safe and effective as those in the past?

Mr. Spellar: I share the hon. Gentleman's appreciation of the work undertaken by those at Dunsfold. I have had representations not only from hon. Members, but from the shop stewards committee there, which came to see me earlier this year. It has invited me to visit the site, which I hope to do some time this year. The hon. Gentleman will understand that I have been slightly distracted with other business over the past few months. I reject the hon. Gentleman's insinuation that the competition for the repair work was not conducted fairly. I am slightly surprised to hear a prominent right-wing Conservative so unenamoured of competition. Following the representations, we looked to ensure that there had been proper and effective competition, that work was being won fairly and that there is a role for both Dunsfold and for the Defence Aviation Repair Agency, which does excellent work not just at St. Athan, but at Sealand, Fleetlands and Perth. Those are excellent establishments, which all do good work. They are an important part of Britain's aerospace capability. We appreciate them and do not think that setting up competition between them by criticising one then the other is the right way to proceed.

Mr. Lindsay Hoyle (Chorley): Will the Minister accept the congratulations of both sides of the House on the fact that the Government have sought to buy British-built aircraft? Will he confirm support for a European strategic heavy lift aircraft, known as the FLA?

Mr. Spellar: As my hon. Friend knows, along with our European partner nations, we are evaluating the successor aircraft for heavy lift. A strong contender is the A400M, as the future large aircraft is now known. There are other competitors, and British Aerospace is playing a key part in the Airbus military company. We hope to announce the result of that competition early next year.

Mr. John Wilkinson (Ruislip-Northwood): Is not that an inordinately long time to have to wait for the decision on a vital strategic heavy lift requirement for the Royal Air Force, which was identified by Her Majesty's Government last July in its own strategic defence review? Is not it clear that for years the Royal Air Force has needed such a capability of its own? There are perfectly good aeroplanes, such as the C17 or the equivalent Antonov 120, which could have been evaluated long since had the Government had the will or given the matter the priority it deserved.

Mr. Spellar: I welcome that criticism of the previous Government's record of delays. There is slight confusion. The hon. Gentleman is slipping between the short-term strategic lift requirement and the future transport aircraft.

There are two separate but not unrelated competitions, and we hope to make an announcement on both of them early next year. That is by no means an inordinate time scale to undertake proper technical evaluation, especially with a number of partner nations.

European Defence Co-operation Initiative

3. **Mr. Bill Rammell** (Harlow): If he will make a statement on the development of the Anglo-French European Defence Co-operation Initiative. [86532]

5. **Mr. Peter Bradley** (The Wrekin): If he will make a statement on the Government's initiative on European defence co-operation. [86534]

8. **Mr. John Smith** (Vale of Glamorgan): If he will make a statement on the Government's policy on European defence co-operation. [86537]

The Secretary of State for Defence (Mr. George Robertson): The recent Cologne Council meeting set out the way forward for the European Union's common foreign and security policy, including the progressive framing of a common defence policy. That built on agreement at the NATO Washington summit, which itself had originally stemmed from the Anglo-French St. Malo declaration in December last year. Our intention is to strengthen the European capability to contribute to security within the framework of the Atlantic alliance as a whole.

Mr. Rammell: I thank my right hon. Friend the Secretary of State for that response. He will be aware that the Conservative party has claimed that European defence co-operation will undermine and weaken NATO. Will he confirm that, at the NATO summit in Washington, the principle of European defence co-operation was supported by all 19 NATO countries, including the United States of America? That drives a coach and horses through the false claims of the Conservative party. Those claims say everything about excessive Europhobia and nothing about the real defence interests of this country.

Mr. Robertson: My hon. Friend is right in pointing to the inconsistency of the Conservative party. It was, after all, my predecessor, Michael Portillo, who signed up to the European security and defence identity at the Berlin summit. It is strange that the Conservative party should be so emphatically opposed to an initiative that is designed to strengthen NATO's capability to act in situations where NATO forces could be of use, and to build European capabilities, so that we will be able to get good value for the expenditure of European taxpayers and to contribute in situations where the United States of America and Canada may choose not to be involved.

Mr. Bradley: My right hon. Friend referred to the lost Leader of the Opposition, Mr. Michael Portillo. Will he confirm that it was the last Government who signed up to the Maastricht treaty, which, among many other things, called for the framing of a progressive common defence policy? Will he identify any developments in the past two years since the election, when the Conservatives left office, or in the past two months that would justify the Opposition's current claim that a common defence policy would undermine NATO?

Mr. Robertson: I felt that this was a day for generosity, which is why I thought that reminding the Opposition of Michael Portillo would be sufficient. It would, I thought, be going too far to remind them of the Maastricht treaty, in which the idea of a common defence policy had its germination.

The fact is that no one else shares the rather ludicrous view that is being taken of anything European, especially when it involves the Europeans doing more about their defence, and building European military capabilities to a point at which they can be useful to us all in the future.

Mr. Smith: Does my right hon. Friend agree not only that an enhanced European defence identity will strengthen NATO, but that, in the aftermath of the Kosovo crisis, Britain and Her Majesty's Government should be taking a leading role in that new defence identity? Does he also agree that, far from such a new identity costing more, it is important for us to continue to spend defence money more wisely—on, for instance, the strategic heavy lift that that lot opposite failed to fund?

Mr. Robertson: I thank my hon. Friend for pointing out some home truths. We have reshaped our forces in this country, and it must be said that a good many members of all parties in the House agreed with the analysis. We simply wish our European colleagues to spend what they spend wisely. It is a fact that Europe spends nearly two thirds of the total budget of the United States on defence, but achieves only a fraction of that in military capability. That must be dealt with.

European forces must be—as ours will be—readily deployable, flexible in order to meet diverse challenges, and sustainable over long distances and for long periods. That is what the defence initiative is all about.

Mr. James Gray (North Wiltshire): The Secretary of State will be aware of Mr. Prodi's recent observation that a European army is both the logical next step for Europe, and inevitable. Does he agree with that view, or will he take this opportunity to repudiate it?

Mr. Robertson: Mr. Prodi speaks for himself in talking about a European army. I have heard no other European leaders speak of a single European army.

There will be no relinquishing of national control or deployment of our forces. That is the view not only of this Government—who hold it emphatically—but of the rest of the European Union countries.

Dr. Julian Lewis (New Forest, East): Does the Secretary of State not realise that that answer is entirely inadequate? It is his Government who have been promoting Mr. Prodi.

For decades, Governments of all party political persuasions have supported strengthened European contributions to NATO. What worries us now is the idea of a common defence policy with united armed forces, which would mean that the armed forces of this country would pass out of our control and into the majority control of continental politicians such as Mr. Prodi. Will the

Secretary of State now answer my hon. Friend's question properly, and repudiate once and for all what Mr. Prodi wrongly said?

Mr. Robertson: If I remember rightly, Mr. Prodi was the unanimous choice of all the European Union leaders, just as Mr. Jacques Santer was the choice of the last Administration and unanimously adopted by others. The ability to rewrite history is now becoming an art form in the Conservative party, but they cannot fool all the people all the time.

There is no intention of making defence policy anything other than intergovernmental. National defence policy will remain in the hands of national Governments, and there is no intention of changing that.

Mr. Richard Ottaway (Croydon, South): The difference is that we said that Mr. Santer was wrong.

The Secretary of State said earlier that, at St. Malo, the Prime Minister had signed an agreement on a European Union defence capability within or outside NATO, and, at the Cologne summit, had signed up to an autonomous EU defence capability. Does the Secretary of State recognise that an autonomous European defence union will risk alienating the greatest ally of the 20th century—the United States—both politically and militarily, and that to do so would jeopardise the security of both Britain and Europe? Does he accept that NATO must remain the bedrock of European defence and security co-operation?

Mr. Robertson: I welcome also the hon. Gentleman to the Opposition Front Bench, and I wish him well. I also offer him one piece of advice: before asking that type of question, he would be well-advised to read the conclusions of the Washington summit. Believe it or not, that summit was held in the capital of the United States of America and was subscribed to by the Government of the United States of America. The United States Government believe that our defence initiative—which is embraced by all our European partners—will strengthen European defence, that it will strengthen—not weaken—the alliance, and that it will do well for Europe if, in future, we have to deal with situations in which the United States does not want to be involved.

Mr. Ben Bradshaw (Exeter): Would my right hon. Friend take the advice not of the little Englanders who have taken over the Conservative party, but of the distinguished former Defence Minister, the hon. Member for Mid-Sussex (Mr. Soames)—who, last week, in the House's debate on Kosovo, said that one of the most glaring lessons of the past 10 years' experience of the Balkans was the need for a more effective European common defence and foreign policy?

Mr. Robertson: The hon. Member for Mid-Sussex (Mr. Soames) is usually in so much trouble that I am loth to make matters worse for him by praising him, but, on that point, he has reality on his side. The European defence initiative—which has been endorsed by the Washington summit and by the Cologne European Union summit—is designed to supplement, not to duplicate NATO assets, to strengthen NATO, and to strengthen European capabilities—at a time when one should have thought that the desirability of that objective was self-evident.

Balkans (British Forces)

4. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What commitment of British forces he plans that the UK should make to the NATO or UN forces in the Balkans in the next six months. [86533]

The Secretary of State for Defence (Mr. George Robertson): The United Kingdom is committed to supporting NATO operations in the Balkans. At the peak, we shall be deploying up to 13,000 ground troops as part of KFOR, with up to 7,000 more remaining ready in the UK for deployment in the region if needed. Additionally, 4,500 personnel are serving with SFOR in Bosnia. As of today, 900 Royal Navy personnel and 1,800 Royal Air Force personnel are also deployed in support of operations in the Balkans. The size of those contributions will be kept under review.

Mr. Hughes: It is clear that Britain is playing the pre-eminent role in the peacekeeping force in the Balkans—for which we should be grateful not only to the Government, but to our armed forces. Will the Secretary of State confirm—as I asked him to do some weeks ago—that it is very clear to all our troops that they are part of one integrated force which is in Kosovo to ensure that Kosovo remains one integrated territory, and that Kosovo will not be partitioned among different forces?

About three weeks ago, the International Labour Organisation treaty on child labour—which included undertakings by the British Government—was signed. What implications will that treaty have for armed forces personal under 18, who now may not be eligible to serve in front-line positions?

Mr. Robertson: All the understandings and agreements have been driving precisely at achieving the objective, which the hon. Gentleman shares, of one unified force for one Kosovo: we are not interested in the creation of a new Berlin wall in any other part of the European continent. The Russians' acceptance of one unified command inside Kosovo, under General Mike Jackson of KFOR, underlines that clear line of command.

The hon. Gentleman also mentioned the ILO child labour statement. The statement will have no implications for British armed forces. It is to do with compulsory service in armed forces, not with volunteers—of whom our armed forces are composed.

Maria Eagle (Liverpool, Garston): Given the sustained progress that we have seen in implementing the Dayton accords in Bosnia, is now the time to consider switching some of our troops from that province towards Kosovo, where their services are more clearly needed?

Mr. Robertson: My hon. Friend is right to point out that we have a considerable commitment to SFOR in Bosnia, and that the record there is extremely good. The circumstances may well lead to some force reconfiguration. We will be looking to reduce our numbers in Bosnia, and I have made that clear on a number of occasions to the Supreme Allied Commander Europe. The commitments that we have taken on in Kosovo—which are serious and demanding—require us to ensure that all of our commitments are matched with our capabilities.

Mr. Tom King (Bridgwater): In giving those sombre figures, the Secretary of State has announced, effectively,

something close to a commitment similar to that in Northern Ireland. The implications of a further unaccompanied tour obligation for our armed forces are profound for them, and for their families. If we are to sustain this commitment, and if we are to ensure that the implications for families do not have a serious impact on recruitment, we must look carefully at all the implications of this major new undertaking.

Mr. Robertson: I always listen with great care to the right hon. Gentleman, who held the position that I hold now. He knows the weighty responsibilities that are involved, especially in deploying troops. He was in a similar position to me now when he deployed some 52,000 troops to the Gulf during the conflict in that area. At that time, he—like me now—could not have stood back from our obligation to do the right thing at the right time. He and I must keep uppermost in our minds the reality of what the strain means for the individuals who are on the front lines in Northern Ireland, Bosnia, Kosovo and the other parts of the world where we send them. We have an obligation to think of their families, especially at this time. There will be a great deal of satisfaction and relief that so much has been achieved so far. However, it is not over, and there are still huge risks and dangers in Kosovo for those involved in mine clearance, boobytrap clearance and some other troublesome elements.

Our recruitment figures are up dramatically, but retention figures continue to give us cause for concern. We will continue to look at the demands on our forces and on their families with great care, and we will make sure that that is high on our list of priorities.

Mr. Martin Bell (Tatton): Since the Government came to office concerned about the problems of overstretch in the armed forces—quite rightly—will the Secretary of State give an undertaking to monitor in the months ahead the rising divorce rate among serving soldiers, as that is the best indicator of overstretch there is?

Mr. Robertson: We are looking carefully and seriously at the problems affecting families during long-term commitments overseas. Clearly, the divorce rate is one of the symptoms of what can be a growing problem. We established a service families task force last year, which came out of the strategic defence review and the people policy that was part of that. We are looking at all the factors that we believe are impacting on families and, therefore, on retention in the armed forces.

This is an opportunity for the House to say a word of real gratitude to the families of our service personnel, some of whom have been without their loved ones for considerable periods of time as our forces have set out to confront an unpardonable evil in our continent. Today, they can have satisfaction that it has been a job well done.

Mr. Tam Dalyell (Linlithgow): Following the highly pertinent question from the former Defence Secretary, the right hon. Member for Bridgwater (Mr. King), will the Secretary of State tell us which is the most likely—that the commitment will last for my lifetime, for my right hon. Friend's lifetime or for that of the youngest among us?

Mr. Robertson: It may last a long time and we will have to be there for however long it takes. That is the reality that we undertook when we got involved. On the other hand, there are signs, such as the agreement with the KLA last night and the speed with which the Serb forces left Kosovo, that suggest that we might be able to reach an accommodation between the different elements, as indeed we have been able to do remarkably well in Bosnia. We will hope for the best, as ever, but prepare for the worst. My hon. Friend might have offered a word of apology on this subject.

Mr. Iain Duncan Smith (Chingford and Woodford Green): The Secretary of State is right to talk about the professionalism of our armed forces, for which the House is always grateful. We owe a debt of gratitude also to the families of our service personnel, who have a very special relationship with us because of what their loved ones are expected to do on behalf of the state. Does he accept that politicians have a duty to do as much as possible to ensure that those families are not undermined in any way by circumstances brought about by policy?

The extra deployments into Kosovo mean that we must carefully consider the pressure being put on service personnel and their families, above and beyond what was expected in the strategic defence review: for example, a parachute battalion finds itself short of men when it is called to deploy; Territorial Army para units are in difficulties because they, too, lack the personnel to make up the difference; TA engineer units serving in Kosovo know full well that their numbers will be cut as and when the SDR breaks upon them; and there are extra pressures in Northern Ireland that the Government may not have expected.

The Government should make absolutely clear their foreign policy—ethical foreign policy, as they call it—objectives, especially given the Blair doctrine of a new world order, which could lead to our armed forces being deployed in many new circumstances. Otherwise, we will have greater and greater problems in recruitment and retention.

Mr. Robertson: No doubt, when the hon. Gentleman gets into the reading for his brief, he will read the strategic defence review and our analysis of foreign policy and will take note of the outcome and the recommendations, which are being implemented even as we speak. We set out to deal with the overstretch and the shortfall in manning that we inherited. That is why the Regular Army is to be increased in strength, especially in its specialist arms, by an extra 300, and why we proposed and are implementing a sixth deployable brigade, which will help to get the tour intervals back to the length that was always intended.

Of course there will be short-term penalties to pay, and I am more aware of them than most, as I have responsibility. We searchingly examine all the time what we are doing to implement the review, which we believe is vital, and how best to tackle the problem of recruitment and retention, which is hardly confined to this Government; indeed, we have made considerable progress in recruitment, which is up dramatically on last year.

Royal Hospital, Haslar

6. **Mr. Peter Viggers** (Gosport): How many representations he has received on the future of the Royal hospital, Haslar. [86535]

The Minister for the Armed Forces (Mr. Doug Henderson): Since 14 December 1998, my Department has received about 500 representations on the future of the Royal hospital, Haslar. That figure includes letters and petitions from hon. Members and members of the public. Together with my noble Friend the Parliamentary Under-Secretary of State for Health, I have also had a meeting on the subject with the hon. Gentleman, as well as with my hon. Friend Member for Portsmouth, North (Mr. Rapson), the hon. Member for Portsmouth, South (Mr. Hancock) and the right hon. Member for Fareham (Sir P. Lloyd), plus local representatives.

Mr. Viggers: But I wonder whether the Minister is being well advised on this subject. Members of the defence medical services will of course do their duty, but I would not be doing mine if I did not point out that there is a widespread and profound view in those services that the closure of the last remaining military hospital will result in a loss of skilled personnel that will take a decade or more to reverse. He has said that there is no plan to review that decision, but the only way ahead for civilian and military personnel in the Gosport peninsula is a reversal of that decision. The failure to review the decision is looking less like courageous determination and more like obstinacy.

Mr. Henderson: I recognise the hon. Gentleman's commitment to the provision of medical services, for both the civilian and military population in Gosport, and that of those who joined him in making representations to the Department. I am sure that he will also recognise that among those people and the medical staff at Haslar there was a widespread recognition that matters could not continue as they had in the past. The facilities that were necessary to advance medicine for the military and civilian sides were not in place and we were not able to recruit the right number of energetic young people to medical provision in the services. That was one of the reasons why the review that we announced recently included the opening of a new centre for defence medicine.

I can tell the hon. Gentleman and the House that seven NHS trusts have now been shortlisted to tender for the new centre for defence medicine. They are all strong candidates and will be invited to make the formal tenders in a few weeks' time, with a decision being made in December. The trusts are the Lothian University Hospital trust, Edinburgh; North Bristol NHS trust; Guy's and St. Thomas's Hospital NHS trust; Oxford Radcliffe Hospitals; Leeds Teaching Hospitals NHS trust; the Newcastle upon Tyne Hospitals NHS trust; and University Hospital Birmingham NHS trust.

Madam Speaker: Order. I remind the Minister that this is a specific question.

Mrs. Linda Gilroy (Plymouth, Sutton): Given the appalling neglect under the previous Government of the defence medical services, and given the £140 million extra expenditure planned for four years, does my hon. Friend agree that the defence medical services, including those at Plymouth Derriford hospital, are safe only in the hands of a Labour Government?

Mr. Henderson: I believe that there needs to be a hard look at how we can make better medical provision for our military personnel. That is why that additional resource has been earmarked for that investment in the years ahead.

Royal Ordnance, Bishopton

7. **Dr. Norman A. Godman** (Greenock and Inverclyde): What recent representations he has received concerning the present circumstances and future prospects of Royal Ordnance, Bishopton. [86536]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): In addition to the representations concerning Royal Ordnance, Bishopton made personally by my hon. Friend and the recent inquiry by the Defence Select Committee, Ministers have answered questions in this House and received letters from hon. Members, representatives of the trade unions and members of the public, including employees of Royal Ordnance. My right hon. Friend the Secretary of State for Defence met a delegation from the trade unions at RO Bishopton earlier this year, and my right hon. Friend the Minister of State for Defence Procurement met a similar delegation last year.

Dr. Godman: Might I offer my compliments to my hon. Friend and his colleagues for the positive response that they have made to the Defence Committee's report on the Royal Ordnance plans? There is now a real prospect of a constructive and stable relationship between the Ministry of Defence and the RO and the possibility of a link with Rheinmetall of Germany. Does my hon. Friend agree that the time is now right for British Aerospace to be equally positive in its response by, among other things, reprieving RO Bishopton?

Mr. Spellar: I thank my hon. Friend for that question and for his representations during the discussions on the issue. We are pleased that discussions between MOD officials and RO management on the company's future prospects are nearing completion. We are considering the possibility of a long-term strategic partnering arrangement, which would see the company becoming the preferred MOD supplier for certain types of ammunition. Recommendations on that are expected to come before Ministers shortly.

Mr. Robert Key (Salisbury): In joining in congratulating our forces on their professionalism in Kosovo and in thanking their families, I would add the 400,000 individuals employed in the defence industries in this country and the scientific and industrial civil servants who have supported our forces in the background. However, it is a bit hollow for the work force at Bishopton to hear that. Now that the Government have decided that they will no longer buy British ammunition for British forces, will war stocks of ammunition be adjusted upwards to reflect the inevitable reduction in security of supply?

Mr. Spellar: That is not a new policy. The hon. Gentleman should reflect on the policy of previous Administrations.

The more constructive part of the hon. Gentleman's question had to do with the policy on war stocks. Our policy is to maintain ammunition war stocks at a level commensurate with short-warning conflict. In the event of conflict on a larger scale, there should be sufficient warning time to procure ammunition from domestic or overseas sources or manufacturers. Equally significantly,

ammunition stockpile holdings are under review following the strategic defence review. Obviously, any lessons from recent conflicts will be incorporated into that study.

Kosovo

11. **Ms Rachel Squire** (Dunfermline, West): If he will make a statement on the current security situation in Kosovo. [86541]

The Secretary of State for Defence (Mr. George Robertson): As at 18 June, some 18,000 KFOR troops had deployed to Kosovo. KFOR has been successful in maintaining a large measure of stability in very difficult circumstances.

Ms Squire: Will my right hon. Friend join me in warmly welcoming the agreement reached with the Kosovo Liberation Army on disarmament, and in paying tribute to all involved? Does he agree that that is a very significant step towards creating a peaceful and stable Kosovo, and that a vital part of any peace-building process is enforcement in a consistent and even-handed manner for all groups and individuals threatening violence? Does he further agree that, once again, the British armed forces have surpassed themselves and demonstrated why they have an international reputation for dealing evenly and justly with all those involved in a potential conflict?

Mr. Robertson: My hon. Friend is right, and her words will be heard with great respect, including in theatre. The necessity to act even-handedly and impartially is absolutely critical if Kosovo is not to suffer another exodus, which might be smaller but would be equally sad. General Sir Mike Jackson made it absolutely clear on his first day in Kosovo that he would act with firmness and determination, but even-handedly. I believe that that message is getting through.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Some 13,000 British troops will be used to maintain the security of Kosovo. Will the Secretary of State confirm that that will mean that almost 90 per cent. of land command personnel will either be committed to operations, or warned to deploy on operations? In those circumstances, what will the right hon. Gentleman do about overstretch and about the retention of personnel? Such a large number of Army personnel committed to unaccompanied operations overseas means that we will be losing troops because their families will not stand for it.

Mr. Robertson: In many ways, I have answered that question already. I have underlined how important families are. I hold strongly in my mind the principle "recruit a soldier, retain a family", as does my hon. Friend the Minister for the Armed Forces. At the moment, the total number of British troops committed to Kosovo is 13,000, and I expect a significant reduction after about six months.

Global Nuclear Disarmament

13. **Dr. Doug Naysmith** (Bristol, North-West): What steps his Department is taking to promote global nuclear disarmament. [86543]

The Secretary of State for Defence (Mr. George Robertson): In the strategic defence review and since, we have set out a wide range of measures contributing to our goal of the global elimination of nuclear weapons. We will continue to promote international peace and security and to reduce the need for any reliance on nuclear deterrence.

Dr. Naysmith: I thank my right hon. Friend for that reply. Does he agree that, in maintaining strong defence while promoting nuclear disarmament, we can justly claim to have led by example? Does he also agree that by maintaining nuclear deterrence as we promised we have kept our promises, as no more warheads are deployed on Trident than were deployed on Polaris when it first entered service?

Finally, does he agree that the improved relationship between Russia and the west that was on display at the weekend offers further opportunities for talks on nuclear disarmament?

Mr. Robertson: My hon. Friend is right. We are deploying no more warheads on Trident than there were on Polaris when it entered service. He is also right about the need for in-depth dealings with the Russians. I hope that the G8 meeting at Cologne will be a starting point for that. Last week I met a delegation from the Duma, who I believe are here as your guests, Madam Speaker. That is an enlightened move, if I may say so. Major General Stolyarov, the deputy chairman of the Duma's foreign affairs committee, listened carefully as I outlined the unconditional measures that we had taken on nuclear weapons and suggested that the Russian Duma might like to follow that example and ratify the START 2 treaty.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Investment Policies

35. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What discussions the Church Commissioners have with international Christian and other bodies about the investment policies of the Church of England. [86565]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The commissioners have recently held informal discussions with the New Zealand Anglican Church regarding the Church of England's investment policies, as well as with the Victoria Synod of the Uniting Church of Australia.

Mr. Hughes: Given that the Anglican Church in this country is part of the worldwide Church, will the hon. Gentleman suggest to the Church Commissioners that they should have a proper procedure for taking the opinion of the World Council of Churches and other bodies on all matters that relate to investment overseas, so that they have an ethical investment policy that is acceptable to the worldwide Church, not just to the UK Church? In the year when we hope to have freedom

of information legislation, will we be able to see who is consulted and have their advice to the Church Commissioners published?

Mr. Bell: The commissioners are members of the Ecumenical Council for Corporate Responsibility, the Westminster ethical policy forum, the Institute of Business Ethics and the UK Social Investment Forum. They also meet regularly with Church investor groups. The hon. Gentleman would like to extend that consultation to foreign Churches that are part of the Church of England. We shall take that into consideration.

Church Repairs (VAT)

37. **Miss Anne McIntosh** (Vale of York): What recent representations the Church Commissioners have made on the charging of VAT on church repairs. [86567]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The General Synod, with the full support of the commissioners, has consistently argued that VAT should not be charged, but so far without success. It is estimated that a minimum of £15 million per annum is spent on VAT on repairs to that significant part of the nation's heritage.

Miss McIntosh: I was hoping that the hon. Gentleman might confirm that he has received representations from me and from my noble Friend Baroness Platt of Writtle asking that once the Council of Ministers has agreed that VAT may be charged at zero rate or at a reduced rate on labour-intensive industries, the hon. Gentleman and the other Church Commissioners will argue forcefully that the Government should apply for that rate to be applied to church repairs.

Mr. Bell: I can confirm that we received those communications. The proposed European directive is a draft that might not pass into law. It relates to labour-intensive services such as hairdressing and hotels, for which the EU may permit a lower rate of VAT. The Church is humble in its origins and beliefs; it does not mind being associated with hairdressers and hotels if that permits a lower rate of VAT. However, we are disappointed by the rejection of any alleviation of that major burden on church-goers in the recent consultation paper on the taxation of charities.

Mr. Peter L. Pike (Burnley): Does that £15 million to which my hon. Friend referred relate just to the Church of England? Would the figure not be larger if it included all churches, which are also part of our heritage and also have to pay VAT on repairs? The Churches are hard pressed for money. If we want to preserve those parts of our heritage, which also play an important part in our national life, we need to attend to the problem.

Mr. Bell: The recent Churches, needs survey, commissioned jointly by English Heritage and the Council for the Care of Churches, shows that the annual cost at 1998 prices of major repairs to Church of England churches was approximately £123.4 million, including fees and VAT. Those figures relate solely to major repairs and exclude routine maintenance and running costs. My hon. Friend's point is well made. We are working with the Treasury on the issue, but so far we have had no success.

Mr. Peter Bottomley (Worthing, West): Will the hon. Gentleman confirm that the concession sought by the Anglican Church is needed by other faith groups and denominations? Refurbishment work is required quinquennially in the Church of England. Much of the money for that is raised not only by church-goers but by others in the community who deserve thanks. As most of the work is labour intensive, and with the extra 30 or 40 per cent. tax and national insurance, as well as VAT, nearly half the cost of repairs goes to the Government, not to the Churches.

Mr. Bell: The hon. Gentleman makes a valid point. One of our major concerns is that the Church of England pays more in VAT than it receives in grants from English Heritage. New churches are zero-rated for VAT, but buildings that are an important part of our national heritage incur 17.5 per cent. VAT. In the past, the Synod has recommended 5 per cent. VAT and it will debate the issue again in July.

Clergy Pay

38. **Mr. Ben Chapman** (Wirral, South): What plans the commissioners have to review clergy pay. [86568]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The national average stipend for incumbents and clergy of incumbent status as at July 1998 was £15,210. In addition, clergy also receive free housing, with an estimated value of £7,820 per annum and a non-contributory pension, which costs £3,010 per minister per annum. A review of clergy stipends has recently been announced and will report its findings next year.

Mr. Chapman: Can my hon. Friend say whether plans to put the clergy's conditions of service on a more temporal or secular basis could include contracts of employment, tribunal rights and union recognition, which are increasingly available to others in our society?

Mr. Bell: I should draw the House's attention to the fact that the Archbishops Council has taken on the commissioners' powers and responsibilities as the central stipends authority and has recently agreed terms of reference for a review of clergy stipends. Among other things, it will examine the content of the clergy remuneration package, including stipend, housing and non-contributory pension; compare the remuneration of clergy with that of other groups; and conduct a large-scale survey of the financial circumstances of the clergy. I will make a personal representation to ensure that my hon. Friend's points are considered in the study.

PUBLIC ACCOUNTS COMMISSION

The Chairman of the Public Accounts Commission was asked—

National Audit Office

39. **Mr. John Bercow** (Buckingham): What measures he will take to promote the accountancy skills of NAO auditors. [86569]

Mr. Robert Sheldon (Chairman of the Public Accounts Commission): The staff of the National Audit Office already have high accountancy skills. The office encourages all staff to maintain and enhance them through continuous professional development, an integrated and comprehensive technical audit training programme and secondment opportunities to private firms. The office's trainee auditors undertake the qualification of the Institute of Chartered Accountants in England and Wales and there is also direct training support for staff undertaking other professional accountancy qualifications, such as that of the Association of Chartered Certified Accountants.

Mr. Bercow: I am most grateful to the right hon. Gentleman for that informative response. What proportion of auditors in the National Audit Office are, respectively, chartered and certified accountants? Are the office's services regularly subjected to market testing, and is he happy with the results of any such testing?

Mr. Sheldon: I do not have the exact figures but I know that staff achieve considerable successes in their examinations. I have presented prizes, and it is a pleasure to see the high marks—some of the highest available—that some staff achieve. It is an important matter that concerns both the office and the Public Accounts Commission.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Spending (Chichester)

41. **Mr. Robert Key** (Salisbury): If he will list by category expenditure by the Church Commissioners in the last three financial years on *(a)* the diocese of Chichester and *(b)* the Dean and Chapter of Chichester; and if he will make a statement. [86571]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The Diocese of Chichester received £170,000 per annum in 1996 and 1997 and £163,000 in 1998 in respect of stipend support from the Church Commissioners, mainly in the form of statutory payments of guaranteed annuities and other grants paid direct to clergy.

Mr. Key: I am grateful to the hon. Gentleman. Does he agree that those figures are modest and that unwarranted attacks on alleged mis-spending by clergy of the Church of England and absurd claims by hon. Members that bishops live extravagant life styles do nothing to assist the Church and merely show that people who indulge in such ridiculous and pathetic attacks know nothing about the Church of England?

Mr. Bell: I am grateful for the hon. Gentleman's comments. I could not put it better myself.

Kosovo and G8 Summit

3.31 pm

The Prime Minister (Mr. Tony Blair): With permission, Madam Speaker, I should like to make a statement on Kosovo and the G8 summit in Cologne. Copies of the documents issued at the summit are being placed in the Libraries of both Houses.

Ninety days after our military action began, I can tell the House that all Serb forces have withdrawn from Kosovo. This is a huge achievement, and many observers in this country and in this House were sceptical that it would ever be achieved. However, NATO's unity, the determination to prevail and the professionalism of our forces under General Sir Mike Jackson have proved them wrong. Milosevic's forces are out, our forces are in and soon the refugees will go home. Some are already returning, despite the risks. I met the United Nations High Commissioner for Refugees in the margins of the summit, and the organised return of the refugees will begin on 1 July.

Kosovo was discussed extensively at the G8 summit and two important advances were tied down during the weekend. First, agreement was reached on Russian participation in KFOR. Russia will supply up to 3,600 troops for a force that is planned to reach some 50,000. They will have areas of operation in three different sectors rather than being concentrated in one area. Russia will provide a deputy to the commander in each sector where they are present and Russian troops will be integrated into the unified force with command-and-control arrangements very similar to those for Russian troops in the NATO-led forces in Bosnia.

Secondly, late last night, the Kosovo Liberation Army signed an undertaking with the KFOR Commander General Mike Jackson to hand in its weapons and to demilitarise its organisation. I want to pay tribute to John Reith, the British NATO General in charge of the NATO force in Albania, who conducted these difficult and complex negotiations so well. The KLA have agreed that, within seven days, their forces will gather in assembly areas. Within 30 days, all prohibited weapons—with the exception of automatic small arms—will be handed in. Automatic small arms will be handed in in phases over 90 days, after which time the assembly areas will come under the full control of the KFOR commander and all KLA members have to cease wearing their uniforms and insignia. The KLA will then be de-militarised.

The progress made in the few days since Milosevic finally caved in has been extraordinary: on the withdrawal of Serb forces, on the deployment of ours, on the role of the Russians, and now on the agreement to demilitarise the KLA. This is a remarkable story, and Britain and British forces can be very proud of their role in it.

Another far worse story is unfolding as the true horrors that Kosovo has lived through come to light. I warned the House that we would be shocked by what we found when we finally entered Kosovo, and so it has proved: torture chambers, organised rape, the butchering of children—massacre, after massacre, after massacre. If ever justification were needed for the military campaign, the whole world has seen it now. The war crimes investigators have a massive task before them.

Let no one think that Serbia can regain a place among civilised nations while it is led by an indicted war criminal. I say this to the Serb people: "The world cannot help you rebuild your country while Milosevic is at its head. Nor will the world understand, as the full extent of these atrocities is revealed, if you just turn a blind eye to the truth and pretend that it is nothing to do with you. This is your country, and this evil was carried out by your soldiers and by your leaders."

To the rest of the region, it is clear from the G8 summit that the international community will stand by the promises we made to them. The countries of the region stood with us, without compromise, during this conflict. We owe them a debt. We made a pledge to help rebuild the region and we will stand by that pledge. We want to rebuild the Balkans and to integrate the countries one with another and with the rest of Europe. We cannot afford another conflict like this one: we must invest now for peace in Kosovo, and in the Balkans as a whole. At the G8, we agreed that there should be a Balkans summit in the next few months, at which we and the leaders of the democratic countries of south-east Europe would plan the way ahead for the region and mobilise the necessary support.

I also met President Yeltsin and the new Russian Prime Minister, Mr. Stephashin, at the summit. President Yeltsin and I agreed to put our recent difficulties behind us and, in his words, make our relations stronger together. Russia played a vital part in the successful resolution of this conflict and I am sure that this House will join me in thanking Russia's leaders for the part that they played.

Events in Kosovo inevitably dominated the coverage. However, the summit at Cologne covered a range of other issues that are of huge political and economic significance for all our countries—issues including the environment, non-proliferation, the millennium bug and the killer diseases of AIDS and malaria. However, for me, most important of all was the progress that we were able to announce on third world debt.

Britain has long been in the forefront of the international effort to release the poorest countries of the world from the chains of massive debt. At Birmingham last year, we pledged to support the speedy extension of debt relief to more countries. My right hon. Friends the Chancellor of the Exchequer and the Secretary of State for International Development have worked hard with Church leaders, Jubilee 2000, Oxfam, Comic Relief and others to secure the most generous package possible. The measures that leaders adopted in Cologne mark a significant step forward. Those measures will reduce the debt of the world's poorest countries by an extra $70 billion, on top of further traditional debt relief of $30 billion; and will help more countries to qualify for highly indebted poorest countries—HIPC—debt relief, by making the debt sustainability criteria more generous.

We also took steps to ensure that the new HIPC scheme will deliver debt relief more quickly. We will ensure that countries feel the full benefits of debt relief after a maximum of just three years, rather than six as now. We have agreed that the World Bank and the International Monetary Fund should take steps to ensure that at least three quarters of eligible countries get the benefits of debt relief by the end of next year; and, in principle, we agreed a new partnership—public-private—in the fight against poverty in the developing world by inviting the private sector to contribute voluntarily to the new millennium fund.

I would like to see us go further still on debt; it is an issue whose time has come. I will personally do whatever I can to make that happen. However, the impact of the agreement that we reached this weekend should not be underestimated: more than two thirds of the official debt owed by the world's poorest countries will now be completely written off.

At the summit, most countries—particularly Japan—were able to report improved economic prospects for the year ahead. However, the lessons of last year's financial crisis must be properly learned. At the summit, we were able to announce a six-point plan for strengthening the international financial system—including measures to increase the effectiveness of the IMF and the other international financial institutions; proposals to promote transparency and best practice, with the IMF monitoring compliance with new codes and standards; and a new framework for involving the private sector in crisis prevention and management. Many of those proposals reflect ideas that my right hon. Friend the Chancellor and I have put forward during the past year. Once fully implemented, they will transform the rules of the game in the global financial markets. Taken together, I have no doubt that they will greatly strengthen the efficiency and robustness of the international financial system.

Those reforms will need to be accompanied by a continuing worldwide effort to reduce barriers to trade. The millennium trade round to be launched at this year's World Trade Organization Ministerial in Seattle represents a key opportunity. At Cologne, we agreed that the new round should be broad based and ambitious. It must also deliver substantial benefits for the developing world.

We also committed ourselves to a science-based, rules-based approach in dealing with the impact of biotechnology. As part of a joint initiative including the UK, the G8 agreed to ask Organisation for Economic Co-operation and Development experts to study the issues raised by recent developments in biotechnology and other aspects of food safety. We need to look at whether the current regulatory and institutional framework can be strengthened; next year's summit will return to that.

Finally, I was pleased that we were able to spend some time at the summit on the key domestic policy challenge of our time: how to equip all our citizens to survive and prosper in the knowledge-based economy of the future. Education and lifelong learning are the passport to success in today's global economy. They are also the foundations of a prosperous and more just society. So I was delighted that the other G8 leaders agreed to support the idea of a G8 charter on aims and ambitions for lifelong learning to underline our strong personal commitment to raising educational standards, not just in our own countries but across the globe.

The summit in Cologne was attended by eight Heads of Government, but its significance was of much wider international importance. It was a meeting at which we were able to declare at last that the barbaric regime in Kosovo was at an end and that international peacekeepers were in place. It sent a message to the world that the forces of democracy and freedom have the will to face down tyranny. It was a meeting at which important opportunities were taken to reaffirm, in the aftermath of Kosovo, our close relationship with Russia. It was also a meeting at which the richest countries of the world focused their attention on, and offered solutions to, debt problems in the poorest countries of the world. In those crucial respects, it was both a successful and a significant summit.

Mr. William Hague (Richmond, Yorks): There are many things in the communiqué that we welcome: the commitment to enhancing world trade through the World Trade Organisation, the statement on Russia's debt repayment, the emphasis on sustainable development, and the promotion of non-proliferation, arms control and disarmament.

We on the Opposition Benches particularly welcome the statement on international debt, which builds on the work of the Trinidad terms that were agreed under the previous Government. Like the Prime Minister, we want further progress. We pay tribute to the voluntary organisations that have worked so hard to propose solutions. We must all go on working with them.

I join the Prime Minister in praising the work of NATO in Kosovo over the past few days and in congratulating all involved. The House will particularly want to pay tribute to the roles played by General Mike Jackson and General John Reith and their troops.

I have four sets of questions on Kosovo. First, we welcome the Helsinki agreement and the assurance that Russian forces will not be concentrated in one particular sector. Have we been assured also that there will be no repeat of unilateral Russian activity, such as that at Pristina airport?

Secondly, on the KLA and Serb civilians in Kosovo, we witnessed on the television extraordinary scenes over the weekend of looting and burning of Serb homes. To what extent can NATO provide guarantees on the security of Serb residents in Kosovo? We welcome the agreement on the demilitarisation of the KLA. Will NATO ensure that that agreement is enforced uniformly on the ground?

Thirdly, does the Prime Minister agree that, if we are to expect Kosovar Albanians not to take the law into their own hands, we must give them confidence in the international legal system, which means demonstrating that we are doing our utmost to bring to justice those who are responsible for massacres, rapes, torture chambers, concentration camps and other horrific crimes? Will the Prime Minister comment on reports that up to 3,000 political prisoners have been abducted across the Kosovo border?

Fourthly, on aid, what estimate have the Government made of the likely long-term cost of reconstruction? The Prime Minister has rightly ruled out reconstruction aid for Serbia while an indicted war criminal remains in charge there. Will he confirm that that is the view of the G8 as a whole? What implications does that have for Montenegro?

On wider issues discussed by G8 leaders, the summit agreed to set up two studies on genetically modified food—or "recent developments in biotechnology", as the Prime Minister preferred to call it. Why did it take France and Germany to suggest such studies? Why have not our Government been suggesting them? Does the Prime Minister agree with a House of Lords Select Committee that European Union member states must have the right to opt out of growing certain GM crops for domestic or environmental reasons? Is it not imperative that the Government announce an immediate moratorium on the commercial release of GM crops—at least until the

[Mr. William Hague]

research in Britain and elsewhere has been evaluated? The Prime Minister does not need to travel to Cologne to take action on GM crops; he can just adopt the Bill introduced in another place last week by my noble Friend Baroness Miller.

The Prime Minister used a series of interviews at the summit to sow confusion about his own policy on the European single currency. Perhaps he can now clear up the confusion. Both the Chancellor and the Prime Minister have on numerous occasions set out their five economic tests for joining the single currency. Yesterday, at the Cologne summit, the Prime Minister appeared to add a sixth—he said that we had to

"have the right reform process under way in Europe".

Are there five tests, or six tests, or is the ability to hang on to his policy while pretending to retreat from it for him the only test?

The Prime Minister also caused great confusion at Cologne when he said that it would be daft to rush for early entry to the euro. If it is daft—if he now really believes what he said yesterday about that, although admittedly it was a full 24 hours ago—does he agree that it is daft to go on asking taxpayers and businesses to spend millions of pounds on the national handover plan? And if it is daft to rush into a single currency, is it not the daftest thing of all for the Government to be committed to abolishing the pound in principle? So, will he now withdraw that commitment to join in principle? If he does not, all his weasel words simply show that he is still determined to abolish the pound, but does not have the courage to say so.

The Chancellor told the CBI annual dinner that the Government intended to

"make a decision early in the next Parliament"

if they won the election. Does the Prime Minister agree with his Chancellor on joining early in the next Parliament? Does he believe in that, or something different, or both, or nothing?

If the Prime Minister really wants to join the single currency, is it not time that he had the courage to say why, and that, in European Union affairs, he started to fight for what he actually believes in rather than believing in, and fighting for, nothing?

The Prime Minister: I will deal with the G8 points first. In relation to NATO and the British troops, of course I agree that British troops have done tremendous work in Kosovo. It is also right to point out that they face continual dangers on the ground the entire time. They and all the NATO troops are embarked on a very dangerous business.

In respect of unilateral action by Russia, I believe that we are past that time now. I think that it was self-evident at the G8 summit that there was a great desire on both sides for a coming together and a putting of the difficulties of the past few weeks behind us. The warmth of President Yeltsin and Prime Minister Stephashin towards the other G8 members was very eloquent, and told its own story.

Secondly, in relation to Serb homes and what security we can provide, we should of course make it clear, as we have—General Jackson did so again today—that the security that we offer is to people regardless of ethnic grouping. That is essential. It will be difficult. We are dealing with a highly explosive situation, where there will be very deep feelings on all sides. That is natural when thousands of people have been butchered in ethnic cleansing. However, I am pleased that, in the past few days, several leaders, including Church and political leaders, have made calls for Serbs to stay. I do not think that anyone who knows British troops could have any doubt that they will be even handed in their approach. Some evidence of that has already been given, and the KLA has given the undertaking on demilitarisation.

We will pursue the war criminals. We have heard reports of political prisoners being abducted, but I cannot confirm those reports.

In respect of the cost, it is simply too early to say. There is no way that we would agree to aid for reconstruction in Serbia while Milosevic remains. I am not in a position to speak for all members of the international community, but I would be very surprised if any or many disagreed with that position. Montenegro is a different proposition altogether. I pay tribute again to Montenegro and to President Djukanovic for the solid way in which it has stood for the true interests of the region.

I now come to the issues of biotechnology and food safety, on which the right hon. Gentleman was quite wrong, as were parts of the press. The suggestion that studies should be done came from, among other countries, Britain. What France was proposing was that we set up a separate international regulatory body. There may be merit in that, but that was not what the G8 finally agreed.

In respect of GM foods generally, those of us who know the ins and outs of the subject know the sheer and total hypocrisy—[HON. MEMBERS: "Oh!"] No, I am not saying that the Leader of the Opposition does not know the ins and outs of it; he does, which makes his position all the worse, because those of us, including him, who know the ins and outs of this know that only four GM foods were ever licensed for sale in Britain, and every one by a Tory Government. All we have done with the regulatory system is tighten it, not weaken it. It is this Government who have broadened the base of scientific evidence. However, to end up banning altogether would not be sensible. We should proceed on the basis of science and evidence. That is the sensible thing to do, and it is what the previous Conservative Government did when they had the responsibility of office, as opposed to the irresponsibility of opposition.

With reference to Europe, I was wondering when we would get some passion. The Conservative party is the single-issue party, and Europe is its obsession. I said that two propositions were daft. Daft proposition No. 1 is to join the euro, regardless of the economic conditions. Daft proposition No. 2 is the one that the right hon. Gentleman espouses, which is to rule out joining for ever, or does he now rule it out for 10 years? *[Interruption.]* We are not quite sure, are we? That is equally daft. We should join, provided the economic conditions are met.

As for the notion that we have for the first time raised the issue of economic reform in Europe, that goes back to the Chancellor's statement in October 1997. The right hon. Gentleman will see that it was raised there, and in my statement in February 1999 on the changeover plan. The difference is that, if we are constructive in Europe and play a part in Europe, we have some chance of getting the reform that we need in Europe.

With regard to the right hon. Gentleman's proposal that we should rule out and cancel the changeover plan, that would mean that Britain could never join the euro, even if it wished to do so. That is a policy born of dogma and ideology. He has sold his pass to the Euro-sceptics in his party. They run the show now, and I say to him, "You will rue the day." I gather that the Conservative party is not joining other Conservative parties in the European Parliament. It has decided that it will reject the European People's party, the grouping in the European Parliament. That is right, as I understand it.

Mr. Hague: Answer the question.

The Prime Minister: The right hon. Gentleman tells me to answer the question, but I cannot answer that question. I can tell him what is in the country's interest. If we want to get anything through the European Parliament, it is in the country's interest that we should work with others. If his party is so extreme that it cannot work even with other Conservative parties in Europe, that is a sign of how extreme his Government would be, in the unlikely event that he ever formed one.

Mr. Menzies Campbell (North-East Fife): It is clear that the summit in Cologne was extremely successful, but does the Prime Minister accept that its success will be measured in future by the achievements after the summit, rather than by the sincerity of the commitments made in Cologne? That applies particularly to war crimes and debt relief, to which he rightly attaches such importance.

The statement is silent on the matter of humanitarian assistance to the people of Serbia. Does that mean that humanitarian assistance is not barred, so long as it can be regarded as not aiding the survival of the Milosevic regime? The Prime Minister knows that, in Britain especially, people will be anxious to ensure that humanitarian assistance is provided for the people of Serbia, who, through no fault of their own, have found the infrastructure of their country substantially degraded and destroyed.

I welcome the thaw in relations between Russia and the members of the G7. Can the Prime Minister tell the House whether the extension of further financial assistance is justified economically, or is it being given for political reasons, and as a reward for Russia's reluctant agreement over Kosovo?

Finally, it would be churlish not to congratulate the Prime Minister and the Government on their commitment and courage over the past few weeks. May I suggest to him that, with a little more of the same, together we will easily win the campaign for the single currency?

The Prime Minister: I thank the right hon. and learned Gentleman for those compliments.

With respect to what we do now for Serbia, we have always made it clear that there can be no reconstruction aid for Serbia—humanitarian assistance is governed by different rules, obviously—and the international community should make no commitment to the rebuilding of Serbia while Milosevic remains. It is necessary to send that message out to the Serbian people. They should take account of the fact that the whole world—those in Serbia must also have seen enough—has seen the mass graves uncovered and the appalling racial genocide that was committed in Kosovo. They have some responsibility to make sure that they send a clear message to their own Government and their own regime.

We were working on a programme for assistance to the economic reform process in Russia before the Kosovo conflict ever began, and it is important that those two things are not seen as trade off against one another. It is in our interest that the Russian economic system is stabilised, and the International Monetary Fund programme has to be agreed and accepted before that assistance is given, but relations were immensely warm at the summit and that was one of the positive aspects that came out of it.

Mr. Gerald Kaufman (Manchester, Gorton): Will my right hon. Friend be a little kinder to the leader of the Conservative party, taking into account that I remember sitting on the Opposition Front Bench throughout the 1980s, revelling and rejoicing in European, local and by-election victories and suffering the defeats in the subsequent general elections? See where I have ended up now. Does my right hon. Friend recall that it fell to me, as shadow Foreign Secretary, to introduce debt relief to the policies of a major political party for the first time? I am therefore deeply gratified that a British Labour Government have made such great advances in respect of debt relief.

On Kosovo—taking into account that not only are the G8 and NATO part of the achievements of the past few days, but that Russia, as advocated by certain Members of the House, and the United Nations, as advocated by certain Members of the House, have been brought on board—has my right hon. Friend received any apologies from those whose only policy was that we should pass by on the other side?

The Prime Minister: It is my right hon. Friend's birthday today, and we should congratulate him on that.

I am not quite sure where the Leader of the Opposition will end up, provided that he does not end up here. As for the position of the Conservative party on the euro and Europe, it has decided to make itself a single-issue party in respect of its anti-Europeanism, but it is not in the interests of this country to be in such a position. I thank my right hon. Friend for all the work that he has done on debt relief, and an important advance has been made by the incoming Government.

On Kosovo, there are those who have opposed the conflict for perfectly honourable reasons, but I believe that there was a moment of pure choice: we either allowed Milosevic to carry on with ethnic cleansing or we stopped him, and the fact that we stopped him is a great tribute to the international community.

Sir Archie Hamilton (Epsom and Ewell): The Prime Minister has told the House about the accelerated write-off of debt to the poorest countries. What impact will that have on future flows of aid, both in loan and in grant, to the poorest countries?

The Prime Minister: It will not affect the aid that we give; but it will make a great deal of difference to the position of those countries as they struggle with the huge burden of debt that they carry. I think we are coming to a better and more mature position in the international

[The Prime Minister]

community regarding the developing world. We are trying to forgive as much debt as possible. We are giving aid, but we are making sure that, at the same time, we are demanding certain principles of democracy, efficiency and lack of corruption that will make any aid that is given reach the people for whom it is meant.

We have learned a lot from aid policies in the past 20 or 30 years. We have learned the lesson that aid is necessary, but we have also learned to make sure that it does not come with strings in respect of the self-interest of the countries giving the aid, but is tied to proper rules and principles that can ensure that the aid is properly used.

Mr. Tam Dalyell (Linlithgow): Given a revanchist Serbia, and given that President Yeltsin will not be in Russia for ever, for how long does the Prime Minister that think our military commitment is likely to continue in substantial numbers: for my lifetime, for his lifetime, or for the lifetime of the youngest among us?

The Prime Minister: We shall give the military commitment for as long as it takes. In Bosnia, for example, at one point we had more than 11,000 forces; I believe that those are now down to just over 4,000. We have made a substantial commitment to Kosovo, but I believe that, in time, we can reduce that. I think that the chances of getting not what my hon. Friend calls "a revanchist Serbia" but a democratic Serbia will be improved if we send a clear signal to Serbia. It would help if the friends of Serbia—all those who have taken a different view in this conflict—gave it the same message: that, if it embraces the path of democracy, it will find us generous and willing partners.

Sir Brian Mawhinney (North-West Cambridgeshire): Will the Prime Minister accept that there is much non-partisan appreciation of the moral leadership that he has given within NATO against the evil in Kosovo? Will he also accept that, without the daily impact of war and with the crowding in of other legitimate activities, much more moral leadership will continue to be needed if this matter is to be resolved in terms of the objective that he has set for the House and the country, and that the country will continue to look to him to provide some of that moral leadership?

The Prime Minister: The right hon. Gentleman is absolutely right to say that, at the conclusion of this matter, we must not forget the aftermath. As it retreats in the new headlines—it will be there for several weeks, possibly even several months, but there will come a point when it recedes—it is important that we carry out the commitments that we have given to those Balkan countries, particularly the front-line states around Serbia. I entirely agree with the right hon. Gentleman about that. If we renege on that commitment, the chances of our having to repeat this exercise will be greatly increased. Contrariwise, if we carry out that commitment, we shall have the prospect of producing peace in the Balkans for the first time in 100 years.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that he should not get too worried about the Johnny-come-latelys and boy scouts in the Opposition in respect of the euro and the single currency? We should all be aware that they took us into the common market in 1973; it was another Tory Prime Minister who set up the Single European Act and guillotined it through the House, and they all voted for it; then another Tory Prime Minister signed the Maastricht treaty, and they all voted for it again. They now tell us that they will save the pound—they could not even save their own grandmothers. However, if my right hon. Friend did say that it was daft to join the euro—congratulations!

The Prime Minister: I thank my hon. Friend for that supportive comment, but I am afraid that I did not say that. I said that it would be daft to join the single currency regardless of the economic conditions. That is the sensible position. The Tories think that the economic conditions do not matter, which is a foolish position as well. The economic conditions do matter. In order for the single currency to work, the economics must be right. The two daft positions are to go in regardless of the economic conditions and to stay out regardless of the national economic interest. The first is, I think, the position of very few people, but the second of those daft positions is the official position of the Conservative party.

Mr. Ian Taylor (Esher and Walton): The Prime Minister has announced a welcome structuring of the Russian forces into the NATO effort and KFOR, but I am not sure what he meant about the warmth of President Yeltsin's welcome—that may have a mixed blessing. Will he reassure the House that political as well as economic strings are attached to the economic regeneration of, and the debt relief for, Russia? I fear that uncertainty may return to cause us problems.

Secondly, the Prime Minister is right to say that it is daft to join the euro immediately, just as it is daft to set a finite time not to join the euro. The real issue that he raised at Cologne is whether the European economies will reform themselves sufficiently to be able to compete in a world of free trade. The announcement of the millennial round and the WTO talks is crucial to the interests of Britain and the rest of the continent. I fear that British influence has not yet been sufficient to ensure that our continental neighbours reform their economies so as to enable us all to benefit over the next 10 years.

The Prime Minister: In respect of Russia, we have made it clear that we tie this help to economic reform. The scale of the transition process in Russia is enormous. As part of our initiative, we have intensified the political as well as the economic dialogue to ensure that that reform process is carried through and moves forward. The end of the Kosovo conflict—on which Russia and the NATO countries have different perspectives—gives us the chance to put our relations with Russia back on a good footing. That is in the interests of the world. I was grateful to President Yeltsin and Prime Minister Stephashin for making clear their desire to have good and warm relations with us.

I agree with the hon. Gentleman on the euro—what he said is absolutely right. He is also right about the importance of reform. That is why the summit next year will be important, because, for the first time, the European Union has agreed to hold a summit specifically on the issue of economic reform in Europe. I only wish that the rest of his party would realise that it is in Britain's interest

for the euro to succeed, because, if it fails, Britain will face a fierce economic backlash as a result. If I were, as the Leader of the Opposition suggests, to try to renegotiate the entire treaty of Rome as my first act as a leader, I would not have the slightest prospect of getting anything done in Europe. In the end, what is important, as we can see by the decision on droit de suite today, is to engage properly with other European countries. *[Interruption.]* The hon. Member for—

Madam Speaker: Order. Back-Bench Members should not ask questions from a sedentary position, and Front-Bench Members should not answer them.

The Prime Minister: I know, Madam Speaker. The temptation is to answer them, which is wrong. So I shall move on.

The WTO gives an important push not only to world trade, but to economic reform in the European Union. If the European Union does not reform its trading rules, the WTO negotiations will force it on us.

Mr. David Winnick (Walsall, North): Serbian civilians have as much right to live in Kosovo as ethnic Albanians. I hope that everything will be done to reassure them, as my right hon. Friend has said. What can be done to get the people in Serbia to realise the extent of the crimes and atrocities that have been committed? I spoke to the Serbian demonstrators in Whitehall from time to time during the bombing, and it was obvious that they refused to accept what was happening, just as, after 1945, some Germans refused to accept the extent of the terrible crimes that were committed in their name.

The Prime Minister: I am glad to say that there seems also to have been a withdrawal of those forces from outside Downing street, which will help. We must do everything that we can over time to get the message through to the Serb people. The force of the Serb propaganda machine has been reduced subsequent to the conflict. We can get information through via other channels, and we must try to do so as much as possible. One of the reasons for holding the Balkans summit is to try to send that strong message to Serbia. My hon. Friend has, as ever, shown his determination during the conflict to be against racism of any sort. He is absolutely right: it is only when people accept that this has been happening in their name that they will summon up the courage to make sure that they remove the perpetrators of it.

Mr. Douglas Hogg (Sleaford and North Hykeham): If there is to be any justification for Kosovo's remaining within Serbia, it can only be on the basis that there is a sizeable Serb minority in Kosovo. What steps are being taken to persuade Serbs who have left to return, and to create political structures in which both Serbs and Albanians can have confidence?

There is obviously merit in the statement that, while Milosevic is in power, there can be no aid for Serbia; but if there is evidence of serious malnutrition or, for example, a shortage of medical supplies, no doubt the Prime Minister will want to reconsider. It would be perverse to treat Serbia differently from, say, Iraq in that respect.

The Prime Minister: My response to the latter point is to say that the right hon. and learned Gentleman is, of course, right. That is why we are making it clear that it is reconstruction aid that cannot be given to Serbia while Milosevic remains.

As for the Serb minority, some thousands of Serbs have been brought back in the past 48 hours. I think that we can accomplish the return only over time, by giving the Serbs confidence that KFOR will be objective in its handling of the situation. I have no doubt that it will be objective: anyone who knows our forces, and indeed the other forces involved, knows that they will be. I think that, once that becomes established, more of the political and Church leaders will say, "You should remain."

In the short term, there will be dangers and difficulties for the forces, and for people in both ethnic groupings. That is an inevitable consequence of what has happened, but we fought the conflict to root out ethnic discrimination of any sort, and it would be perverse of us now not to do all that we can to encourage the Serb minority to stay, and to live peacefully with their neighbours.

Mr. Jeremy Corbyn (Islington, North): Further to his answer to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), will my right hon. Friend tell us what policy he has to ensure that Kosovo remains a multi-ethnic state in future? What future does he see for Kosovo, either as an independent state or as part of a federation? What is he doing to ensure that the people of Serbia do not become demonised, and that we try to give them some assistance, separating them from the military regime?

What steps is my right hon. Friend taking to examine the environmental impact of the bombing campaign on Serbia and surrounding countries—in particular, the admitted use of depleted uranium by NATO forces and the specific bombardment of chemical factories? That has clearly caused an enormous amount of pollution, which will injure people on both sides of the border.

The Prime Minister: There will be studies of the environmental impact, although many of the claims of environmental damage have already been disproved.

As for the Serbs staying, I cannot really say more than I have already said; but the essence is that we should provide a good civil administration, that it must be clear to the Serb minority that they are being treated fairly and that it will take time for the wounds to heal. They can heal, however. When Kosovo was an autonomous part of the Federal Republic of Yugoslavia, people lived side by side in peace and security. It was Milosevic, when he abandoned autonomy in 1989 and subsequently began policies of Serb nationalism, who created the conflict.

As for the demonisation of the Serb people, we cannot say often enough that our quarrel was not with them, but with the Milosevic regime. My hon. Friend the Member for Walsall, North (Mr. Winnick) mentioned the demonstrators in Whitehall. It is important for the Serbs to realise that some people refused to accept that those things were happening. They must accept that they happened. We are not saying that all Serbian people were responsible; they were not. Indeed, I have heard stories of Serbs in Kosovo sheltering Albanians. As ever, the picture is not all one way. Nevertheless, the Serbs must accept that this has been done in their name by their leaders, and the process of agitation for change in the regime must continue.

Mr. Dale Campbell-Savours (Workington): There have been unconfirmed reports of the abduction of political prisoners—up to 3,000, I believe. I understand that, this morning, a Serbian authority admitted that some prisoners were taken back to Serbia. This is an important matter. Will my right hon. Friend contact the Red Cross and ask if it will demand access to those who have been taken back to Serbia? Will he also ask the interim Kosovo Administration to draw up a list of people who they know were being held by the Serbs in Kosovo, and who may have been taken back?

Some hon. Members will be concentrating our efforts on the matter, as those people—the political elite of Kosovo—are very vulnerable. They have been removed from Kosovo, but are of great interest to politicians throughout the whole of the civilised world.

The Prime Minister: What my hon. Friend says is right. As for his point on the Red Cross, that is already being done. I believe that his point about the civil administration in Kosovo is also right. Although we simply do not know whether the reports are true, they demand urgent investigation. My hon. Friend should know that the practice of some people, like him, of continually taking up this type of issue has had its own impact in this situation. He should be congratulated on that.

Mr. Nicholas Soames (Mid–Sussex): I congratulate the Prime Minister on the resolution that he and the Government have shown in the past few difficult weeks. Will he answer a more detailed question on looting—which my right hon. Friend the Leader of the Opposition asked him about? Yesterday, a patrol of Irish Guards had to stand by while there was extensive and wholly unacceptable looting of Serb houses by Kosovars. Will the right hon. Gentleman check with his colleagues and with General Mike Jackson that the rules of engagement for dealing with looting and other outrages against civil law are sufficiently robust for the very difficult situation that the soldiers are having to deal with?

The Prime Minister: That is absolutely right. Today, Mike Jackson has made it clear that he regrets that the incident occurred, and that the lessons to be learned from it are being considered; there were certain difficulties in dealing with it. Our forces, like other forces, have been dealing with much of the civil disorder in Kosovo; but I suspect that it will take some time to work itself through.

Currently, just under 20,000 members of NATO forces are in Kosovo, but the full force will be 45,000. It will probably take some very clear incidents involving NATO command to bring it home to people—whether they are Serbs or Albanians—that civil disorder will not be tolerated. Meanwhile, it remains a dangerous area for everyone, including our own forces.

Mr. Bowen Wells (Hertford and Stortford): I congratulate the Prime Minister, the Chancellor of the Exchequer and the Secretary of State for International Development on achieving progress on third world debt. That action is very welcome, and was recommended by the Select Committee on International Development. The Prime Minister said that he feels that we need to go further. Does he agree with the International Development Committee that where we have to go is to a point at which highly indebted countries—the very poorest countries—use about 20 per cent. of Government revenue to repay debt, thereby allowing them sufficient revenue to be able to help themselves out of the poverty in which they find themselves, and enabling them to invest in crucial spheres such as education and health?

The Prime Minister: That is entirely right, and precisely why we wanted the debt relief programme to go forward. I should make two other points. First, we are trying to ensure that the aid we give is targeted on areas, such as education and health, that are very important for building those countries' long-term future.

The second issue—which was raised in the communiqué and which we discussed at the summit—is the need for better post-conflict resolution. One of the reasons why those areas, particularly in Africa, are suffering so badly is that, although servicing debt relief is one problem, servicing conflict is another.

Ann Clwyd (Cynon Valley): I too am a member of the International Development Committee. May I say how pleased I am that it is a Labour Government who have pushed the debt relief issue so hard among the G7? I am particularly proud of that because, although the issue has been talked about for a very long time, only now are we beginning to achieve real progress on it.

Will the Prime Minister use his influence among the world's financial institutions to address the issue of the rigidity of their structural adjustment programmes? Very often, the rigidity of those institutions' demands cause poor countries that are trying to service their debts to cut the very health, education and other programmes that we believe in so strongly.

I totally agree with my right hon. Friend about the Tories being negative in Europe. They have always stood out like a sore thumb in Europe. When I was elected in 1979, it was not a question of the Tories choosing a political group—none of the political groups in the European Parliament wanted the Tories, because they were thought to be too extreme and too right wing. I suspect that the same may be true now—nobody really wants them.

The Prime Minister: Unfortunately, they are a lot worse now.

On debt relief, we have taken a big step forward. I know from conversations with debt relief campaigners that there are people who say that we have not gone far enough. I suppose that that can be true of virtually any political advance that is ever made. However, there has been a huge increase in debt write-off—people should understand that—although it will take some time.

The other proposal—which was very important—was that by the end of next year, 75 per cent. of countries should have met the criteria. One of the biggest hold-ups has been that we have given debt relief in principle, but we have not followed it through in terms of assessing those countries in practice.

Following the Government's comprehensive spending review—and for the first time in 20 years or more—the proportion of our national income that we are spending on help to the developing world is increasing.

Sir Peter Emery (East Devon): Will the Prime Minister refer to one of the smaller, but massively

important, matters concerning the refugees—namely, the tens of thousands of children who have been separated from their parents, often not knowing whether their parents are alive or dead or where any of their relatives are? International Social Service—which specialises in these matters—has a role to play in bringing together families. In the past, this work was much supported by Lady Helen de Freitas, the wife of Sir Geoffrey de Freitas, who gave many years' service to this House. That role is now undertaken by my wife, who is in Tirana at the moment with the French and Italians trying to set up a unit specialising in dealing with children from broken families.

We have given no support to this in the past. It is not a role that the International Red Cross or UNHCR can carry out, and they both want International Social Service to undertake the work. Will the British Government support such activity?

The Prime Minister: We will support such activity, and we thank the many people who are working on this problem, including the right hon. Gentleman's wife. In trying to help the children of refugees to be reunited with their families, a database has been set up and a lot of work is going on. The Department for International Development has been active in this, and I pay tribute to the Department and to its permanent secretary for their work during the Kosovo crisis. Everyone out there recognises that the contribution made by the Department has been magnificent. We have much still to do, and it will take a long time before we will be able to reunite those families. However, it is gradually beginning.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): My right hon. Friend referred to the particular difficulties facing Montenegro. Will reconstruction money apply to Montenegro, or will it be banned from receiving such aid? The other terrible legacy left by the Serbian military has been landmines—not merely on main roads, but in people's homes and gardens. Is there a special programme to deal with this dreadful problem, which could lead to many more casualties if it is not dealt with?

The Prime Minister: We will look for a way of ensuring that Montenegro receives assistance because of what it has done throughout the conflict. However, we must make sure that money does not find its way back to Milosevic. We should be able to do that, and I pay tribute to Montenegro.

In respect of landmines, there are real dangers to soldiers and to civilians. We are putting in all the expertise that we can. We are making a special grant available to assist in the process, but my hon. Friend is right to draw attention to the fact that the dangers persist.

Sir Peter Tapsell (Louth and Horncastle): Would the Prime Minister explain in rather more technical detail why it has so suddenly become "daft" for Britain to seek early entry to the single European currency? I do not recall his using such dismissive phrases or conveying that impression in the past. What has changed?

Mr. Winnick: Not a word on Kosovo.

The Prime Minister: The hon. Gentleman has indeed moved off Kosovo, and that at least is a step forward.

I have always said that we do not want to join the euro straight away. We said that in our statement in October 1997 and again in February 1999, when I announced the changeover plan. There are two daft positions: to go in regardless and to rule it out regardless. We are not in either daft position, but I am afraid the hon. Gentleman is.

City of London Demonstration

4.26 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I will make a statement on the deplorable outbreak of public disorder and violence in the City of London last Friday, which I believe the whole House will want to condemn. I have today spoken with the Lord Mayor, Lord Levene, and the commissioner of the City of London police, Mr. Perry Nove, about the course of events.

The occasion for the disorder was a so-called day of action that had been planned by several disparate groups to coincide with the G8 summit in Cologne. The City of London police had been aware for some months that such a protest was planned. Information relating to the event had been widely available on the internet.

Organisers of demonstrations normally co-operate early and fully with the police to ensure that arrangements for a peaceful event are satisfactory to all concerned. In this instance, no co-operation was forthcoming: attempts by the police to discuss the arrangements were simply rebuffed. The City police none the less provided as much information as they could to those who live and work in the City about what was planned and what precautions residents and businesses could take.

During the morning of last Friday, the demonstrators were relatively small in number and generally peaceful, but around midday a much larger group, soon numbering several thousand, began to assemble in Liverpool street. After a couple of hours, the group split into four separate groups, one of which very suddenly attacked the police at London Wall. At that point, two members of the crowd were injured; the most serious injury was to a woman who sustained a broken leg.

The groups then converged on the building of the London International Financial Futures Exchange, in Cannon street. A concerted effort was made to storm the building, with demonstrators using scaffold poles and paving stones without any regard for human safety. As a result of police action, the demonstrators then moved away from the immediate vicinity of the building, but disorder continued over a wide area of the City and then in the Trafalgar square area of the Metropolitan police district.

A high-level police presence was maintained on the streets of the City and the west end during and immediately following the disorder. As a result of the day's disorder, 16 people were arrested, for offences including criminal damage with intent; aggravated burglary; and assaults on the police and on members of the public. Investigations are continuing. As is normal in such situations, the commissioner will make a report on the events to his police authority.

I want to place on record my appreciation—and, I am sure, that of the whole House—for the way in which the City of London police, supported by the Metropolitan police and the British Transport police, dealt with this wholly deplorable outbreak of violence, which was plainly premeditated. Sadly, eight injured police officers had to be taken to hospital. On behalf of the House, I wish to extend our sympathy and good wishes to the officers concerned.

At the moment, I have no firm information to suggest that a recurrence of those demonstrations is likely in the foreseeable future. However, I intend to hold further consultations with the Commissioner and the police service, to ensure that everything possible is done to protect the safety of the public and the businesses in the City and elsewhere in London.

This country has a fine tradition of peaceful protest, which is an essential part of any well functioning democracy. The London police—the Metropolitan police and the City police—have a fine record of co-operating fully with peaceful demonstrations. But the refusal of the organisers of that demonstration even to discuss with the police how the event was to be handled was wholly irresponsible, and showed a contempt for peaceful protest and for democracy. The perpetrators of the violence, and they alone, are responsible for what ensued. There is no excuse for such violence. I believe that the whole House will join me in supporting the efforts of the police to ensure that those responsible for the violence are swiftly brought to justice.

Miss Ann Widdecombe (Maidstone and The Weald): I thank the Home Secretary for that statement and I join in his congratulations to the police—the City of London police, the Metropolitan police and the transport police. I also add congratulations to the staff in the LIFFE building, who acted with immense resourcefulness when confronted with a profoundly unpleasant situation.

Nevertheless, I wish to ask some important questions. Does the situation that arose in the City on Friday lead the Home Secretary to consider that he should reverse the fall in police numbers? Will he confirm that the City of London has experienced a 7 per cent. fall in police strength since May 1997 and that what it now has is below its 1979 resource level? In those circumstances, is he satisfied that the City of London police had sufficient officers to cope with the events on Friday and would have sufficient officers to cope with such events if they should unfortunately arise in the future?

Although I appreciate that the City of London police were reinforced by the Met on that occasion, it is also true—and I hope that the Home Secretary will confirm it—that that force itself has suffered a cut of more than 571 since he has been in office. Will he also confirm that the fall in the City of London police manpower in that period is 66 and that there has been a reduction in the budget for the City of London police from £57.1 million in 1998-99 to £55.5 million in 1999-2000? Will he confirm that, under this Government, police numbers have fallen by nearly 800, by contrast with an inherited increase of 4,694? How does that affect the sort of operation that became necessary on Friday?

In view of these events, can the Home Secretary tell the House what, if anything, he intends to do to halt the decline in police numbers? Will he give us his view of what the strength of the police should be? Given the lessons of Friday for future disturbances and the role that might be played by the mounted police, is he satisfied about the strength of that division? Will he take this opportunity to confirm or to deny that there are plans to reduce the numbers or the role of the mounted division?

Given the availability of information about the proposed demonstration on the internet for, as the Home Secretary said, a considerable time before it took place, what discussions did he have with the City of London commissioner about the likely threat to public order? What information did he have about the nature of the

organisations behind the protest, and what efforts were made to gain more intelligence about them before the problems were encountered on Friday?

Demonstrations, however peaceful they are designed to be, always present hazards. Given that the police were expecting to confront a demonstration with normal hazards, and that in reality they had to face a highly organised and pre-planned riot, is he satisfied with the intelligence operation on this occasion? What lessons for the future does he draw from that operation?

When was the Home Secretary first made aware of what was called the carnival against capitalism? As a result of such information as was available, what assessment was made—and what was communicated to him—of the likely threat that the protest posed to the business of the City of London and to public order?

I recognise that he may not be able to respond at this stage, but can the Home Secretary give an estimate of the cost to the public purse of the police, emergency services and other related activities involved in Friday's disorder?

Finally, will the right hon. Gentleman confirm that, in such circumstances, closed circuit television is of massive importance? Given that importance, and his own rather belated recognition of it in making available extra funding, will he take this opportunity to congratulate the previous Conservative Government, who introduced CCTV, on their foresight, initiative and spending?

Mr. Straw: Of course, I would congratulate any Government who introduced CCTV, but I am sure that the right hon. Lady will know about the proportions involved. When we came to office, only £1 million of free money was available for closed circuit television. We are now investing £150 million—*[Interruption.]* I greatly regret that the right hon. Lady makes partisan comments on an issue on which the whole House ought to be united, but I feel obliged to respond.

The right hon. Lady asked whether I discussed the matter with the City commissioner. I did not do so personally, but I did discuss it with the Lord Mayor seven weeks ago, and I corresponded with him about it. However, my officials discussed the matter in some detail with the commissioner and his staff.

I am sure that the right hon. Lady will forgive me for not going into detail about the nature of intelligence gathering, and that she will know that there are very good reasons why I cannot do so. However, I assure her that I meet the Commissioner of Police of the Metropolis each month. That detailed meeting covers all public order difficulties likely to arise in the foreseeable future, and this protest was included in that pre-planning.

Lessons for the future always arise from events such as Friday's. It is for that reason, as I have already announced, that the commissioner of police for the City of London, Mr. Nove, will make a full report to his police authority. In addition, the police have available the recent thematic report from Her Majesty's inspectorate of constabulary entitled "Keeping the Peace", which examines the policing of such public order events.

I turn now to the numbers of police officers available in such circumstances, the issue that the right hon. Lady raised first and to which I am delighted to respond. As I hope that she will be aware, the relatively small size of the City of London police force means that the numbers of officers made available for policing demonstrations in the City—especially when they are of such potential gravity—include many from the Metropolitan police service, under the mutual aid provisions. I discussed the issue of numbers with the City commissioner this morning. He authorised me to say that he regards questions about the small variations in the total numbers of police across London as "a red herring", and that he had all the police that he needed.

The right hon. Lady wants reassurance that we are reversing the decline in the numbers of police in London. Her amnesia on the issue is astonishing. Between 1992 and 1997, when she and her colleagues were responsible for setting the police budget in London, numbers in the Metropolitan police area dropped by 1,962—nearly 400 a year. We have stabilised those numbers. Police numbers for 1998-99 were virtually stable, with a reduction of just 21, compared with the reduction of 400 a year for which she was responsible. We are looking forward to similar stability this year. The issue of police numbers is thus an own goal for the right hon. Lady.

Mr. A. J. Beith (Berwick-upon-Tweed): May we express our concern for the police officers who were injured and our appreciation of the work of the police from the three forces? Is the Home Secretary aware that the problem with police numbers tends to relate to community policing, not to finding enough police officers to deal with a riot?

Is there not a serious difference between the view of events that the Home Secretary presented in his statement and that which appeared in much of the media? The media presentation is of a largely peaceful demonstration that was spoiled by a small disruptive minority, while the right hon. Gentleman has painted a picture of a much larger element intent on violence, or at least dangerously disruptive activities; and he has said that the organisers of the main demonstration were not prepared to co-operate with the police's attempts to ensure that it passed off peacefully. Is it not important to establish which is the correct view, to adapt police tactics accordingly in any similar situation, and to make the public aware of something as serious as a large-scale, organised attempt to disrupt?

Troublesome and expensive though the violence was, does the Home Secretary agree that it will neither stop the City from carrying out its important economic role nor do anything to further the legitimate ethical, environmental and world poverty concerns that many of us want to address to international business and to Governments?

Mr. Straw: I thank the right hon. Gentleman for his remarks and their tone. We are all used to there being two different stories of what happened in such situations. One story is told by the police and those who observed the events and another is told by those who were involved in violence and are trying to excuse the violence that they have perpetrated on others, particularly—and usually—the police. As far as we can judge, the organisers were intent on violent disruption from the moment they thought of the demonstration. We can tell that from the fact that they made no effort to contact the police and seek the co-operation for which the London police services are renowned with peaceful demonstrations. When the City of London police sought co-operation from the organisers,

[Mr. Straw]

they were rebuffed. The perpetrators, including the organisers of the demonstration, are solely responsible for the violence and damage that followed.

The right hon. Gentleman is also correct to say that nothing that took place last Friday, nor any similar threat, will remove the City from its pre-eminent position as one of the world's financial centres which is of huge importance to the wealth of this country. The right hon. Gentleman also said that such behaviour would do nothing to persuade people of the case for ethical investment or greater environmental concern. Ninety-nine per cent. of the people who are concerned about those issues are also concerned to ensure that any protest that they make is peaceful. They want nothing to do with such violence.

Mr. Peter Brooke (Cities of London and Westminster): May I express appreciation to the Home Secretary for the fact that his office advised me before lunch that he was going to make the statement? I also thank him for the tone in which it was delivered. Despite the damage and disorder that occurred in the streets, will he confirm that all the markets of the City of London remained open on Friday and today? Secondly, can he give the House any information about the disparate groups across the world to which he referred in his statement?

Mr. Straw: I am grateful for the right hon. Gentleman's opening remarks. I can indeed confirm that the markets remained open and I associate myself with the appreciation expressed by the right hon. Member for Maidstone and The Weald (Miss Widdecombe) to the staff of the LIFFE building for their courage in seeking to ensure that damage was as limited as possible—and to the many other staff across the City of London and elsewhere who protected their buildings and the people in them to ensure that all the City's markets continued to function.

On the disparate groups, it appears that the protests were linked in some incoherent way to the G8 summit in Cologne. I fail to understand the direct connection. We have little information—certainly information that we can make publicly available—about any connection between those groups and others. As far as we can judge, they were entirely, and very sadly, home grown.

Mr. John Wilkinson (Ruislip-Northwood): May I add my thanks to those of my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) to the Home Secretary for volunteering this statement rather than waiting for a private notice question on a matter of great gravity for the City of London in particular and for London as a whole? Will the monthly meetings with the Commissioner—or was it commissioners—of police continue after the institution of the Metropolitan police authority when the Greater London Authority comes into effect next July? In that context, can he assure us that after July 2000, where matters relating to the policing of the capital affect public order on a national scale, the Home Secretary will still come to the House and make statements such as today's?

Mr. Straw: I thank the hon. Gentleman for the tone of his remarks and for his appreciation. My monthly meetings are with the Commissioner of Police of the Metropolis and arise from my position as police authority for the Metropolitan police until next July. I do not routinely have meetings with the commissioner of police for the City of London, whose police authority is a committee of the Common Council in the City. However, it must be said that public disorder on anything like this scale, or at all, in the City is rare. As I explained, there were ad hoc meetings between me and the Lord Mayor of London, Lord Levene, and contact between officials and City police.

As the Under-Secretary, my hon. Friend the Member for Vauxhall (Kate Hoey) made clear during the many debates on the establishment of a Metropolitan police authority, the Home Secretary of the day will continue to have a role in the policing of London. That is taken account of in the special arrangements that have been made. For example, a representative of the Home Secretary will be on the police authority and the Home Secretary will be involved to a degree greater than that which applies to police forces outside London in the appointment of the Commissioner.

I anticipate that while there will not be bilaterals with the Commissioner arising from my—by then non-existent—position as police authority, meetings will continue because of the Commissioner's many national and international responsibilities. Of course, should an occasion such as this arise after July 2000, the Home Secretary of the day—certainly if it is me—will make a statement to the House.

Mr. Douglas Hogg (Sleaford and North Hykeham): I am sure that the right hon. Gentleman agrees that those who are guilty of such public order offences are enemies of democracy and should, if found guilty, be punished with the full severity of the law. Does he agree that a liability to pay substantial financial compensation to those who have suffered loss is a further deterrent? That could be done in two ways. A convicting court could impose a compensation order, or those who have suffered loss could sue, in the civil courts, those responsible, either the instigators or those who have committed the criminal act. Does he agree that that should be encouraged, because a huge financial consequence is a serious deterrent, even if the people concerned may be largely without means?

Mr. Straw: The right hon. and learned Gentleman is entirely correct. The question of compensation orders is not for me but for the courts. However, I hope that those concerned will take note of the right hon. and learned Gentleman's comments and my endorsement of them. The right hon. and learned Gentleman also made the imaginative suggestion that, regardless of whether criminal convictions are brought, action for compensation should be taken against some of the organisers of the demonstration. I hope that that suggestion will be taken on board by the businesses affected and by those concerned in the City.

Dr. Julian Lewis (New Forest, East): The Home Secretary said frankly that the demonstration was a premeditated and organised riot. Does he recall that, until just over a year ago, an element in the MI5 Security Service—for which the Home Secretary has responsibility—called F Branch was responsible for

monitoring, and if necessary organising the infiltration of, subversive organisations? Does not this event qualify as a subversive activity?

Does the Home Secretary further recall that it was announced a little over a year ago with a fanfare of trumpets that MI5 was no longer monitoring subversive organisations? Will the Home Secretary confirm that that remains the case and that the Security Service did nothing whatsoever to investigate and monitor the situation or to advise the police about how these events could have been avoided?

Mr. Straw: I know the hon. Gentleman takes an interest in such matters—but a little knowledge is a dangerous thing.

I remember no fanfare nor any trumpets in respect of any statement about the Security Service and subversion. Following the collapse of the Berlin wall, the Security Service's interest in subversion—in the old sense of the word—has certainly declined. It is also the case—I make no apologies for the fact that I do not intend to give any details about this subject in a public forum such as the House—that the law enforcement agencies continue to be interested in those who pose a serious threat to public order.

Mr. Tim Loughton (East Worthing and Shoreham): As someone who has had an office in the City for the past 15 years, I associate myself with the Home Secretary's praise for the police action—particularly in terms of the intelligence that the police shared with City firms in advance of Friday's demonstration and throughout the day. I also praise the City for not allowing its business to be disrupted, despite City workers being trapped in their offices while 5,000 members of rent-a-mob brayed outside.

Will the Home Secretary comment on newspaper reports that many of the so-called demonstrators on Friday were paid and provided with packed lunches? If those details are forthcoming, what action will be taken against the organisers? What use was made of the so-called ring of steel that was set up in the City some years ago primarily in response to IRA bombings at that time? What action was taken to man those many posts around the City to prevent entry to the area by people who had premeditated ideas of causing violence and were armed with crowbars and other obviously offensive weapons? Does the Home Secretary think that enough action was taken on the day to stop such people gaining entry in the first place?

Mr. Straw: I am grateful to the hon. Gentleman for his remarks about the sharing of intelligence and for his appreciation of the work of the City of London police. A large contingent of Metropolitan police officers—slightly larger than that of City police—was brought in under the mutual aid arrangements. I believe that the arrangements for sharing intelligence worked well.

Turning to the hon. Gentleman's other points, the policing of such events does not necessarily go according to plan. The organisers of such events do not share their plan—such as it is—with the police, because they wish to effect a high degree of disruption, disorder and violence. I have no information about whether any demonstrators were provided with packed lunches or were paid to attend. That may be a matter for the police investigation.

The hon. Gentleman asked about the use of the so-called ring of steel. It was introduced under powers in the Prevention of Terrorism Act that are designed to monitor and, to some extent, constrain the inflow and egress of vehicles in the City of London.

We do live in a democracy in which peaceful protest is allowed. The police always have to give a proportionate response. Of course, in these circumstances, hindsight is a wonderful thing, but the police are extremely sensitive—I pay great tribute to them—to the rights of people peacefully to demonstrate. Sadly, sometimes those rights are gravely abused. However, I shall certainly take up the point about the ring of steel with the commissioner of the City of London police. I have no doubt that it will also feature in the commissioner's report to his police authority.

Mr. Robert Key (Salisbury): It is clear that the police had advance notice of the demonstration and that they used every possible method to take advantage of that. Does the Home Secretary agree that they had their hands tied behind their backs? When the House passed the Criminal Justice and Public Order Act 1994, it was clearly the intention of the House that trespassory assemblies on public highways should not be allowed in certain circumstances, and that the police should have power to impose exclusion orders. That power was removed by the Law Lords in a case last year. Would it not have been to the advantage of the police, and of the whole community, if that matter were now remedied? Will the Home Secretary consider introducing measures to amend the law in that respect? I assure him that the City of London police are not alone. If it were not for that judgment, the events in the City of London might not have occurred—and nor would those that took place at Stonehenge in my constituency last night.

Mr. Straw: The hon. Gentleman is correct. Certainly, the Appellate Committee of the other place, by the judgment that it made, chose considerably to restrict the circumstances in which exclusion orders can be imposed to restrain trespassory assemblies. I fully understand and share his concerns not only about the events that took place last Friday in the City of London, but about the terrible events that occurred in the Stonehenge area of his constituency overnight. I also fully comprehend the concern of the Wiltshire constabulary, to whom I pay tribute for the way in which they and the other forces involved tried to deal with that dreadful disorder. I shall discuss the question of what appears to be a lacuna in the law, following the decision of the Appellate Committee. After those discussions, we shall take steps to remedy the gap.

Mr. Dominic Grieve (Beaconsfield): Although I share the Home Secretary's proper concern that civil liberties in this country should be upheld, and I understand, therefore, that that is bound to fetter the way he responds to anticipated demonstrations of this kind, is it not true that powers do exist both to divert and to regulate such demonstrations? In circumstances in which the organisers have refused to enter into any form of co-operation beforehand as to how a peaceful demonstration will take place, should that not be considered if a future

[Mr. Dominic Grieve]

demonstration of this type is planned—in which no co-operation whatever as to how it can be carried out peacefully is extended to the police?

Mr. Straw: The hon. Gentleman is correct to say that, notwithstanding the difficulties following the judgment of the Appellate Committee, powers exist to divert and to regulate demonstrations in certain circumstances. However, it is not an offence for people to seek to pass up and down the highway as part of a demonstration. The regulation of demonstrations in which the organisers deny their role as organisers and are, in essence, intent on covert criminal conspiracies is extremely difficult.

The judgments as to which powers to seek—when, for example, they depend on the approval of the local authority, the Secretary of State or, in some cases, both—have to be made, in the first instance, by the chief officers of police. I do not see it as my job—I am sure that the hon. Gentleman does not see it as his—to try to second-guess their professional judgment. I see it as my job to ensure that chief officers of police and all the officers who bravely act under them are fully backed in whatever judgments they make in what are often extremely difficult circumstances.

Orders of the Day

Food Standards Bill

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Lord): Before I call the Minister, I should remind the House that Madam Speaker has placed a limit of 15 minutes on all Back-Bench speeches for the entire debate.

5 pm

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): I beg to move, That the Bill be now read a Second time.

Today's Second Reading debate takes forward a significant public protection measure; this Bill provides a new framework for food safety and food standards. It is based on openness, transparency and best science. It requires the Food Standards Agency to act proportionately—to consider the nature and costs of risks, and the cost and benefit of its risk management. The Bill addresses public concerns; it puts the interests of consumers first. It is intended to protect the public and, more than that, to underpin public confidence.

The proposals in the Bill must have been subject to some of the most intensive consultation of any measure to reach this House. The Bill was a commitment in the Labour party's 1997 manifesto. Immediately after the election, we published Professor James's report with the initial proposals for the agency. We pressed on with the White Paper and earlier this year, published a draft Bill for consultation.

As well as consulting on the draft Bill, the House agreed to set up a Special Select Committee to scrutinise the Bill. I am grateful to the Committee for its work, which has helped to inform the final shape of the Bill. Alongside all that, ministerial colleagues—I pay particular tribute to the work of my hon. Friend the Minister of State—and I have held a series of meetings on the proposals with interested parties, as well as public meetings.

At every stage of consultation, the proposals for the agency have received resounding support. What criticism there has been was directed at the proposal for a levy to fund the agency's additional work. There were objections to the flat-rate levy proposal and, more significantly, to the proposal for the rate of the levy to increase over time. The Government have taken the consultation on all that very seriously and have decided, as the House will know, not to proceed with the levy proposal.

Mr. Cynog Dafis (Ceredigion): The Government's concession is much appreciated. The Farmers Union of Wales, for example, has taken it as an indication of the Government's willingness to listen to such concerns. Does the Minister recognise that the same principle might apply to the Meat Hygiene Service? Huge costs and regulation are weighing down producers and abattoirs. Will the Minister undertake to consider that issue very seriously?

Mr. Brown: The Government listened on the levy, and we are not only listening very carefully on the matter of costs that fall on the abattoir industry. A current review

has already resulted in the Government absorbing for a further year specified risk material charges, which are the largest single element of new charges that were under consideration for this year. The matter is still under consideration; the Government are listening. Nevertheless, there is a clear and discernable trend in the industry towards larger plants, and fewer of them. The hon. Gentleman asked me not to exacerbate that trend by the imposition of charges, which is a perfectly fair point and well made.

For the avoidance of doubt, I should make it clear that the Bill facilitates the agency's undertaking of work, along with the Department of Health, in the area of nutrition. That means that, among other things, the agency will be able to work with health education and promotion bodies in disseminating information to the public. Before dealing with the agency's other functions, I shall deal with appointments.

In response to the Select Committee, the Government promised that we would say something about the procedures that we were adopting for the appointment of the chairman, deputy chairman and members of the agency. The power to make such appointments is set out in clause 2. Appointments will be a matter for my right hon. Friend the Secretary of State for Health and his opposite numbers in Scotland, Wales and Northern Ireland. The agency will report to Parliament through Health Ministers. Appointments will be carried out under Nolan rules. The procedure will be absolutely fair and open. Alongside that, it will be subject to independent scrutiny.

All posts will be advertised in the national press and in Scotland, Wales and Northern Ireland, and in specialist ethnic minority publications. The only way for anyone to be considered will be to complete an application form. The process of advertising will begin in a few days' time, following the decision of the House on Second Reading.

The members of the agency will collectively provide a reasonable balance of relevant skills and experience. I anticipate that the majority will come from a wider public interest background, without specific affiliation. However, that does not mean that an involvement with a food or agriculture-related business will automatically exclude someone from consideration. All applicants will have to declare all personal interests or connections, and the appointment panels will be charged with probing potential conflicts of interest very carefully. I must make it clear that there are no specific interests—commercial or public—which would automatically exclude any candidate.

The agency's functions lie at the core of the Bill. The Food Standards Agency is being established as the principal authority in Government on food safety and standards matters. It will be the chief source of policy advice to Ministers and other public authorities. Its functions will include drafting and making recommendations on legislation, negotiating in the European Union and internationally on behalf of Ministers, and providing the necessary information and assistance to support decision making. In carrying out that role, the agency will operate from day to day at arm's length from Ministers. However, responsibility for making legislation and ultimate democratic accountability remain, very clearly, with Parliament.

The agency will have the general function of advising, informing and helping the public and others, including the food industry, on all matters within its scope. It will deliver independent and clear advice.

To enable the agency to discharge its advisory functions, the Bill places on it an obligation to keep abreast of the latest scientific and technological understanding, and of any other developments that are relevant to its work. I expect the agency to take a strong lead in developing a sound scientific base for food safety.

Joan Ruddock (Lewisham, Deptford): As my right hon. Friend is surely aware, the G8 communiqué has said that references are to be made to the Organisation for Economic Co-operation and Development scientific committees, for them to look into the products of genetic modification. Does he believe that those new studies, to be undertaken in the EU, will have any implications for the Food Standards Agency? Will he, under his wider responsibilities, ensure that the terms of reference of those studies are made available to Members of the House?

Mr. Brown: One of the purposes of the creation of the agency is to ensure transparency. I welcome the work that the OECD is to undertake. In particular, I think it is right to consider both the food safety and the trade aspects of the new technology. It is the Government's desire to be candid with the House and to ensure that information is in the public domain. I therefore give my hon. Friend, as far as it is my place to do so, the assurances that she seeks.

Mr. Anthony Steen (Totnes) *rose—*

Mr. Chris Mullin (Sunderland, South) *rose—*

Mr. Christopher Gill (Ludlow) *rose—*

Mr. Brown: I shall give way first to the hon. Member for Totnes (Mr. Steen), secondly to my hon. Friend the Member for Sunderland, South (Mr. Mullin) and thirdly to the hon. Member for Ludlow (Mr. Gill).

Mr. Steen: As I understand it, the incidence of food poisoning has increased in this country every year, and has increased fivefold since 1982. Each year since 1982, there have been more rules and regulations for food hygiene. Presumably, the new agency will recommend even more rules and regulations for food hygiene. Has the Minister estimated how many extra cases of food poisoning will result from the existence of the agency, which will make us cleaner and cleaner, and produce more and more cases of food poisoning?

Mr. Brown: The agency will provide effective advice to those who prepare and sell food, either in the catering industry or the retailing industry, those who store it and those who prepare food at home. There is a range of reasons for outbreaks of food poisoning and a range of methods to address them. That is not done just through the regulatory regime. Clear-cut advice to the public has an important part to play, in which the agency will provide a particular service and impetus.

Mr. Mullin: I see no reference in the Bill to farm animal welfare as it impacts on food safety. My right

[Mr. Mullin]

hon. Friend is aware that the rise in food poisoning, to which the hon. Member for Totnes (Mr. Steen) referred, is directly related to the growth of industrial farming and, for example, the massive misuse of antibiotics. Will the agency have the power to make suggestions about the way in which farm animals are reared, where that can be shown to be connected to the safety of food?

Mr. Brown: On the use of antibiotics as growth promoters rather than as veterinary interventions, yes, the agency will give advice to Ministers. The issue is under consideration at European Union level in the Council of Ministers.

On farm animal welfare, I know that my hon. Friend will join me in welcoming the toughest statement yet from Agriculture Ministers in the EU and the Commission, following the outcome of our latest meeting at Luxembourg on the trade aspects of animal welfare. As part of the forthcoming World Trade Organisation round, we have agreed to seek recognition for animal welfare measures within the WTO rules. As my hon. Friend knows, in the current WTO rules, there is no specific recognition of animal welfare, as opposed to animal hygiene and whether the product is fit for human consumption.

Mr. Gill: The Minister said that the role of the Food Standards Agency was to inform, help and advise the industry. Does that rule out the possibility of the FSA being an enforcing agency as well?

Mr. Brown: The FSA is an enforcing agency, but only of the rules that have been agreed by Parliament. It would be a rather feeble set-up if the agency could tell us what was wrong, but could not do anything about it. The functions being transferred to the agency are those that are at present carried out by food safety officials in my Department, by officials in the Department of Health and by the Meat Hygiene Service, which is a regulatory and advisory service. The agency will have responsibility for enforcing the rules that Parliament has agreed. As well as advising the public and the industry, it will advise Ministers. If necessary, Ministers will have to act on that advice and bring proposals before Parliament.

The hon. Gentleman can, I hope, take some comfort from the fact that the Bill contains a clear statement that the policy advice must be proportionate to risk. In other words, we want the public to be protected, but we do not want the agency to become over-regulatory and bureaucratic, which I expect is the fear that lies behind the hon. Gentleman's question.

Mr. David Maclean (Penrith and The Border) *rose—*

Mr. Brown: I am willing to take a further intervention.

Mr. Maclean: I am grateful to the right hon. Gentleman. His comments provoked me to rise. If he and his officials conclude that, in a particular case, the agency is being over-cautious, and that its advice on new regulations is not proportionate to the risk assessed by him and his officials or by Department of Health officials, will he be able to stand in the way of a powerful new agency clamouring for new legislation?

Mr. Brown: Ultimately, those are decisions for Ministers and for the House. The lead Minister will be my right hon. Friend the Secretary of State for Health. One of the new features of the agency is transparency. It can formulate and explain its advice and put it in the public domain as well as giving it to Ministers, so that there can be a public discussion of the issues. As the right hon. Gentleman knows, the balance of views on these matters depends to some extent on where the critic is coming from.

Mr. Steen *rose—*

Mr. Brown: One more go, then I must make progress.

Mr. Steen: Will the agency have its own team of hygiene police?

Mr. Brown: The entire Meat Hygiene Service is being transferred to the agency. As the hon. Gentleman will know, the Meat Hygiene Service currently operates as a next steps agency reporting to my Department; it will operate as a stand-alone next steps agency reporting to the Food Standards Agency, which in turn will report to my right hon. Friend the Secretary of State for Health in respect of seeking a legislative route. That does not mean that there will be no consultation with my Department. Responsibilities for industry sponsorship, for example, remain with the Ministry of Agriculture, Fisheries and Food and, clearly, we will want to establish a good working relationship with the agency and a clear dialogue. I have no doubt whatever that we will be able to do that.

Mr. Mullin: I am grateful to my right hon. Friend for allowing me to intervene a second time. I certainly welcome the progress that has been made regarding the WTO, but my question was about the powers of the agency. Does he accept that there is a clear relationship between the way in which farm animals are treated and the safety of much of the food that we eat? If he does, what powers will the agency have to address that problem?

Mr. Brown: I do accept that, and there are enforcement mechanisms in place for farm animal welfare for the different livestock regimes. Indeed, at the Council in Luxembourg, we agreed to alter the rules for laying hens, which is a welcome and long-overdue reform. There are other regimes in place and a base level of animal welfare regulation is being introduced throughout the European Union. That forms the basis in respect of trade.

The hygiene levels that farmers are obliged to meet for the purposes of food safety probably fall short of what my hon. Friend means by acceptable animal welfare. For that reason, I and other Ministers who are coming from essentially the same direction are trying to raise animal welfare standards throughout the EU, to consider carefully what impact that will have on trade with third countries and to achieve some international recognition of the importance of animal welfare, especially in the increasingly liberalised world trading environment.

My hon. Friend and farmers would not thank Ministers who drove up animal welfare standards to such a pitch that they exported the industry, and so had neither an industry nor animal welfare. That is not our objective. We are making steady progress, but he is right to point out that we are in the vanguard on those issues. I am heartened by what came out of the latest Council of Ministers meeting in Luxembourg.

Having taken interventions, perhaps I can move on and, in particular, draw attention to the significant budget that the agency will have for commissioning and carrying out its own research and surveillance. It will be working closely with other Departments and funders of research. The agency will have powers, which are set out in clauses 10 and 11, to carry out surveillance at any stage in the food chain to enable it to monitor the general safety of the food supply, to identify and track any problems and to inform good decision making.

Miss Anne McIntosh (Vale of York): I am most grateful to the right hon. Gentleman for allowing me to intervene. My concern about the agency relates precisely to the task that he is setting out. Could not it be conducted by environmental health officers or health and safety inspectors? The feeling I am getting in the Vale of York is that we do not need extra bureaucracy. Can he convince the House that he needs an agency to undertake those specific obligations?

Mr. Brown: That is essentially work that is carried out currently. The purpose of the agency is to pull food safety work—the work of officials in my Department, in the Department of Health and in the Meat Hygiene Service, which employs the largest number—together into one place, but there will, of course, also be an important working relationship, which I will refer to in a moment, between the agency and the environmental health officers who are employed by local government. That is not another tier of officialdom, which is what the hon. Lady's question implied, but a better and rather more effective arrangement of what is in place at present.

Mr. Owen Paterson (North Shropshire): Can the Minister explain how the agency's integrity and independence will be maintained when it is put above the Meat Hygiene Service? There will, no doubt, be another food scare, and the blame will whizz straight past the Meat Hygiene Service and be laid at the door of the head of the agency. The Special Select Committee made it clear that we thought that the Meat Hygiene Service should be separate from the Food Standards Agency so that it could perform its audit function without having its integrity questioned.

Mr. Brown: I was going to refer to that point later, but I may as well deal with it now. The Meat Hygiene Service's audit function will be separate and independent, so to that extent, the Special Select Committee's concern is met. However, the Government believe that, on balance, it is probably right for policy and implementation to be tied together. That means that the Meat Hygiene Service will report to Ministers through the agency. In other words, a next steps agency will report to the board of the Food Standards Agency. I accept that the Select Committee came to a different view on that point, but the Government have not accepted it—with the important qualification of the audit itself. The Government see some merit in what the Select Committee said about that, and want an independent and separate audit so that the arrangements are independent of the rest of the working arrangements for both policy making and enforcement. Therefore, although I cannot wholly meet the hon. Gentleman's concerns, the Government have gone some way to meeting them.

I return to a point that the hon. Member for Vale of York (Miss McIntosh) made earlier: the agency will have important new functions in setting standards for, and monitoring enforcement by, local authorities. Those powers are contained in clauses 12 to 16. It will also be required to report annually on the performance of its own enforcement work. That will include the work of the Meat Hygiene Service which, as a key enforcer of food safety law, will be integrated into the agency. The audit of the MHS will be carried out as a function separate from its day-to-day operation.

Dr. Howard Stoate (Dartford): We have already heard about the significant rise in cases of food poisoning, and my hon. Friend reassured the House about how those will be tackled in the future. However, he will be aware that many more people in this country die every year as a result of poor nutritional standards—up to 30,000 are estimated to die of heart disease. How will the Food Standards Agency tackle the problem of nutritional standards as well as deal with microbiological safety and food standards?

Mr. Brown: I referred to that earlier in my remarks. The agency will work with the Department of Health on nutritional matters. There is no debarment to the agency working in that area. I understand that work is in progress on an agreement between the Department of Health and the agency about the details. The Department takes the matter seriously and looks forward to working with the agency on that issue. My right hon. Friend the Secretary of State for Health, who is sitting next to me, will have heard what my hon. Friend said, and I hope that my reply will reassure him.

The Bill provides for the agency to operate throughout the food chain, including on the farm. As well as being able to act to protect public health, the agency will have an input into other farm-related decisions that affect food safety. Those include the approval and review of pesticides and veterinary medicines. Because of its significance for public health, the agency will also have responsibility in the area of animal feeding stuffs. New powers will enable Ministers to update provisions on feeding stuffs so that regulation of animal feed is consistent with that of food for direct human consumption.

The Bill provides the basis for the agency to publish its advice and information to Ministers and other public bodies. Those powers are provided in clause 19. Having taken note of the comments made on the draft Bill, including by the Select Committee, we have brought the provisions on publication into a single clause that clarifies their effect.

The agency will operate with a general presumption of openness—the Bill provides the basis for that. Before publishing, the agency must consider any confidentiality issues, but it can publish information if it judges that that is in the public interest. It cannot automatically publish information protected by a prohibition on disclosure in other legislation or under a European Union obligation—for example, the Data Protection Act 1998. Some statutory bars are explicitly overridden by the Bill, and clause 25 contains enabling powers for Ministers to relax or remove other statutory prohibitions that hinder the agency's work.

Mr. Peter Luff (Mid-Worcestershire): Given the wide-ranging powers that the Minister has just described,

[Mr. Peter Luff]

and the impact that they could have on farming practices, at least indirectly, will the Minister confirm that the Government intend that the agency will be accountable to the Select Committee on Health and the Select Committee on Agriculture?

Mr. Brown: It is not for me, as a Minister of the Crown, to comment on the workings of Select Committees, which are properly a matter for the House and not for me. As to the placing of information in the public domain, one of the agency's most important founding powers is openness. I remind the House that it is an independent agency, driven rationally and relying on science. Putting key conclusions that have been independently arrived at and key advice to Ministers in the public domain is an important power in its own right, and an important safeguard for the public, because the rest of the decision-making process must then be defended. I believe that that is right.

If a Select Committee wanted to take evidence on a particular subject, it would be able to do so. As we are all aware, a number of Select Committees are examining similar areas, inquiry by remorseless inquiry. My hon. Friend the Minister of State may make that point with some feeling—perhaps with feeling more than I could—when he winds up.

Mr. Paterson: Is it true that officials of the Meat Hygiene Service are obliged to sign the Official Secrets Act? If so, as there are 1,500 of them and they will be answerable to the Food Standards Agency, how will we have an open culture?

Mr. Brown: The point that we are making in the Bill is that policy advice to Ministers is not an official secret. Officials of the Meat Hygiene Service have the same obligations as other public servants. It is for the agency to decide whether to put advice into the public domain, not for employees to make their own decisions on a day-to-day basis.

Mr. Maclean: I am grateful to the Minister, as he has been most courteous in giving way. What new information on food safety may be published by the agency that his Department and the Department of Health do not presently issue?

Mr. Brown: The obvious answer is submissions and policy advice to Ministers. As the right hon. Gentleman knows, because he has carried out these duties, advice is given to Ministers, who decide whether to accept or reject it. In this important area of public safety, the new agency will arrive at its decisions independently. Its decisions will be science based—that is, not based on any economic interest of one sort or another—and placed in the public domain as policy advice to Ministers, especially the Secretary of State for Health.

There will, of course, be consultation within government, as happens now, but the fact that that advice is transparent and science based means that there can also be public discussion. There may be overriding factors that the Government wish to take into account in modifying the advice or even rejecting it outright, but for the first time, Ministers will have to be able to explain their decisions. In the current climate, any Minister who introduced another factor would have to provide a pretty good explanation. That would be required by the House, and it would certainly be required by the public, given the way in which the public debate has been driven. Although it has been underplayed during the debate, this is an important new safeguard for the public.

Mr. Steen: I am grateful to the Minister for giving way to me three times.

May I switch the debate slightly? The agency will deal with health and hygiene standards. Last week, in answer to a question from my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) about genetically modified crops, the Minister seemed to say that if permission were given for a GM crop to be grown in another European country, there would be nothing to stop a company from applying to produce the appropriate technology here, and to grow in this country the crop that had been licensed to be grown in another country.

If permission has been given for a crop that is not accepted to be hygienic or safe in this country to be grown in another European country, will the agency be able to deal with the problem, or will it be outside the agency's remit?

Mr. Brown: I am not sure whether that is an environmental protection question, which would be outside the scope of the agency, or a food safety question, which would be entirely within its scope. If it is a food safety question, the regulatory regimes will be applied by the agency. If it believes that a product is to be put on the market in the United Kingdom that would be injurious to human health, it will have the power to say no. If there is a need for Ministers to act to protect the public, of course they will take such action.

Environmental protection is a slightly different matter, because of the United Kingdom's unique farm and environmental structures. The Government are determined to conduct trials before any genetically modified crops are introduced commercially, and to assess the impact on the rest of the environment. That strikes me as a sensible and methodical way in which to go about things. Environmental protection issues, however, are outside the scope of the agency's work.

The Bill contains provisions to ensure that the agency acts reasonably and proportionately, and that it is duly accountable to Parliament through Ministers. Clause 22 provides for a statement of the agency's objectives and practices to be drawn up, incorporating guiding principles that we laid down in the White Paper. The agency will also be required by clause 23 to take account of risks, costs and benefits to all concerned before making decisions or taking action, and any action should be based on the best scientific advice.

Ministers will retain the power to direct the agency should it fail seriously. We regard that as an essential safeguard if democratic accountability and control are to be retained. However, we have noted the views of the Select Committee, and no longer provide a power to direct the agency not to publish information when there are national security concerns. Although it is theoretically possible that such situations could arise, they will be rare if they occur at all, and the Government feel that they would be dealt with better in other ways.

As foreshadowed in the draft Bill, this Bill provides a new power in clause 27 to make regulations to establish a statutory notification scheme relating to different types of food-borne disease.

As the House will know, food safety is a devolved subject. The Bill, therefore, contains special provisions to ensure that the agency is accountable to the devolved authorities, and that Ministers in Scotland, Wales and Northern Ireland can perform their devolved functions effectively. The Bill provides for the agency to be a United Kingdom body, but we made it clear when consulting on the draft Bill that the Government would consult formally with the devolved authorities to establish whether they were content to proceed with United Kingdom legislation on that basis. There has as yet been no agreement on devolution in Northern Ireland, but a debate is to take place in the Scottish Parliament, and the Health Committee of the Welsh Assembly will also be considering the principles in the Bill.

The Bill includes powers, in clauses 32 and 33, to deal with the consequences of any change by the devolved Administrations. The Bill also provides for the agency to co-operate with the new food safety promotion board, which will operate in the whole of Ireland after devolution in Northern Ireland.

The working arrangements between my Department and the Department of Health have made good progress in the joint food safety and standards group. On behalf of Ministers in both Departments, I should like to express my thanks to the officials who have been involved in that work—which has not only been done because it is right in itself, but has paved the way for the agency's establishment.

We are well advanced in preparing for the new agency—which the Bill will enable to operate as a separate legal entity. Our aim is that the agency should be formally launched in the first half of next year.

The Bill will provide the basis for a unique new body, which is independent, open and responsive to the concerns of consumers. I commend it to the House.

5.36 pm

Mr. Tim Yeo (South Suffolk): I apologise to the Minister for not being in the Chamber for the first part of his speech, but I shall study very carefully in *Hansard* the section that I missed.

The Opposition welcome the establishment of a Food Standards Agency, and are glad that the Government have decided to honour what they described as

"one of our most important manifesto commitments",

namely, to

"establish an independent food standards agency".

However, the agency as proposed in the Bill falls rather a long way short of keeping the Government's pledge.

When the Prime Minister wrote in the preface to the 1998 White Paper that the Government would do away with

"the old climate of secrecy and suspicion and replace it with modern, open arrangements which will deliver real improvements in standards",

he raised our hopes. However, in its current form, the Bill will not achieve that aim. Nevertheless, we continue to live in hope.

The Bill is significantly changed from the draft Bill, which was published some months ago. One change is unreservedly welcome: the Government's climbdown on charging. Labour's original proposal to hit every small shop in the country with a flat-rate charge—precisely the same amount as a huge out-of-town superstore would pay—was unfair, unjustified and wrong. Conservative Members opposed that plan from the day that it was announced, and, after months of Conservative campaigning, the Government have finally seen sense. I trust that they will be equally ready to listen today, and to make the other necessary changes to the Bill.

As I am on the subject of charges, I should say that there remains some doubt about how permanent and complete the Government's decision not to hit small shops will be.

Mr. Nick Brown: I can help the hon. Gentleman on that. The clause dealing with the levy, and which would be the statutory foundation for such a charge, has been removed from the Bill. There is no primary legislation, and therefore no levy—more permanent than that one cannot get.

Mr. Yeo: I am relieved to hear that. However, does the Minister realise that the anxiety about the issue arises from the position of the Meat Hygiene Service, which is to be transferred to the new Food Standards Agency? The MHS already makes very substantial charges to slaughterhouses for inspection, and the burden of those high charges is driving many slaughterhouses out of business. Therefore, the principle of the agency—effectively via the MHS—making charges to parts of the industry already seems to be established. For that reason, the Minister's assurance is particularly badly needed.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): The Bill proposes no changes to the Meat Hygiene Service charges, which are set at exactly the same levels as we inherited from the previous, Conservative Government. We are proposing no changes to those charges. If the hon. Gentleman is saying that the Opposition now have an entirely new policy on the matter—that the MHS should not charge to recover its expenses, as required by European directives—will he say so?

Mr. Yeo: The Minister should have listened to what I said. I did not say that there was a new proposal from the Conservative party. I merely pointed out that in the context of the Bill and the Government's climbdown on the decision to charge small shops, there were already opportunities for the Government to charge businesses that are affected by the Bill.

Miss McIntosh: Perhaps I could help my hon. Friend. I understand that we are the only country in Europe that is interpreting the French word "vétérinaire" to mean fully qualified veterinary surgeons. Will my hon. Friend press the Minister on why we have interpreted that word so strictly, as environmental health inspectors or Health and Safety Executive officers could simply be retrained? Why should Spanish vets be allowed to do this job when they cannot tell the difference between the animals concerned?

Mr. Yeo: My hon. Friend makes an important and powerful point to which the Minister of State will, I hope,

[Mr. Yeo]

respond when he winds up the debate. This matter is causing great concern to the industry and is doing considerable damage to a number of small businesses. The effect is that small businesses must lower still further the prices that they can pay to the livestock farmers who supply them.

Mr. Paterson: Is my right hon. Friend aware of how catastrophic the charges are for small businesses? I received a letter from an abattoir in east Wales which is being charged, effectively, £180 a tonne in inspection charges, whereas a large supermarket in south Wales is charged, effectively, less than £1 a tonne.

Mr. Yeo: My hon. Friend makes a telling point. *[Laughter.]* I am sorry that members of the Government find it funny that small businesses up and down the country—some of which may be in their constituencies—are being destroyed. The consequence is that live animals have to travel far greater distances because, since the Government came to power, one slaughterhouse has closed every 10 days. My hon. Friend makes a good point about the uneven impact of the policy, and about the way in which it bears particularly heavily on small abattoirs.

Since the White Paper was published, several new issues relevant to the FSA have arisen. Recently, the Belgian food scare raised several questions. When the Belgian authorities belatedly decided to inform other countries of the presence of dioxins in certain Belgian animal feedstuffs and food products—something of which they had been aware for more than two months—why did they tell other countries before Britain?

Is it true that the British Government first heard about the problem from sources in the food industry, not directly from the Belgian authorities? Did the Minister himself hear of it first on Sunday 30 May from Commissioner Fischler? What happened during that missing weekend? Why did MAFF officials, who were told on Friday 28 May, not inform the Minister at once, as he prepared for an important European Council of Ministers meeting, about the possible contamination of some eggs and poultry produced in Belgium? Is being the last to know what Labour expects after all its efforts to please other European countries?

Mr. Nigel Griffiths (Edinburgh, South): Perhaps I could bring the hon. Gentleman back to the subject of the Food Standards Agency. Does he believe that if we had had a Food Standards Agency two years into Baroness Thatcher's first Administration in 1981, agriculture and other industries would have been spared the terrible grief and suffering that they experienced because of mismanagement in the subsequent decade?

Mr. Yeo: We do not know the answer to that question. However, we do know that the agency is supposed to address issues of concern to consumers today. Unlike the hon. Gentleman, I believe that consumers in this country were concerned about reports of possible contamination of eggs and poultry produced in Belgium. That would have been a matter for the Food Standards Agency, had it been in operation. If those matters are not the agency's responsibility, I wonder why it is being set up.

The hon. Gentleman asked about what happened in 1981, which shows that he is more interested in making a political point than in tackling issues that are of concern to consumers today and for which the Government are responsible.

The question that the Minister must answer above all is how the existence of the Food Standards Agency would have helped in the recent Belgian food scare. What would or could it have done to alleviate that significant food safety problem? Would it, too, have been kept in the dark by the Belgian authorities? Has the Minister made any protest to the Belgian Government? If so, was it in writing and will he publish it? He should not rely on the European Commission to protest, because Britain was kept in the dark longer than several other European Union countries.

The Minister seems to regard this as a matter for mirth.

Mr. Nick Brown: I am tempted to regard what the hon. Gentleman is saying as a matter for mirth. The fact is that our public officials responded promptly and in an exemplary way to the recent dioxin scandal. It is wrong for him to imply that there is anything wrong with either eggs or poultry products in this country; there is not.

Let me also make it clear, for the avoidance of any doubt, that we promptly paralleled the actions that the Commission has taken. I support Commissioner Fischler in what he has done. For the hon. Gentleman to imply that there is some protectionist advantage to be taken from this tragedy is wrong both for our food industry and for our trading relationships with others in the European Union.

Mr. Yeo: When the Minister reads *Hansard*, he will see that he has completely misrepresented what I said. I make no criticism of what Commissioner Fischler did; my concern is over the fact that the Belgian authorities kept this country in the dark for two and a half months yet the Minister sits there complacently, tacitly admitting that he has made no protest. What use will the Food Standards Agency be?

Mr. Brown: When I first found out about it, I described the failure of the Belgian authorities properly to inform their partners in the European Union as a scandal. I said that here, at the Dispatch Box, and the hon. Gentleman was present at the time. He has no right to say that I have remained silent on the issue, because he was here when I was far from silent. My remarks on behalf of the United Kingdom Government have been widely reported in the Belgian press and elsewhere on the continent.

Mr. Yeo: I am sure that the Belgian Government are reeling. The fact is that the Minister is notoriously reluctant to make any complaint about the actions of other European Union Governments. Even after we provided the evidence of unlawful payments by the French Government to French pig farmers, placing British pig producers at a yet further disadvantage, he refused to act. He asked us to produce the evidence, which eventually we did.

Mr. Brown: Far from refusing to act, I took up the issue of the French payments with the Commission. Conservative Members have provided no evidence. All they have done is refer to newspaper reports. Who in their right mind would call that evidence?

Mr. Yeo: I personally delivered a copy of the speech made by the French Minister on the subject, after the Minister had refused to take any action, when we referred to these matters on the Floor of the House.

British consumers will not be satisfied by the complacency of a Minister who feels that one statement in the House of Commons represents sufficient protest against the Belgian Government, who may have put the safety of British consumers at risk for two and a half months after that Government were aware of those risks. The fact that he makes no protest about that is a fearful indictment of the Minister's attitude, and underlines how completely paralysed the Food Standards Agency will be if it has to rely on information that comes to it as slowly as the Government received the information from Belgium.

The second issue that has arisen is the Government's confusion over genetically modified crops and food with GM ingredients, a controversy that is now so heated that it has been discussed in the margins of the G8 Heads of Government meeting. Nothing in the Bill suggests that the Food Standards Agency would be able to defuse that controversy. In the past six months, public confidence in Britain in a potentially beneficial technology has been destroyed by the Government's failure to address the serious environmental and health questions posed by GM crops.

Mr. Malcolm Savidge (Aberdeen, North): Does not the hon. Gentleman agree that what may have caused some of the lack of public confidence was what happened over BSE under his Government?

Mr. Yeo: There are now millions of British people who are seriously alarmed by the way in which this Government have ridden roughshod over the advice they have received about the environmental dangers of GM crops. If the hon. Gentleman thinks that the right way to respond to those legitimate public concerns is to try to make a cheap point about BSE, he will not be in this House much longer.

Ms Sally Keeble (Northampton, North): What did the Conservatives do, when they were in government, to take account of public concerns when they approved four GM foodstuffs for sale? What reassurances did they provide for the public?

Mr. Yeo: The concern to which the hon. Lady referred is a different one from my anxiety about—[*Laughter.*] Well, it is a pity to waste the House's time when interventions are as ignorant as that. I was talking about the environmental risks posed by GM crops. That was not an issue that arose at any time during the Conservative Government's time in office. The issue to which the hon. Lady referred is the separate one of whether the food on sale in this country which contains GM ingredients is safe. The food passed all the tests that were available at the time and we have no reason to believe that it is not safe.

I remain concerned by the way in which public confidence has been destroyed and by the fact that that process of destruction has been personally masterminded by the Prime Minister. On 3 February, the Prime Minister told the House:

"It is important that we proceed on the basis of the scientific evidence."—[*Official Report*, 3 February 1999; Vol. 324, c. 926.]

A day later, English Nature—the Government's statutory adviser on nature conservation matters—exposed that claim as fraudulent. Its chairman, a Labour peer appointed to her post by this Government, wrote:

"We cannot assure the public that decisions are being made on the basis of good environmental science."

Alarmed by that, the Government have since acted to prevent advice from the chief medical officer and the chief scientific adviser from being published until it has been examined by the so-called biotechnology presentation group. Ministers are no longer willing for advice from senior and objective sources to be made public until it has been censored by Government spin doctors. That outrageous manipulation of public opinion is presumably an attempt to avoid the Prime Minister again being humiliated by having his statements in the House immediately contradicted by statutorily appointed experts.

Mr. Rooker: I invite the hon. Gentleman to write to Sir Robert May, the Government's chief scientist, and to Professor Liam Donaldson, the chief medical officer, and ask them whether they feel that Ministers have at any time interfered with their reports before publication.

Mr. Yeo: I have with me a confirmation from both those gentlemen that their advice was revised after a meeting of the biotechnology presentation group. As usual with Labour, the reputation of Ministers matters more than the protection of the public health and the British environment. Once again, millions of consumers who are worried about eating food with GM ingredients will ask how the Food Standards Agency will help them. The answer is that the agency as currently proposed will do nothing whatever to allay their fears or to warn them about the possible presence of GM ingredients in the food they buy.

Mrs. Anne Campbell (Cambridge): I remind the hon. Gentleman of when his party was in power and the Advisory Board for the Research Councils was refused permission to publish its advice to Ministers. Does he recall that?

Mr. Yeo: I recall clearly that when the Conservative Government were in power the concern about GM crops and food with GM ingredients was not running at its present level. [*Laughter.*] It is instructive, and I hope that *Hansard* will record, that Ministers find public concern about the environmental consequences of GM crops a matter for laughter. Conservatives happen to believe that, if circumstances change and public concern about an issue grows, it is correct and necessary to review policy, whether a party is in government or opposition.

Joan Ruddock: I believe that the hon. Gentleman said that, under the previous Government, the GM foods that were licensed were subjected to tests and were considered safe. Does he honestly believe that the situation would have been any different if there had been a Food Standards Agency? Why is he casting aspersions on that agency in respect of environmental issues which will not be within the agency's proposed remit?

Mr. Yeo: The hon. Lady has herself now explained that the agency will not help to allay the fears of those consumers who are worried about eating food with GM ingredients. I have said that that food passed the tests

[Mr. Yeo]

that were available at the time it was approved, but many consumers are nevertheless concerned about eating it. My question is what the Food Standards Agency could do to help that situation. I believe that it could do nothing at all.

As for the environmental dangers, I believe that the agency should be able to consider the environmental consequences of GM crops. Organic farmers are very concerned about the possible impact on the integrity of their crops. Their concern arises directly from the planting of GM crops in their neighbourhood, and it is connected to people's concerns about the food that they buy. If the Food Standards Agency is supposed to be about making food safer, it should recognise that those environmental concerns could be relevant.

On the two tests of the Belgian food scare and GM crops, the Food Standards Agency will fail in its primary aim. Indeed, the more carefully the Bill is analysed, the more it looks like a device for protecting Ministers rather than consumers. Substantial changes to the Bill are needed to make the agency an effective guardian of consumer interests, to prevent the agency from placing British farmers at an even greater competitive disadvantage than they currently are, and to make the agency sufficiently independent of Ministers to command public confidence.

Let us consider the question of imports. More than a fifth—perhaps almost a third—of the food consumed in Britain is imported, but the Bill does not make it clear how the agency will scrutinise those imports. Most of the sweeping powers that the Bill will give the agency can be exercised only in Britain. Does the agency create any additional safeguards for consumers against risks that may arise from eating food grown outside Britain? Will not the agency simply focus on the farmers, processors and distributors in Britain, so that eggs produced at home will be more carefully monitored and pigmeat produced at home subject to ever more regulation? Meanwhile, imports will carry on as before.

Why do the Government believe that British-grown food must be checked in ways not necessary for food produced abroad? Why is the Minister so determined to discriminate against British farmers? Take for example the poor old beef farmer, who still cannot export any beef because of the Government's failure to implement the conditions attached to the ending of the export ban. Last November, the Minister basked in the praise when he announced the end of the export ban, but seven months later, not an ounce of beef has been exported from the British mainland. British beef farmers still suffer from the gratuitous blow to confidence in their product that resulted from the extraordinary ban on beef on the bone.

Costs are forcing slaughterhouses to close and are reducing prices available to livestock farmers. To add insult to injury, the British Government—alone in the European Union—want to feed hormone-fed US beef to British consumers, even though British farmers cannot use the same hormones. If the Government want to justify the agency as it is proposed, they must show either that imported food has received the same degree of scrutiny as home-grown food, or that they have reason to require British farmers and food processors to pass stricter tests than those in, say, Thailand.

Mr. Paterson: On the point of closures due to excessive regulation and regimes that are not applied on the continent, the pig processing plant at Malton, one of the largest in the country, was closed last week. That firm's holding company will now import less-well-regulated meat from the continent. What is the advantage to the British consumer in that?

Mr. Yeo: Clearly, there is no advantage, as my hon. Friend implies. Rather, there is a disadvantage to British consumers, and to British farmers. Each time a British producer goes out of business, it is likely that more food will be imported, some of which will come from producers who do not meet the same standards as British farmers.

The agency's inability to scrutinise imports leads to the next area of concern. Food labelling is becoming a matter of intense anxiety. Consumers are sold items labelled as British that were grown in any country except Britain, and by methods prohibited here. Nothing on the label on the food has to warn them about that.

For example, meat and bonemeal from British cows cannot be used by British chicken and pig farmers. Instead, such products go abroad, to be used by French and Belgian chicken and pig farmers, whose chickens and pigs are then imported back into this country. What could the Food Standards Agency do about that? Could it at least warn consumers on the labels of products made from those meats and imported from countries where meat and bonemeal is still used that that is the case?

Of course, retailers and producers make voluntary efforts to tackle the inadequacy of our labelling. The assured British meat scheme operated by the Meat and Livestock Commission is a good example. However, too many food products are still being bought by British consumers in complete ignorance of the country of origin and the method of production. When will the Minister address that problem? How many British livestock farmers must go bust before the Government act?

As my hon. Friend the Member for North Shropshire (Mr. Paterson) pointed out, the consequence is that more food is being imported. Will the Minister say what efforts he has made in the 11 months that he has been in his job to persuade the European Union to introduce a Europe-wide system of labelling? Such a system would require every food item to show the country in which the food was grown, and the method by which it was produced.

Mrs. Anne Campbell: I am grateful to the hon. Gentleman for giving way a second time, but did not the previous Government—of whom he was a member—resist all attempts to label GM foods? Did they not also resist calls to put pressure on the Americans to label GM soya?

Mr. Yeo: Am I right in thinking that the Prime Minister was in favour of nuclear disarmament when he first entered the House and that he opposed every attempt to introduce trade union reforms? Did he not also oppose every privatisation, which the Government now support? Is the hon. Lady seriously saying that, even though circumstances change, politicians should adhere rigidly and ignorantly to every view that they have ever held?

Public concern about genetically modified crops has grown immeasurably in the past two and half years. This Government have been disgracefully lax in not responding to consumers' anxiety.

Joan Ruddock: Will the hon. Gentleman give way?

Mr. Yeo: No, I must make progress.

Consumers who wish to support high standards of animal welfare cannot do so at present. Those who wish to avoid eating food with genetically modified ingredients cannot do so. How will the Food Standards Agency address their concerns? The information that consumers require should be an integral part of preserving high food standards.

I turn now to the Food Standards Agency board. The relevant background involves the recent appointment of the board of the Countryside Agency, which contains scarcely any members with direct experience of mainstream farming. Clause 2 refers to

"the desirability of securing that a variety of skills and experience is available among the members of the Agency".

It specifies two types of experience, which are to be

"in matters related to food safety or other interests of consumers".

Do the Government consider that farmers, or others with experience of food production, should be represented on the board? If the Government believe that a vegetarian is the right person to be responsible for Welsh farm matters at a time when Welsh livestock farmers face the worst crisis for a generation, the agriculture industry is right to worry about the possible composition of the Food Standards Agency board.

The process for appointing board members reinforces those worries. One member is to be appointed by the Welsh Assembly, two are to be appointed by Scottish Ministers, and another is to be appointed by the Department of Health and Social Services in Northern Ireland. The others are to be appointed by the Secretary of State—presumably, the Secretary of State for Health, although the Bill does not say so.

There is therefore a mixture of methods of appointment—by elected politicians in Wales, by Government Ministers in Scotland, and by civil servants in Northern Ireland. The Bill also provides for Scotland to have as many as a quarter of board members, which continues Labour party policy of discrimination against England. As Labour did especially disastrously in England in the recent European elections, I fear that that tendency will continue.

The Bill provides also for the compulsory establishment of advisory committees for Wales, Scotland and Northern Ireland. Why are those committees needed? If they are really needed, why is one not needed for England? Can it be that there are still some Labour cronies in Wales and Scotland not yet on the public payroll?

The same pattern emerges in clause 3, which provides for the appointment of directors. Predictably, there are to be directors for Wales, Scotland and Northern Ireland, but not one for England. The seventh guiding principle in the White Paper states:

"In its decisions and actions, the Agency will aim to achieve clarity and consistency of approach."

How does that discrimination fulfil that principle?

Finally, I turn to the aspect of the agency that will be at the heart of its success or failure—its ability to act independently of the Government. The agency's value will depend on its being regarded by the public as independent and objective, with the ability to give decisions and advice that are authoritative and taken without political pressure. The White Paper said that the agency would be at "arm's length from Government", but clause 6 requires the agency to do whatever Ministers ask it to do. Clause 17 insists that nothing that the agency does in relation to a food emergency prevents the Secretary of State from taking action. Presumably, that is to give the Government the power to reverse, for political reasons, decisions taken by the agency.

In the final analysis, the agency is at risk of remaining simply at the beck and call of Ministers. Its freedom to act independently is no greater than that of any existing body or individual. The Secretary of State controls the agency's budget, appoints its board and, under clause 24, has the power to dismiss the board and take over its role.

Given that Ministers already feel the need to filter advice about food from the chief scientific adviser, the Bill hardly inspires confidence that the interests of consumers will come before those of Ministers. Indeed, the agency's lack of independence raises other problems.

Clause 6 requires the agency to provide

"advice, information and assistance . . . to any public authority",

but not to publish that advice. Clause 8 requires the agency to obtain and review information about food safety and to monitor the relevant scientific developments, but not to publish the information. Clause 23 requires the agency to assess the risk to public health in a given situation, but not to publish that risk assessment. Clause 19 allows the agency to publish certain information, but, given the Government's reluctance to reveal information on matters such as genetically modified crops, there can be little confidence that openness and transparency will rule, particularly as clause 19(7) allows the Government to use subordinate legislation to prevent the publication of any information. There is a huge potential for Labour to indulge its control freak tendencies.

The Bill falls far short of honouring the claim in the ministerial foreword to the White Paper that the agency

"will be free to publish any of the advice it provides".

A Government who use civil servants to try to find supposedly independent scientists to appear on the "Today" programme on Radio 4 cannot be trusted to respect the independence of the Food Standards Agency.

Mr. Nick Brown: This is a pretty appalling contribution. It takes a lot for me to say that, because I have tried to deal with the issue in a neutral way. For the avoidance of doubt, let me make it clear that the agency will be free to publish whatever material it wants.

Mr. Yeo: In that case, I look forward to the Minister accepting some of the amendments that we shall table. I am sorry that the Minister thinks that it is appalling for the Opposition to raise concerns about how the agency will scrutinise imported food or about the inadequacy of the present labelling laws, which keep consumers in the dark about how the animals from which their food was produced were kept. I do not think that it is appalling for us to raise what are matters of grave concern to

[Mr. Yeo]

British consumers, British farmers and British food retailers. If the Minister thinks that it is, he will go on being appalled for many months.

Not only will the agency be subject to ministerial control and interference, but it will be given powers to monitor the work of elected local authorities and force them to publish any criticisms that it may make. Schedule 3 allows the Minister to direct the agency to take over the functions of an elected local authority on food and hygiene standards, monitoring and enforcement. Is that what the White Paper meant when it said that the agency would operate at "arm's length from Government"? Is it not further proof that the agency will be an extension of ministerial power?

The Conservative party supports the principle of a Food Standards Agency, but we believe that only an agency established in a manner that will command public confidence and that is genuinely independent of the Government will offer an improvement on the present arrangements and will be able to address public concerns. The Opposition will not vote against Second Reading, but we shall seek to amend and improve the Bill in Committee and on Report. I trust that the Government will be open-minded.

6.13 pm

Dr. David Clark (South Shields): I welcome the Bill and I am delighted that it is called the Food Standards Bill, not the Food Safety Bill. It is important to have a wider generic view of the issue. I congratulate my right hon. Friend the Minister on introducing the Bill and on succeeding in doing so during this Session. At one point, we thought that that would not be possible. I am delighted that he has found the time, because this is a very important Bill.

I pay tribute to Philip James, who is the author of the Bill. In the 1980s, he helped the Labour party to draw up similar proposals. In the late 1980s, when I led for the Opposition, I called for a Food Standards Agency and was ridiculed by the Conservative Government. I am delighted that the Conservative Opposition support the Bill and will seek, in their view, to improve it. I welcome that conversion.

We have waited a long time for the Bill. If the Conservative Government of the late 1980s and early 1990s had established an agency along the lines that the hon. Member for South Suffolk (Mr. Yeo) has advocated, many of the food scares and incidents would have been minimised. If there had been more openness, more independence and more of an arm's length approach to the handling of food scares such as salmonella, E. coli, campylobacter, BSE and Chernobyl, the public would have had much more confidence. They were not just food scares, they were incidents in which people died.

Judy Mallaber (Amber Valley): Has my right hon. Friend been following the BSE inquiry and seen the number of examples of the secrecy that surrounded the crisis? This is not a cheap jibe, because one of my constituents died of CJD.

Dr. Clark: One of the incidents that has convinced me of the need for legislation on freedom of information and a Food Standards Agency is the BSE affair. Not only have I been following the inquiry, I have been invited by Justice Phillips to give evidence, and I have done that. If we had had an arm's length organisation, not only would there be public confidence, but politicians might have been saved embarrassment. Way back in April 1986, the then Minister of Agriculture, with all the good faith in the world, said that the problems relating to Chernobyl would be over by the weekend. Thirteen years later, there are still restricted farms in Scotland, Wales and the north of England. I do not blame the then Minister. I am merely saying that the advice that he was given was not adequate to meet the problem. Politicians from all parties have lost the confidence of the public on food safety and standards. Some of the gimmicks that Ministers have perpetrated, including feeding hamburgers to children, were not a clever way to get across to people that they were in charge of a situation and knew what they were doing.

The Food Standards Agency will preserve the democratic ethos, but remove the best scientific advice on food safety to arm's length. That is a step forward. The agency must wrestle with the problems that the hon. Member for South Suffolk raised about genetically modified food. We need the best scientific evidence on that. We also need the best scientific advice on bovine somatotropin, which we argued against when we were in opposition. The information must be in the public domain. A non-political Food Standards Agency containing a mixture of professionals and lay persons is the best way forward.

There are two prerequisites if the agency is to be the success that we all want. The first is that it should have the best scientific advice. Secondly, and just as importantly, there must be greater openness and transparency than there has been in the past. I was delighted when my right hon. Friend the Minister of Agriculture said that the general presumption would be for transparency and openness. If those are his watchwords, this will be very effective legislation. The Bill fits hand in glove with the Freedom of Information Bill, which we shall soon consider.

The hon. Member for South Suffolk raised several pertinent points—it was the one section of his speech that was pertinent—about the agency's openness and transparency. Clauses 19 and 22 clearly state what the position should be. Clause 22 provides for

"securing that records of its decisions, and the information on which they are based, are kept"—

this is critical—

"and made available with a view to enabling members of the public to make informed judgments about the way in which it is carrying out its functions".

That is a good statement of intent.

In considering that, we must ask several questions. Will the same remit apply to the advisory committees of the Food Standards Agency? In the past, some of the advisory committees that advise the Secretary of State for Health and the Minister of Agriculture have been too secretive for their own good and have not helped the cause of food standards and safety.

I want to consider statutory bars. Clause 19 of the Freedom of Information Bill stops the publication of information whose publication is prohibited under other legislation. More than 200 Acts of Parliament prohibit such releases of information. I hope that my right

hon. Friend the Minister of Agriculture will engage with the Home Secretary on the Freedom of Information Bill to ensure that the statutory bars in the Food Standards Bill are reduced to the absolute minimum. That is very important.

Will my right hon. Friend also ensure that the public interest test in clause 19(3), which is a good one, fits with the prejudicial test in the Freedom of Information Bill? It is important that the most liberal interpretation of the public interest is followed.

I welcome this very important Bill. I spent many years arguing for it in opposition and chaired the Cabinet Committee responsible for drawing it up. It has widespread support, not only among consumers, but among the more enlightened producers. If we get the Bill right, we can rebuild trust with our citizens. There is a prospect of building consensus with the farmers and producers of our good-quality British food. In the end, the issue will be transparency and accountability. I believe that we will get arm's length, best scientific advice, but the Government must be open about it, because, if people find that something to do with food safety and standards has been covered up, they will think that much more will be covered up. In welcoming the Bill and congratulating my right hon. Friend, I urge him to stick by his watchwords that the general presumption is for openness and transparency.

6.24 pm

Mr. Paul Tyler (North Cornwall): I am pleased to follow the right hon. Member for South Shields (Dr. Clark) and hope to respond to some of his thoughtful points. First, I declare an interest. My wife is a director, and I a shareholder, of a traditional grocer's shop in Cornwall that sells wonderful Cornish speciality food. It is owned by the Duke of Cornwall, His Royal Highness the Prince of Wales. The House will realise that it is, therefore, a high-quality establishment. That ends the commercial. I have always regarded declarations of interests as good advertisements.

We welcome the Bill. We could hardly do anything else because we have campaigned for it for many years under successive Governments. We believe that the Government have taken an important step to meeting some of the concerns to which the right Member for South Shields referred. The mismanagement and misinformation that have surrounded the controversies over BSE, the many E. coli outbreaks and the clandestine development of genetically modified foods over many years—to which Labour Members have already referred—should surely give us cause for welcoming the Bill. Despite what the Conservative spokesman, the hon. Member for South Suffolk (Mr. Yeo), told us, the previous Administration failed lamentably to meet public concerns on such issues. I welcome his conversion. The Member for hindsight is welcome to the House this afternoon; I just wish it had been foresight.

If this body is to be effective, it must deal with the whole food chain from plough to plate. As the recent food scare in Belgium showed, such matters cannot be contained in a national framework because they are international, and the European Union has an important role to play. I want to illustrate the implications of the Belgian scandal for internationalism, for the need for very accurate information, including accurate and informative labelling, and for the role of the media, by drawing attention to a report in *The Daily Telegraph* last week that Sainsburys has been selling butter, labelled as English, that contains Belgian butter. I hope that the Government can say whether that is true, but it shows both the importance of good information and how far international issues can impinge on the confidence of the British public in the food given to us.

I very much welcome the way in which the Bill has been handled and the consultation on the draft Bill. Most importantly, I welcome how it was used, very appropriately, as a pilot for finding out whether the ideas of the Modernisation Committee on Special Committees would be effective. I know that all hon. Members who served on it, and I think the House generally, found it a worthwhile exercise. I hope that it will be repeated with similar legislation. The Bill has evolved as a result, and Ministers are right to take credit for listening to people inside and outside the House and to the Agriculture Committee.

The most obvious U-turn is on the levy, the so-called food poll tax. All hon. Members will welcome that change of heart. I pay tribute to the Minister of Agriculture for realising that it would have been patently unfair to implement a flat-rate charge on all retailers so that the small corner shop would have to fork out the same as the huge hypermarket down the road.

It is also an important advantage that the agency will therefore not be seen to be in the pocket of major food interests. I hope that the Minister who replies will tell us exactly where the additional cash will come from. Will it be from the Department of Health's budget and, if so, what will suffer? Will it come from the Minister of Agriculture's budget or has he, in his inimitable way, tied the arm of his namesake in the Treasury behind his back and extracted new money? If so, I pay him a genuine tribute.

The problem is that the public have perceived successive Governments as being too much in the pocket of the food industry. Supermarkets and big businesses have often enjoyed a cosy relationship with Whitehall. As we saw in the aftermath of the appalling BSE bombshell, the big abattoir owners had far too much influence over the immediate response of Ministers and civil servants. It will be important for the agency to demonstrate from the beginning that is quite separate from those interests. That is vital if the agency is to be credible in the public eye.

Much has been said this afternoon about the credibility of Ministers and advisers who give guidance to the public about food safety and nutrition. As Liberal Democrat agriculture spokesman in the last Parliament, I challenged the then Minister, the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), asking him whether he understood that, when he made a statement on television that a particular method of food production was perfectly safe, 75 per cent. of those watching and listening simply did not believe him. The situation has improved since the general election, but only slightly—I see the Minister of State nodding. We must recognise that, after a lack of credibility problem spanning decades, current Ministers and their advisers face a credibility gap. The right hon. Member for South Shields is absolutely correct: the only way to tackle that problem is through greater transparency.

[Mr. Paul Tyler]

The Liberal Democrats believe that the way to achieve transparency is to make the agency responsive and accountable to a Special Select Committee comprising members of the Health and Agriculture Select Committees. We regret that the agency will be firmly under the control of the Department of Health. That is the one major structural fault in the Bill, and I hope to return to that issue later. I notice that several Agriculture Ministers are on the Government Front Bench but no senior spokesmen from the Department of Health. As the agency will be that Department's baby in due course, I regret that those Ministers are not taking more interest in its health.

We could have brought together elements of agriculture, fishing, food processing, health and consumer expertise in a Special Select Committee of the House, modelled perhaps on the Public Accounts Committee and its special role of monitoring the work of the Audit Commission. That would have been a better way forward than this proposal.

I accept that it is crucial that the chairman; members and chief executive have no conflicting interests or connections in the food industry. I accept also that adopting the Irish version of the agency would have afforded better parliamentary scrutiny and public accountability. I will address that issue later.

Accountability and transparency are the core of the case for this agency. We must make real progress on the lamentable situation that prevailed during the previous Parliament. I notice that a wide range of organisations—from the Food and Drink Federation to the Tenant Farmers Association—have pinpointed that as the most important factor. For the sake of the reputation of British food and our confidence in it, the agency must have integrity to be credible.

The agency must not be some sort of giant bureaucratic liquidiser, which gathers huge amounts of information but has no clear strategy. If it mixes and swallows the interests of many different groups yet has no coherent strategy, there will be a real problem. I hope that the agency's strategy will recognise the tremendous value of the diverse food that we enjoy in Britain. For too long, food policy seemed to be aimed at protecting the largest food processors without recognising the interests of smaller specialist firms.

That is particularly true of the consultation upon which successive Governments embarked. It was much easier to talk to one or two big boys than get a feel for what is significant to the smaller operators. During 18 years of Conservative rule, ministerial consultation seemed always to proceed on the diktat that "big business knows best". Small food producers and low throughput abattoirs have been swamped by legislation that is geared more to the needs of huge organisations.

That has not occurred elsewhere in the European Union, so blaming Europe for that mind set seems irrational and misplaced. As many recent cases have shown—whether in the abattoir sector, the specialist cheese sector or the raw milk industry—huge bureaucratic sledgehammers have been used to knock the sectors into shape. As a result, we have lost the small producers' once-thriving contribution to the nation's food resources. That is a serious issue. As in the case of Duckett's cheese—to which I have drawn attention several times in the House—I hope that lessons will be learned. The over-zealous activities of the hygiene police can rob us of products and processes that are valuable to our national life.

Mr. David Drew (Stroud): The hon. Gentleman makes a good point. We could learn another lesson from our continental neighbours, on the role of co-operatives, which are much more important on the continent than in this country. They protect both producers and consumers, and I would welcome the hon. Gentleman's views—as a co-operative Member of Parliament—about how we can encourage the growth of co-operatives in Britain. That is an important step forward.

Mr. Tyler: I welcome the hon. Gentleman's intervention, and I endorse his remarks fully. We have failed in this country to direct the necessary investment from all levels of government to the development of the co-operative movement. A sad result is that competition in other European states between the co-operatives representing the primary producers and the big retailing giants is much more healthy and lively than competition in this country. When the report of the competition agency—I think that that is its new title—into the supermarkets is available to the House and when the investigation of the monopoly tendencies in milk retailing is concluded, I hope that there will be a real recognition of the important role of co-operatives in the future.

Let me revert to the way in which this measure will differ from previous legislation. It is remarkable to note that, in the past, officials seemed always to target the small producers. I cannot believe—it is simply not credible—that shortfalls and failures did not occur also among larger manufacturers and producers. It is clear that successive Governments often complicated matters by adding to the recipe passed to us from Brussels in the form of EU directives and, in the process, radically changing its essence. In many other European states, such as France and Holland, small specialist producers have gained artisan status. In so doing, they have qualified for a less bureaucratic and less rigorous imposition of regulation. They have not suffered the same regulatory nightmare that would ultimately put them out of business, but our specialist producers still suffer that overload.

The new agency must have a clarity of purpose that will put principle at its centre. For example, it cannot ignore its responsibility to keep the public informed about its activities. Through research, and through the total transparency and openness to which the right hon. Member for South Shields referred, I believe that it will be possible to regain the trust of consumers and producers. However, there are no half measures: the agency must be seen to provide all information and to withhold none. It must be seen to put all the evidence before the public rather than providing its own interpretation of the evidence. If it does not supply all the facts, it will quickly lose whatever credibility it has gained through its actions. The agency will be viewed with the same suspicion that the present system has attracted unless there is an evident sea change at its inception. That is why we believe that the agency must be free from vested interest from the top.

People have become increasingly concerned about the extent to which quangos operate behind closed doors. That has been true ever since the previous Conservative Government allowed many quangos to flourish.

When Professor James was first asked to draw up proposals for a Food Standards Agency in early 1997, he envisaged a body that would examine the entire food issue. Such a body would have powers of access regarding auditing, surveillance and enforcement from plough to plate. There was an acceptance that food touches on a variety of interests across the fields of agriculture, the environment and even trade. As is apparent from the problems with which the World Trade Organisation has grappled recently, trade will become increasingly important.

The hon. Member for South Suffolk was entirely correct to say that the public must be reassured that imports—which constitute 30 per cent. of the food we consume—are treated in the same way as home-produced goods. There must be an absolutely level playing field. I wish that had been the case under the previous Conservative Government; for example, my efforts to persuade Ministers in that Government to attack the problem of the import of substandard pork and pigmeat products fell on deaf ears. I am glad that the Labour Government are at least listening, although progress is mighty slow.

The draft legislation that developed from Professor James's report covered a remit that was somewhat shrunken from that which he originally intended. However, after the consultations, we have now developed a wider remit, and that is helpful. Of course, the central principle of the agency is that of food safety; its primary role is to ensure that food is placed on our plate in a safe condition. That means that the food must be produced, handled, transported, packaged and even sold with the minimum risk of contamination.

However, I am glad that we are now moving beyond that core responsibility. There is not a great difference between what is safe and what is healthy—or perhaps there should not be a great difference. If we move along a continuum from one to the other, we adopt a more realistic attitude to the whole of food production. A fried breakfast may be safe to eat—that is, free from contamination—but it is not necessarily healthy. If it is eaten in such quantity that it causes serious damage to a middle-aged male like me, that is clearly a real problem.

Mr. Maclean *rose—*

Mr. Tyler: I give way to the right hon. Gentleman, who is the epitome of that problem.

Mr. Maclean: I am pleased to tell the hon. Gentleman that I sometimes eat a fried breakfast—very occasionally. Does he not realise that no foods are unhealthy in themselves and that it is our unhealthy diet about which we should be concerned? It is nonsense for the hon. Gentleman to talk about moving from safe foods to healthy foods. It is the overall balance of what we do—the exercise that we take and the foods that we eat—that we should be concerned about, not individual foods that he may perceive as being bad for us.

Mr. Tyler: I am surprised to find that I entirely agree with the right hon. Gentleman. Of course he is right; what is important is not the individual elements, but their combination. The balance between those different elements is extremely important.

Ms Keeble: Will the hon. Gentleman give way?

Mr. Tyler: I want to make some progress, as I know that many hon. Members want to speak.

Clause 1(2) sets out that the agency will have a role in regard to nutrition and diet. That is right, and balance is part of that role. Before I was re-elected to this place, I was an adviser to the Meat and Livestock Commission, and I had a discussion with an expert nutritionist after he had presented some information to a wider audience. I asked him to give me the real answer. That eminent doctor gave me the league table of importance in relation to diet and health. He said, "First, choose your parents with care". That was at the top of the list. Secondly, a long way down the list, came stress. He said that one was far more likely to damage one's health from worrying about diet than from the diet. The next factor was smoking—I do not know whether the right hon. Member for Penrith and The Border indulges. Diet comes a long way down the list. That is absolutely true.

However, equally, it is true that, for some people, at some times, the elements of their diet are extremely important. That presents us with a real dilemma, and we must not dodge it. We must get the balance right. Some of those who responded to the Agriculture Committee pointed out the narrowness of the borderline. For example, the evidence of Marks and Spencer stated:

"Some of the media response to the recent COMA report shows how easily health advice can be rejected as interference by the 'Nanny' state. The Food Standards Agency must not be allowed to jeopardise its credibility in this way."

That is a balanced statement. However, it will not be an easy matter and, on occasions, we shall criticise the agency for being too prescriptive and too firm in its advice and for not being sufficiently flexible, or willing to accept that a balance is required. It is right that the Bill makes no attempt to separate food safety from food quality or from food standards. There is a continuum, and we are right to realise that.

For the agency to be acknowledged as the leading authority in its field, its research must be fundamental. The agency must lead the debate on a wide range of issues—from contaminants and zoonoses to novel foods. The problem is that, under the current proposals, the research budget is insufficient to fulfil that important task. That concern has already been addressed by such authorities as Professor Hugh Pennington and Professor Tim Lang. As Ministers have been so successful in extracting additional funds from the Treasury to pay for the agency, I hope that the continuing research programme will also be properly resourced, to ensure that it keeps ahead of the game. In the past, notably in respect of genetically modified foods, it was clear that the funds—the resources and investment—for the development of novel foods were much greater than those available for monitoring and surveillance. We must try to redress that balance.

The agency will not be able to define its own research agenda for the first three years. That is hard to justify and I hope that, when the Minister responds, he will be able to explain why that is so.

Mr. Rooker: I will explain now. Most research projects are on a three-year rolling programme, which is

[Mr. Rooker]

reviewed from time to time. A few weeks ago, the joint food safety and standards group, which is the embryo of the agency—we are not working on a green-field site—published the programme for the bids for food research that will start next year. We agreed that programme with the group; it is its programme. In effect, that is the embryo of the Food Standards Agency making its first decision. We said that those would be the first research projects under the aegis of the agency—assuming that the legislation is passed. I ask the House not to divorce the agency—as a body that does not exist in any shape or form—from current practice. It does have control over the beginning of the research programme.

Mr. Tyler: I appreciate the Minister's point. All I am saying is that I hope that, as soon as the agency is up and running, if it is as good as we think that it will be, it will be realised that its authority depends on being able to feed into that research programme as soon as possible. I hope that it will respond to some of the new information that will be available.

In the Prime Minister's statement earlier, he referred to the views expressed at the Cologne summit about the role that the Organisation for Economic Co-operation and Development might play in respect of genetically modified organisms. In the past, the Minister of State has pointed out that the Government were not in the driving seat in relation to the surveillance, monitoring and development of GMOs. I hope that the agency will enable Ministers to be in the driving seat in future.

However, at the end of the day, the FSA will be judged by its actions—how quickly it reacts to the first food crisis or how it responds to media scares.

Mr. Paterson: What is the Liberal Democrat party's position on the Government's refusal to adopt the recommendation of the Standards Committee that the Meat Hygiene Service's executive direction should be set aside from the Food Standards Agency, so that, when the first meat scare occurs, the FSA's independence and integrity will be upheld?

Mr. Tyler: The hon. Gentleman comes rather late to the discussion. Perhaps he does not realise that, in the previous Parliament, it was the Conservatives who insisted on—

Mr. Paterson: I was not a Member of the House then.

Mr. Tyler: That is why the hon. Gentleman does not realise what happened. Perhaps he should wait until he has done so before he makes a contribution to the debate. The MHS was extensively opposed by Labour and Liberal Democrat spokesmen—including me—for reasons similar to those given by the hon. Gentleman. Unfortunately, the service has been shown to be a rather expensive and ineffective instrument of Government policy. I very much regret the apparent conflict that may well occur; I hope that we shall examine that matter in Committee.

Ms Keeble: Will the hon. Gentleman give way?

Mr. Tyler: I am trying to come to a conclusion. I am sure that the hon. Lady will be successful in contributing to the debate later.

The quickness of the FSA's response to that first crisis—which will undoubtedly occur—will be extremely important. The proof of the pudding will be in the eating—especially regarding the FSA's response to the problems of imports from countries with quite different standards of supervision, regulation and welfare in production. That will be a test for the agency at an early stage.

We should be aiming to create a comparatively small strategic organisation that has great clarity of purpose and principle. Obviously, the local inspector will have to be the first point of contact for producers and processors. The industry must have confidence that such inspectors, whether from the Meat Hygiene Service or any other part of the new regime, will bring a high degree of professionalism, discretion and common sense to their work. As we all know, in the abattoirs at the moment, that is far from so. The inspectors are grossly overloading the operators.

This Bill comes to the House with some all-party support. Indeed, one would think from this afternoon that we had all invented it—some of us earlier than others. At least we can hope that bringing about a radical cultural change in the way in which the Government react to food issues will have many godparents. We should be confident that this baby, assuming that it has a healthy diet, will grow into the long-awaited legislative young body that could eventually become a very sturdy statute, fulfilling a long and useful life. From the Liberal Democrat Benches, we wish it every success.

6.51 pm

Mr. Nigel Griffiths (Edinburgh, South): I am delighted that the Government are establishing a Food Standards Agency. I pay tribute to the dedicated staff in my constituency who work on the difficult problems of BSE and Creutzfeldt-Jakob disease. The Bill is very welcome. It should silence the critics who said that such legislation would be buried or neutered. The key reason for establishing the Food Standards Agency is to rebuild consumer confidence in our farmers' produce and the food that we buy in our shops and markets.

I praise my right hon. Friend the Minister and my hon. Friend the Minister of State for their decision not to impose a levy to pay for this vital public service. They said that they would listen, and they have listened. The BSE crisis drove many retailers to the wall. For the excellent butchers in my constituency—many of the businesses have been in the family for generations—a levy would have been, not financially but certainly psychologically, the last straw.

Some items of the Bill require clarification. On several occasions, Ministers have said that they appreciate the importance of ensuring that the FSA board is independent from commercial vested interests, but that is not explicit in the Bill—welcome though clause 2 is. Some argue that the board ought to include representatives from a wide spectrum of interests, including consumers, farmers, the processing and retailing industry and, of course, science; but there is public concern that, when commercial interests intrude on policy making on food safety and standards, there is always a risk that the interests of the consumer will be subordinated to those of industry.

That is why there is a strong case for not putting direct representatives of the food industry on the board of the FSA. The Government of Ireland have adopted such a

model for their new food safety authority, which they want to earn widespread public support and trust. If the board includes people from industry, the clear principle that such representatives can never be in the majority must be established. Nothing less will restore public confidence in Government food policy.

The consultation document refers to nutrition, but the Bill does not, as my hon. Friend the Member for Dartford (Dr. Stoate) said. Surely, whenever the terms "food safety" or "food standards" are used in the Bill, the words "and nutrition" should be inserted. That would ensure that the FSA undertakes a balanced approach to food policy—a vision suggested, indeed, in clause 6. Although nutrition will be part of the FSA's remit, the Bill fails to make clear exactly what is meant by "nutrition". The Bill should therefore be modified to clarify the sense in which the term "nutrition" is used and the FSA's responsibilities in respect of it.

Mr. Rooker: I am reluctant to intervene on my hon. Friend, but I might help to clarify the debate. In "The Food Standards Agency: a Force for Change", published in January 1998, about three dozen aspects of nutrition were set out. Some of them were designated as the exclusive remit of the Department of Health, some of the Food Standards Agency, and some of both. That remains the position. It is set out in substantial detail in three columns of the White Paper. That is exactly the way things will operate; there has been no change since the publication of the White Paper.

Mr. Griffiths: I greatly welcome the assurance that my hon. Friend has given me and the House. It will be widely welcomed elsewhere.

The House will be aware of important changes in recent months to the research capacities of the Ministry of Agriculture, Fisheries and Food. The Central Science Laboratory in Norwich and the agricultural laboratory have been merged and are now based in York. I welcome the new agency's ability to commission research, as it can under clause 8, but it must have a substantial research budget in order to develop commissioning procedures different from those already used in MAFF.

As I understand it, the proposals envisage a research budget for the FSA of £25 million in the first year. However, that figure appears to have been derived from the portion of MAFF spending that has been ascribed to "food", rather than from an assessment of the requirements with which the FSA will be confronted. Obviously, we must wait and see what demands will be made on the new body, although I hope that that matter will be taken into account. The board of the FSA must have sufficient resources to enable it, if it wishes, to establish its own dedicated research facility.

The role of board members in directing and assessing the FSA's research agenda should be clarified in the Bill—certainly in Committee. I am worried that the FSA's integrity could be compromised by including the Meat Hygiene Service in its remit. If the FSA must set, monitor and enforce meat hygiene standards, there is a danger of undesirable compromises. In the face of the possible high costs of monitoring and enforcement, the new agency might be accused—probably unfairly—of watering down the standards that it sets in order to trim its budget. The responsibility for those two types of decision should be separated. If I heard my right hon. Friend the Minister correctly, he identified another body—the Audit Commission—that would monitor such capacity. That is a welcome concession to concerns expressed in the Special Select Committee.

The Government could take advice from other Governments who have been through some of the same pain or who have avoided it by setting up their own agencies at an earlier stage. I think of the Swedish national food administration and, more recently, the Irish food safety authority. The Government should examine their entirely different methods of separating auditing and enforcement. The Swedes accomplish it through different local and national meat hygiene services; the Irish have retained their authority's integrity by making it responsible for setting standards, but have assigned responsibility for enforcement to local authorities. It is important that we learn the lessons from food agencies in other European Union countries and member states of the Organisation for Economic Co-operation and Development, such as Sweden, the United States of America, Germany, Denmark, Australia and New Zealand.

We must not forget the limitations on our freedom to set standards that the World Trade Organisation and the EU have imposed. Following completion of the general agreement on tariffs and trade round, which is to be launched in November, there are likely to be new WTO-GATT rules in the area of food standards. It is therefore vital that the Government clarify the FSA's competencies and powers with regard to bodies such as the EU and the Codex Alimentarius Commission.

Importantly, the concordats that the FSA reaches with other agencies will show how it will function, yet the Bill has little to say about them. It would be preferable if the Bill stipulated that all the concordats be routinely published and openly scrutinised by Parliament. I believe that the Special Select Committee should be asked to review such concordats, together with the other workings of the FSA. Concordats should be published and scrutinised before being signed.

There was praise for the guiding principles of the FSA as set out in the consultation document, but I wonder why some of them were not expressed in the Bill; all should be. *[Interruption.]* If the Minister of State is giving me and the House that assurance, I am sure that we shall welcome it.

Mr. Rooker: I give an assurance to my hon. Friend and an apology to the House. Every single one of those guiding principles is in the Bill. The snag is that, between publication of the White Paper and the guiding principles in plain English and publication of the Bill, there was a thing called the lawyers. The guiding principles are in the Bill. I shall serve on the Committee and I shall be in a position to identify where every guiding principle is covered in the Bill.

Mr. Griffiths: That is another welcome statement from my hon. Friend. I am sure that those who serve on the Committee will relish his interpretation of the legal complications and language that have been substituted for the very plain English in the original consultation document.

Dr. Ian Gibson (Norwich, North): Next.

Mr. Griffiths: Next and, I hope, finally, the regulation of all public health aspects of pesticides, veterinary

[Mr. Griffiths]

medicines and BSE should be transferred to the FSA. Agriculture policy on those issues should be made separately by agriculture divisions and directorates, but acting within a regulatory framework set by the FSA.

In introducing the Bill, my right hon. Friend the Minister of Agriculture has done a great public service, for which United Kingdom consumers and producers will be immensely grateful. This Labour Government is establishing yet another landmark in legislation.

7.2 pm

Mr. David Maclean (Penrith and The Border): One of the few pleasures that I had after the general election two years ago was to listen to some of the speeches by the Minister of State.

Before the Minister has a panic attack, I assure him that I am not being facetious. I did have the pleasure of hearing him speak several times in the House, upstairs and before outside bodies, and it was wonderful to watch enlightenment dawn on him as he discovered that the officials in the Veterinary Medicines Directorate, the Pesticides Safety Directorate and all other parts of the Ministry of Agriculture, Fisheries and Food were perhaps not—as he might have supposed when he was in opposition—autocratic and uncaring for public safety.

On various occasions, I heard the Minister vigorously defend the independence, neutrality, impartiality and integrity of his MAFF officials. I have mentioned only two directorates, but I am fairly certain that if I were to ask him to name any part of his Ministry or of the Department of Health where he thought the officials were not doing a proper job and protecting public health, he could not do so. I suspect that, in the past nine months, the Minister and his right hon. Friend the Minister of Agriculture have quickly discovered that the officials with whom they have the privilege of working in MAFF are conscientious, are all trying to do their bit to give Ministers proper and intelligent advice, and are not engaged in a ghastly conspiracy with producers, retailers or anyone else to cover up food safety scares.

Mr. Martyn Jones (Clwyd, South): Surely the problem with the previous Government was that they received extremely good advice but ignored it.

Mr. Maclean: There is no truth in that whatsoever. We have the Minister of State's word for it, because there is an extract from *Hansard* which I keep in files close by me. It relates to the BSE situation. The Minister of State, defending the ban on beef on the bone, said that if Ministers had not implemented the beef on the bone ban, this would be the first occasion "in living memory" when Ministers had not followed the advice of their officials.

I believe that the only time I refused to follow the advice of my officials was towards Christmas one year, when I was asked to advise the housewife on how to stuff the turkey. I concluded that it would be unwise for me to issue that advice, because it would be patronising and insulting.

Mr. Rooker: I shall not argue over quotes from *Hansard*, but I know what I said that night. I said that it would have been the first occasion when Ministers had knowingly allowed BSE infectivity into the food chain:

"We will not be the first Government knowingly to put infectivity in the food chain."—[*Official Report*, 19 March 1998; Vol. 308, c. 1400.]

Later, I added:

"The House should think about what the headlines would have been had we been the first Government knowingly to allow BSE infectivity into the food chain."—[*Official Report*, 30 April 1998; Vol. 311, c. 445.]

I am not saying that the previous Government did it the other way round, but they certainly went in unknowingly.

Mr. Maclean: That too is open to challenge. We may have to wait many months—or, at the present rate of progress, many years—before the inquiry reaches a conclusion on it.

However, I shall not conduct an argument along that route because I think that the Minister would still acknowledge that the advice that Ministers receive from officials is of the highest calibre, and that it did not suddenly change on 1 May 1997. I do not believe that officials gave Ministers in the previous Government duff advice and then thought, "My God—change of Government. We had better start giving proper advice." I make that point because the Minister of Agriculture said today that the new agency would do essentially what is being done now. I believe that that is exactly so.

I do not therefore say that the new agency will be merely cosmetic, but I see nothing fundamentally different about the research that the new agency will do, the advice that it will give, the problems that it will wrestle with and the difficulty of trying to explain the balance of risk to the public. The new agency will do nothing that officials in various directorates and divisions of MAFF and in the Department of Health are not currently doing.

What, then, is the purpose of the new agency? Probably, if the Labour manifesto had not promised to set up the agency, Ministers, with two years' experience of working with those Departments, would not now be promising one. But that is mere speculation. They have made the promise; they intend to deliver on it.

However, I envisage some of the effect of the agency as merely cosmetic: it will be to give the appearance that Ministers are being distanced from food safety decisions. The sole purpose of trying to institute the arm's length procedure is to try to give a new credibility to ministerial advice or advice from learned scientists on food safety.

The public have become entirely cynical about advice, whether it is on road safety matters from experts, whether it is from my friends down the road in Sellafield advising about nuclear safety, or whether it is from food scientists. There is a highly sceptical public—backed by an even more sceptical media, certain sections of which have a financial interest in keeping the public alarmed all the time. The public may not be reassured about the advice that the new agency gives.

I am worried that the agency might fail in some respects. It will fail not because it will deliberately endanger public health, because it will take ridiculous risks, or because it will be in a conspiracy with food producers to cover things up, but because it will not reach the high level of public expectation.

I have been reading a survey conducted by the Consumers Association. it welcomes publication of the draft Bill, as many other organisations have done. They have done so because they hope that it will be a brave new dawn—that the day the agency takes over, the "meeja", the press and the public will believe everything that it says about the high quality of our food. However, the Consumers Association said that its survey showed that the public's expectation of the FSA was unreasonably high. Ninety-seven per cent. of the people questioned wanted a guarantee from the FSA that food was safe. Of course people want that guarantee. They can never have it, under any Government or any agency, no matter whether the agency is stuffed with a million Philip Jameses or a million representatives of the food companies. It can never give that absolute guarantee.

My concern is that on the first occasion when there is a food safety problem, small or large, or when the Food Standards Agency has to say, "Well, we don't really know. It may be a new strain of cambylobacter. To err on the side of safety, perhaps we should withdraw some products, but we are not going to ban the lot," the *Daily Express*, the *Daily Mail*, *The Sun* and the others will say that the agency has failed—it did not clear the shelves and Ministers must intervene.

I see wry smiles on the faces of the Ministers. They know, and the House may admit, that on this occasion I may be right. The expectation that the agency will be a miracle cure-all for the problems of food safety is illogical. I understand the Government's difficulty. They cannot admit that the agency will not meet the public's expectations. They must present the agency as the fulfilment of an important manifesto pledge, and say that the wonderful new agency will do new things. The only new thing seems to be that it will publish ministerial advice. We did not do that—we published its effect and synthesised it into a more easily intelligible and readable leaflet.

The most difficult aspect of dealing with food standards, from my experience, is trying to explain risk. The problem is that in our daily lives we are all happy to take some voluntary risks. We all know about crossing the road—the risks are enormous, compared to the risk of dying from a food-borne illness. We take a huge range of risks and care nothing about them. As a Cumbrian Member of Parliament, I know that the number of people who die in the Cumbrian mountains each year is extraordinary by comparison with the number of people who participate in such sports, and high in relation to other types of accident; yet no one proposes to take drastic action to limit that activity.

When it comes to other risks, we have a very high expectation, for example, that food will be absolutely safe. We want someone out there to guarantee that we will not be subject to the slightest risk. That is an entirely illogical and unreasonable expectation, with which I wrestled as a Minister. I was not successful in trying to explain the balance of risk.

Ms Keeble: Does the right hon. Gentleman accept that people who go walking in his area are usually fit, and that they are adults? Those who might eat contaminated food include small babies, and the consequences could be catastrophic. It is wrong to contrast the two examples in such an unfavourable light.

Mr. Maclean: The hon. Lady misunderstands my point. I used walking in the mountains as an example of risk, but I could have used dozens of other examples of risk that all of us, young and old alike, are willing to take. However, there are certain risks that we are not prepared to take, and we expect someone in authority—society, the Government, "them"—to do something about it and guarantee our absolute safety.

One of those risks relates to food. There is a public expectation and a media expectation that all food, at all times and in all circumstances, will be safe, no matter how incompetently we may deal with it in our own home. I take issue with the hon. Member for Sunderland, South (Mr. Mullin), who intervened in the Minister's speech to suggest that intensive animal production was responsible for many of the present food safety problems. That is nonsense. As someone who has seen where free range eggs have lain and what they have lain in, I would never dream of eating one in a hundred years. I would prefer the battery version, purely on a food safety basis. That is quite different from animal welfare.

It is nonsense to suggest that such farm practices are responsible for the increase in salmonella and some of the other forms of food poisoning. We need to look at our food preparation practices and our sloppy handling of food.

I want to make a couple of other points, Mr. Deputy Speaker, before you cut me off. The first concerns the appointment of independents. If Ministers can find someone who is genuinely independent, I shall be the first to stand up in the House and praise them, but I would bet that I could go through every appointment that they make to the board and say, "Aha! At some time that independent professor of nutrition or food science had a contract with Nestlé or some other company."

No one who is any good in food safety or scientific work has not at some time worked for a commercial company, the Consumers Association, the Rowett research institute or some such body. There is probably no one who is any good who has not published a pamphlet or leaflet on food safety, or his own theory, which some may perceive to be biased, on some aspect of food.

We do not want a futile search for people who are genuinely independent to serve on the board. If the Minister finds people who have never worked for a food company or a research organisation, they will be so dashed useless that they should not be on the board. We are looking for people who have a wide range of experience, but who do not have bees under their bonnet any more. If the Minister appointed someone from a research institution—even Professor James—and if he still had a bee in his bonnet about nutrition, I would not consider him independent. If he appointed the director of a food company who had a bee in his bonnet about stuffing more salt into food, I would not consider him independent.

The Minister must search for people who come from varied food backgrounds—food production, farming, processing, research, Government or academia. He must find those who can leave aside their personal interests—having declared them all, of course—and who do not have bees in their bonnet or preconceptions.

[Mr. Maclean]

My other concern relates to nutrition. I fear that the agency will become too much of a nagging nanny on nutritional aspects. In that case, it is just as well that Government are putting it at arm's length, so that Ministers can dissociate themselves from the advice that it will give.

In the two years I was Food Minister, most of the expert advice that I issued, based on nutrition advice about red wine, olive oil, salt and sugar, was contradicted a few years later by the same scientist or others. I was told, "Minister, you must advise the whole country to move to a Mediterranean diet." "Very good," I said, "lots more red wine." "Oh no," they said, "eating oily fish." I replied, "Surely the other half is drinking red wine?" We must have balance in our diets.

I agree with the hon. Member for North Cornwall (Mr. Tyler) on one point. If we are to tackle nutritional aspects, let us not start banning individual foods. Let us not tackle food first. Let us tackle the fact that we are too dashed idle. We do not exercise enough, and we need to deal with the problems of obesity and fitness before we start dealing with food.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. There I must cut off the right hon. Gentleman.

7.18 pm

Mr. Kevin Barron (Rother Valley): I approach Second Reading from the point of view of someone who chaired the Special Select Committee that considered the original draft legislation, as opposed to considering the Bill in its present form, which has changed greatly since we took it into Committee earlier this year. On 8 February, the House gave us responsibility for examining the draft legislation and reporting back to the House by 31 March. Hon. Members will not be surprised to learn that we thought that that was a tight timetable, as Ministers have recognised.

The Committee was drawn primarily from the Select Committee on Agriculture and the Select Committee on Health, with additional members from the parts of the United Kingdom to whose Parliament or Assembly power is being devolved. That power will include responsibility for food safety, and was one of the aspects that we considered.

From the outset we were joined, at our request, by officials of the joint food safety and standards group who had been working on the issue for many years and whom the Minister described earlier as the embryo of the Food Standards Agency, if it comes into being. We said in our report that we thought that their presence in the Room was a great strength, because we were able to question them on matters that arose when we were taking evidence from witnesses. That enabled us to clarify a situation without having to contact those witnesses by letter or some other means at a later stage. As the Chairman of the Committee it was interesting to see the expressions on those officials' faces when I asked for clarification of evidence on a couple of occasions.

I shall run through some of the matters that we looked at in detail, and on which we made recommendations, and the Government's response. Although the report was produced quickly to meet the timetable, it was detailed, as was the response. The right hon. Member for Penrith and The Border (Mr. Maclean) was absolutely right to discuss the membership of the Food Standards Agency. It is nonsense to say that people with no interest in the issues could be appointed; they will all have had an interest in an industry or in research.

The essential assurance that we got from my right hon. Friend the Minister of Agriculture, Fisheries and Food was that people will sit on the FSA as individuals, not as representatives of producers, consumers or anybody else. He said at the beginning of the debate that the Government want to strike a reasonable balance. They are absolutely right about that. The House and the country could not want for anything more than a reasonable balance and the appointment of individuals with opinions that have not been bought or distorted by what they have done in the past.

We also looked at health promotion, nutrition and labelling and the remit for nutrition and dietary advice. We have made some strong recommendations, and the Government have said that they have taken them on board and will consider the role of nutrition and dietary advice. In the general context, the Health Departments that now operate in different parts of the United Kingdom, which have wider responsibilities, are likely to pull together the aspects connected with public health. The right hon. Member for Penrith and The Border rightly said that that involves not only diet, but life style, exercise and many other things. It would be wrong to think that the Food Standards Agency could handle all that, but it could give good, clear guidelines to other organisations responsible for public health.

We also looked at labelling, and voluntary codes of practice are currently being established. I am sorry that the hon. Member for South Suffolk (Mr. Yeo) considered labelling only in terms of where food comes from; country of origin is important, but so are the contents. It is hard for consumers to work out exactly what percentage of fat an item contains. Normally, labels say that 100 g of a food contains certain percentages of X, Y and Z, but do not provide the percentage of fat in a given item chosen by the shopper. On occasions, people have to get a calculator out to work out exactly what they are purchasing. That area of the industry is driven by a European Union directive and the Government have said in their response to our report that the agency would be responsible for that matter, that it should make it a priority and that it should instigate action on labelling.

I should like clarification on how food advertising could mislead people into thinking that they were eating something healthy. Companies do not advertise a product as unhealthy, so they assure people that they are eating something healthy even though that may not be the case. Will the agency give evidence to the Advertising Standards Authority, for example, so that it will be able to decide whether such advertising is taking place? The Government said in their reply that the agency would work with other bodies, but they were not specific in respect of what the Committee asked.

On enforcement and monitoring, we made a recommendation on seconding people from local government who are responsible for day-to-day enforcement. I am pleased that the Government have accepted it. Those people would not represent a new army of food thought police, as has been suggested; they are people who are already working in our communities.

What type of contact should they have? How can the agency learn from their experience of enforcement in the community? The other side of the coin concerns the agency taking some responsibility for setting training standards for enforcement staff so that we can achieve more consistency. The Government have again responded positively by saying that the agency will do just that.

I have read the previous Agriculture Committee report on food standards and looked at evidence that has been submitted to different Committees of the House, and enforcement at local level differs from one local authority to another. That should concern us all and we should make sure that we work on such differences. Indicators are used to gauge whether auditing and monitoring is conducted properly by local authorities. Currently, such work tends to be carried out mechanistically—for example, the number of local authority visits made to food retail premises—and that is not necessarily a good way of working.

The Committee also considered output. The hon. Member for Totnes (Mr. Steen) asked whether we should start reporting more food poisoning cases, but most people would say that there is probably more food poisoning in this country than is reported and that if we improved our reporting everybody would become alarmed. Although output is important, it is not the only issue.

The Committee recommended multidisciplinary indicators and I am pleased that the Government have taken that suggestion on board. I sat down with my local authority and asked it how it works. It classifies risk from A to D; food outlets in band A are high risk and those in band D are low risk. We do not want authorities to say, "We have done two dozen visits this week, but they were all to band D establishments", because that would mean that high-risk establishments had been missed. In response to our suggestion, the Government have said that assessment under a national scheme will be qualitative as well as quantitative.

The Meat Hygiene Service has been mentioned several times. The Committee said:

> "We feel that on balance the best interests of the public would be served by retaining the management of the MHS outside the Agency.
>
> If the Government does not accept this recommendation, then the onus is on the Government to establish a structure which clearly separates these powers within the Agency."

My right hon. Friend the Minister said today that that is exactly what the Government will do, and they said in their response:

> "Within this framework, the Government does intend to separate the audit function in relation to the MHS from its day-to-day operation."

Perhaps the Committee should have highlighted the fact that we think that it would be a good idea to carry out an independent review after two years of how the Meat Hygiene Service has operated inside the Food Standards Agency. When my hon. Friend the Minister replies to the debate I should like him to say whether he thinks that that is a good idea. Perhaps we should have put that recommendation on paper; nevertheless, it should be taken into account.

On the general issue of openness and accountability, as Chairman of the Committee, I am happy with what the Government have said. The draft Bill referred to safeguarding national security, which intrigued us—we want accountability and openness to give consumers confidence in food in this country and to make the agency work. We took evidence and got the national security issues down to bacteriological terrorism or radioactive-contaminated sheep. We had not got down to vegetables of mass destruction, but nevertheless we were concerned that issues of national security would be covered by the Bill.

To the Government's credit, they have taken that responsibility out of the Bill. They say in response to our concerns that matters of national security must be taken into account in all legislation, and that is absolutely true, but all members of the Select Committee found that concept a little difficult in respect of this Bill. Perhaps it is a habit of Whitehall, rather than of politicians, to include issues of national security in legislation, but I am pleased that the Government have taken them out of the Bill.

The other issue that I want to raise is the advice given by expert committees. We looked at two committees in particular: the Medical Aspects of Food and Nutrition Policy Committee; and the Committee on the Toxicity of Chemicals in Food. The agency will be responsible for monitoring those committees' activities; it will not subsume them. It will thereby get a wider picture of the food chain, which is also important.

I should like to think that we can claim a victory for having removed the levy proposed in the original legislation. The Select Committee did not recommend losing it completely, but pointed out the unjustness of the Government's proposal in relation to the flat-rate levy. Most people thought that it was not too damaging at £94 a year when it applied to start-up costs, but once it had to cover running costs followed by enforcement costs, which could have run to a much higher figure, they were concerned that that levy would increase. I am pleased that the Government listened to all sides, including hon. Members, and decided that the levy would be taken out of the Bill altogether. That is a great improvement. I am only sorry that I did not recommend it to the Select Committee in the final hours of our proceedings. On a personal note, the reason that I did not do so is that enforcement is rather like a patchwork quilt and I thought that if money was being raised for enforcement, it would at least be spent on that. Given what the Government said in response to many of our detailed points about enforcement and monitoring, I am confident that we can do that via the Exchequer. I once heard somebody say—not in formal evidence—that enforcement should be paid for by those with the biggest turnover. Given that the Chancellor of the Exchequer has the biggest turnover in the UK, he should be the one to pay, as he has now agreed.

The hon. Member for North Cornwall (Mr. Tyler) mentioned Select Committees. I accept that this is a matter for the House, not for Ministers. Given that this legislation will be the responsibility of the Department of Health, it should be considered by the Select Committee on Health. We also said that the House should consider convening a bigger Health Committee, which could split into a Sub-Committee that could look at food standards along with public health issues. That, however, will be a matter for the Department.

[Mr. Kevin Barron]

From our point of view as legislators, this exercise has been good. We have produced a unanimous report. Although not everybody has read it yet—

Mr. Deputy Speaker: Order. I am afraid that the hon. Gentleman's time is up. I call Mr. Gill.

7.33 pm

Mr. Christopher Gill (Ludlow): I am pleased to follow the hon. Member for Rother Valley (Mr. Barron) because it gives me an opportunity to express the gratitude of the House for the work that his Select Committee has done on this important issue. It has been a good example to the House of how a Select Committee can be used constructively in advance of a Bill coming before the House and then proceeding to Committee. We should all be grateful to the Select Committee for that.

I preface my remarks by declaring my interest in the food industry, as listed in the Register of Members' Interests. I recall almost 10 years ago welcoming the Food Safety Act 1990. I was rash enough to go on record as saying that there was nothing in that Act to which any bona fide trader could possibly take exception. I had underestimated the scale of the powers that the Government had taken in that Act, which enabled them to do all sorts of things which many Back Benchers had not envisaged at the time. Therefore, I approach this debate having been once bitten; I am now twice shy.

Had I known that the immediate consequence of the 1990 Act was that enforcement officers would descend on the kitchens of so many farmers' wives in my constituency, forcing them completely to revamp their kitchens, unnecessarily in many cases, so that they could be permitted to continue to take bed and breakfast guests, I would have taken a different attitude and spoken up against the Bill. I am concerned about this Bill because, once again, the Government are taking extremely wide powers.

None the less, the Bill has the potential to do some good. Many aspects of it appear benign, but others are seriously worrying. Those include the power to enable the Food Standards Agency to become an enforcement agency, thereby potentially creating a food hygiene enforcement agency. Perhaps that is the forerunner of what the hon. Member for North Cornwall (Mr. Tyler) called the hygiene police.

My concerns are twofold: I am concerned, first, that the Government are taking powers that they do not need and, secondly, that they are compromising some of the potential to do good by getting involved in enforcement. On my first concern, one is reminded, even today on the radio, of the need that the Government have defined to cut down on regulation. The Minister will be well aware of what the Secretary of State for Trade and Industry has said on that subject. The Government also say that they do not intend to centralise—indeed, they say that they want to decentralise—but that argues against the Food Standards Agency taking enforcement powers that should remain with local authorities.

I am not alone in expressing concern that an unelected agency will have potentially huge powers over elected local authorities. Clause 21 says:

"The Agency has power to do anything".

It is extraordinary to state in a Bill that the Government give themselves powers to do anything. The Minister will doubtless come to the Dispatch Box later and justify that statement, but it is a pretty tall order. When he does so, will he explain why the Government think that they have to take all those powers at this stage to deal with the perceived problem?

This is where we get ourselves into a terrible tangle. It is no good the Secretary of State for Trade and Industry complaining about over-regulation, too much legislation and so on if Ministers of State take such draconian powers, for which there is no justification. Clause 32 permits changes of functions, powers and the constitution of the Food Standards Agency, not by coming to this House with a new Bill, but simply by Orders in Council. Again, one questions why the Government feel that it is so important to take all those powers without feeling it necessary to come to the House and formally seek extra powers through an additional Bill.

As an aside, may I suggest to the Minister that the civil servants may be harnessing the public concern that undoubtedly exists about food safety to take powers that they would like to see because it is administratively convenient to them to have a whole galaxy of powers, used or unused, to which they can resort at some stage in the future? It is always open to the Government to come back for additional powers. What is more to the point, it is no part of my function as a Back Bencher and it is not the role of Parliament to give the Executive carte blanche on this or any other subject.

My other concern is that the potential of the Bill to do good is compromised. Clause 7 gives the Food Standards Agency powers to advise, inform and help; clause 8 gives it powers to obtain, compile and keep information; clause 10 enables it to carry out observations; and clause 12 allows it to monitor the performance of enforcement authorities. That sounds innocuous, and I do not think that any hon. Member would take objection to that. However, when we come to schedule 3 the mask falls, and we see that the Government are increasing their powers over and above what many of us believe is necessary. We have to read page 37 of the explanatory notes to discover that the Meat Hygiene Service, which is an enforcement agency, will become part of the Food Standards Agency.

I shall be a little critical of the Minister, because it was disingenuous of him to make so much of the motherhood and apple pie aspects of the Bill in his opening remarks. It was only after questioning by me that he revealed that the FSA will be in the business of enforcement. He confessed that the Meat Hygiene Service will come under the direct aegis of the FSA.

I shall make a few important points about bringing the enforcement agency inside the FSA, which most of us would have preferred to be a monitoring and advisory body without enforcement responsibilities. In carrying out its enforcement responsibilities, the Meat Hygiene service has taken several cases to court that it has lost—that is a matter or fact, and is on the record. Many people in the industry felt that those cases were bogus, but nevertheless the Meat Hygiene Service, in a rather high-handed manner, took various traders to court, and in many cases it lost. That brings the MHS into disrepute, and I shall show how I believe embodying or embracing that

enforcement agency in the FSA risks bringing the FSA into disrepute. There is a real danger that the credibility of the new body will be compromised even before it has hardly started.

Yesterday, by coincidence I met and talked to the owner of an abattoir in Shropshire. The vet had made various criticisms of the operation of the abattoir. He had thought that two carcases were bovine when they were in fact porcine. The vet had examined two pig carcases and castigated the abattoir owner for not having split the carcases so that the spinal column could be removed. I believe my informant, because I have known this man all my life, and I know that he was telling me the truth. We have all heard that story from other sources anyway.

I fear that, if the Meat Hygiene Service becomes closely connected with the Food Standards Agency, as the Bill proposes, the FSA will become the focus for the opprobrium and ridicule that currently accompanies the MHS.

There is a catalogue of enforcement agency failures above and beyond those for which the Meat Hygiene Service is responsible. I particularly instance the E. coli outbreak in Lanarkshire, where the sheriff concluded that the enforcement authorities had failed to do their bit. The question that hangs in the air is whether that outbreak would have occurred had the enforcement authorities been doing their job as they should have been. That begs the question whether we need a Food Standards Agency as well as the enforcement authorities if there is a dramatic improvement in certain aspects of their actions.

I believe that taking powers to act as an enforcement agency, as the Bill proposes, will undermine the impartiality and the integrity of the FSA. It should confine itself to setting and monitoring standards. Furthermore, how can local authorities trust an agency that is setting and monitoring standards, and can take over from local authorities those same duties and responsibilities? The proposal for the FSA to be the enforcement agency is contrary to the Government's stated aims and objectives. I hope that my right hon. and hon. Friends will seek to remedy those deficiencies by tabling appropriate, sensible, practical and well-informed amendments in Committee.

My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) warned of the risk of failure because expectations of what the FSA can achieve are being raised. He was right that no one, not even the scientists, will say that anything and everything is safe. It is hypocritical of the Government to say that, if the risk is infinitesimal, genetically modified foods should be allowed on to the market, whereas when they were in opposition they pilloried the Conservative Government, who would not say that beef was 100 per cent. safe. The Conservative Government could not have said that, and the Government know that. It is total hypocrisy for the Government to go on raking over the coals of BSE when they know that their criticism and their continued insistence on beef being proved to be 100 per cent. safe had an adverse effect.

My right hon. Friend the Member for Penrith and The Border is right that there is a real risk that expectations are being built up too high. I urge the Government to accept amendments in Committee to improve the FSA's prospects of success.

7.48 pm

Mr. Frank Roy (Motherwell and Wishaw): I welcome the Bill, and I am glad to be able to take part in this important debate. The Bill is of significance to the people of the United Kingdom, but more importantly, the people whom I represent have looked forward to it with great emotion.

On Sunday 17 November 1996, a frightening blight descended on the town of Wishaw when 85 elderly people attended a lunch in Wishaw old parish church hall. It is an ordinary church hall in an ordinary town, and the lunch was attended by ordinary men and women. Nothing remained ordinary in Wishaw in the following harrowing days, weeks and months. For many families, nothing would be the same again.

A well-known and respected butcher supplied two bags of beef stew, some pastry tops and raw meat for soup to the church hall the day before the lunch. In the following days, 45 of the 87 luncheon guests suffered severe symptoms of gastric disorder. The bacterium E. coli 0157 claimed the lives of eight of the elderly church-goers, and the outbreak spread throughout the towns and villages in central Scotland to which a small, family-run Wishaw butcher supplied cooked and raw meats.

A batch of the meat became cross-contaminated and, whenever it was served as a main hot meal or in sandwiches, cut down elderly people who were too frail to fight the deadly bacterium. In Bankview nursing home, in Bonnyrigg in central Scotland, five elderly residents were infected with, and died of, E. coli 0157. The strain of the organism that attacked the nursing home was the same as the strain that was allowed to manifest itself in the Wishaw butcher's shop in Lanarkshire.

The outbreak would eventually leave 22 people dead. Two of them—Mary Smith, aged 90, and Anthony Smith, aged 95—were my near neighbours, living in the same street as me. They were a lovely old couple, who did not deserve the excruciating death that befell them and left their family traumatised. Mrs. Smith was already dying in Monklands hospital in Airdrie as a result of the outbreak when Mr. Smith was diagnosed as having pneumonia, but he had eaten the same food as his wife, and he died 10 days before her. To this day, the family have no doubt that he was the unaccounted-for 22nd victim.

E. coli 0157 left 13 people with permanent kidney damage and 151 people hospitalised; 373 cases were confirmed, and more than 500 people were affected in Lanarkshire and central Scotland. The ordinary church lunch, the ordinary nursing home snack, the ordinary 18th birthday party buffet and the ordinary weekly shopping—all of them contained a dark bacterium, ready to strike the fragile, the elderly and the young alike. Once that bacterium took hold, there was little warning that could help many of its victims.

There are other reasons to welcome the establishment of this truly independent Food Standards Agency. As our eating, cooking and food-purchasing habits change, so does the scale of food poisoning throughout the United Kingdom. From remarkable figures obtained from the House of Commons Library, I note that in Scotland, 4,525 cases of food poisoning were notified by GPs in 1982. By 1998, the figure had risen by 100 per cent. to 9,054. In England and Wales, the statistics are even more frightening. In 1982, 14,253 cases were reported, and last

[Mr. Frank Roy]

year, the figure had risen to 93,366. That is an increase of 555 per cent. More than 100,000 cases of food poisoning have been reported by our GPs in the last 12 months alone. I am sure that all hon. Members agree that those are truly frightening statistics, which urgently need to be addressed.

At this point, I intended to discuss the proposed £90 levy on food retailers that was to fund the Food Standards Agency, but clause 39 now ensures that our Parliament, the Scottish Parliament and the Welsh and Northern Ireland Assemblies will be the paymasters. We have heard a great deal from the food industry about the imposition of a "food poll tax", but a levy of 30p a day would amount to less than the price of two sausages, half a pint of milk or two forkfuls of stewing steak for a family-run butcher's shop in Wishaw. If such a levy is considered excessive, some of those in the food sector have their priorities wrong. E. coli, campylobacter and salmonella do not recognise the size of the profit-and-loss account of a food retailer or caterer.

I am truly sorry that some people consider 30p too high a price for all retailers and caterers to pay to ensure that the products they sell are safe for human consumption. If 30p a day is the difference between some businesses' operating and closing down, I seriously ask where else they may be tempted to cut costs and hygiene practices. Alas, clause 39 ensures that the taxpayer will be responsible for an agency whose establishment has been necessitated by the bad habits that have accumulated in the food sector.

Professor Hugh Pennington, who was commissioned to report on the E. coli 0157 outbreak, gave evidence to the Food Standards Committee at its hearing on 24 February 1999. Interestingly, he opined that the agency

"will achieve the aim of being independent, giving consumer confidence in the food chain".

He said that it would

"be needed to control the E. Coli organism in farm animals",

and would

"be able to scrutinise food preparation practices in even the smallest shop."

Above all, Professor Pennington said that he believed that a food standards agency could have prevented the outbreaks in my constituency and throughout central Scotland.

If that is not a good enough reason for me to ask every Member to support the new agency, the House should remember the other 22 reasons that I gave earlier. There are the Wishaw old parish church luncheon guests: Harry Shaw, Sarah Cameron, Josephine Foster, Alexander Gardiner, James Henderson, Mary Jackson, Jessie Rogerson and Herbert Swanston. There are the Bankview nursing home residents: Helen Fraser, Alexander Nicol, Mary Paisley, Lilly Scott and Catherine Aitken. And there are the remaining eight victims: Edward Laverty, Marian Muir, Rachel O'Malley, Joan Blackwood, Arthur Smith, Annie Criggie, Christina Wright, and Mary and Anthony Smith.

Those were all ordinary elderly people, just the same as the elderly people all hon. Members represent. They were all much loved, and are still sorely missed. Their families deserve at least to know that what happened to their relations has not been forgotten, and that what they suffered may not happen to others when a food standards agency is finally introduced under this Labour Government.

E. Coli 0157 first struck in my constituency in November 1996. In March 1997, Professor Philip James, director of the Rowett research institute in Aberdeen, was asked by the Prime Minister to prepare a report setting out the proposed blueprint for a food standards agency. The James report was published on 7 May 1997. A White Paper was launched on 14 January 1998, a draft Bill was presented to the House on 27 January 1999 and an ad hoc Food Standards Select Committee was set up on 8 February 1999, reporting on 31 March.

Now is the time for all hon. Members finally to act to make our food chain the safest in the world. My constituents have waited long enough for a food standards agency—a truly independent agency, which will put the safety of the consumer at the top of its "safer shopping list". At last, we have safety from the plough to the plate.

Let me end by reminding the House that the outbreak happened in an ordinary town, in an ordinary church hall and at an ordinary lunch—but for all who were present, life would never be the same again. The House owes something to those pensioners. In a letter to me, Mrs. Sharon McKellar, the grand-daughter of old Mr. and Mrs. Smith, wrote:

"Wouldn't it be a fitting tribute to our loved ones if this agency was set up and given wide ranging powers to ensure that nothing like the E. coli outbreak ever happens again".

I ask hon. Members on both sides of the House to remember those words, and I thank them for the courtesy of listening to that plea.

8 pm

Mr. Peter Atkinson (Hexham): I congratulate the hon. Member for Motherwell and Wishaw (Mr. Roy) on his speech, and on the way in which he described so graphically the tragic occurrence in his constituency. However, he was wrong to draw the conclusion that the tragedy could have been avoided if an "independent food standards agency", as he called it, had been established. If he will recall, the sheriff who investigated the matter found that it was caused by a failure of local enforcement and not of wider policy.

The problem—as my hon. Friend the Member for Ludlow (Mr. Gill) said—is that Conservative Members do not believe that the Food Standards Agency will be truly independent. Nothing in the Bill itself says that the agency will be independent; indeed, the Bill describes the very close ties that the agency will have with Ministers. I suspect that, should there be another food crisis—such as the one in the constituency of the hon. Member for Motherwell and Wishaw—or another food scare, the buck will come straight back to Ministers, with newspapers demanding action by Ministers and not by the Food Standards Agency.

I was interested to hear the Minister of State say that the Bill was a very clear one until the lawyers got hold of it.

Mr. Rooker: I said the White Paper.

Mr. Atkinson: Yes.

Nevertheless, like my hon. Friend the Member for Ludlow, I read the Bill. The major point on the agency's independence is dealt with in schedule 4, under "Minor and consequential amendments". The explanatory memorandum—and schedule 4—states quite clearly that the Bill

"provides for the Secretary of State to direct that a duty imposed on an enforcement body under the Act should instead be discharged by himself"—

meaning the Secretary of State for Health or the Minister of Agriculture. It also provides for

"the agency to be one of the bodies which may be named as an enforcement body in regulations made under section 6"

of the Act.

There we have a clear statement—absolutely in black and white, tucked away at the very back the Bill—that Ministers are taking to themselves powers to direct the agency. The Food Standards Agency will not be an independent agency or a replica of the American Food and Drug Administration, as it has been touted to be.

Mr. Rooker: I shall do my best to respond to those points, both in my reply and in Committee. However, we have made it quite clear that the agency will be a non-ministerial Department, giving it the same legal status as Customs and Excise. In other words, it will work at an arm's-length distance from ministerial daily control. Moreover, ultimately and crucially, it will be accountable to the House. The agency will, therefore, not be able to write its own agenda—which is partly why its guiding principles have been enshrined in the Bill.

Mr. Atkinson: The Minister was right to say that the agency will be like Customs and Excise—perhaps more so—as that body is not independent. The Food Standards Agency should not be proclaimed to be an independent agency, such as the American Food and Drug Administration—which receives United States Government funding, although it has no direct link to Ministers, as our agency will have.

The difference between the agency and Customs and Excise is that a Minister will have the power to direct that

"a duty imposed on an enforcement body"—

which is the agency—

"should be discharged by himself".

That will impose even greater ministerial control over the agency than Ministers currently have over Customs and Excise.

The Bill is also opaque—although we have heard much talk in the debate about transparency—because of the way in which it has been drafted. Only when we do some digging do we begin to discover the huge powers that the Bill will give to Ministers to take over from local authorities.

I agree with my hon. Friend the Member for Ludlow that the Bill's real weakness—which I urge Ministers to consider before it is considered in Committee—was created with the decision to put the Meat Hygiene Service under the agency's control. That decision also created the need for the paragraphs in schedule 4, which give Ministers the power to run the Meat Hygiene Service—which will be seen as both judge and jury by those who have to deal with it. The decision is a great mistake, as it will compromise such independence as the agency should have.

In his normal way, the Minister of Agriculture was suitably inscrutable in answering questions from Labour Back Benchers about precisely where the Food Standards Agency will start and stop. I realise that the agency is to do with food safety and with food standards, but I do not understand whether that will include, for example, welfare. The Minister was asked about animal welfare, but my impression—I shall have to read tomorrow's *Hansard* a bit more carefully—was that he did not answer the question.

I do not believe that the Food Standards Agency will be able to deal with welfare issues, or that it will have any influence on whether a British company buys Danish pork that is produced less satisfactorily than British pork, or on whether much of the chicken entering the United Kingdom from Thailand has been produced in what we would consider to be an inhumane way. I do not believe that the agency will have any remit to interfere with that trade, providing that the chicken meat arriving in the UK is considered safe.

There is obscurity also in relation to genetic modification. Will the agency have any discretion in how it deals with genetically modified foods? If genetically modified soya beans imported from the United States are considered safe—as they have been—by the American Food and Drug Administration, they will almost certainly be considered safe, for food safety purposes, by the Food Standards Agency. If the agency is at all independent, it will have to consider them safe.

Conservative Members' arguments about genetic modification are not necessarily about the safety of altered soya beans or maize products, but about the environmental impact of those crops—about which the Food Standards Agency will have absolutely no say. Therefore, on that issue—which is of singular importance to people—the Food Standards Agency will receive a battering, but will not be able to act.

As the hon. Member for North Cornwall (Mr. Tyler) said, there will also be a temptation for the agency to become a busy-body and nannying agency. There is also a threat that it will prevent those who still like to consume green-top milk and unpasteurised cheese from being able to continue doing something that they have done for a very long time.

I congratulate the Minister on taking the decision to abolish the levy. The so-called £90 tax on small shops was enormously controversial in my rural constituency, in which one or two small shops are surviving. In only a few days, in a small country town, one of my small shopkeepers—our local, well-respected fishmonger—collected 1,000 signatures on the matter. I am therefore glad to congratulate the Minister on bowing to the political inevitability of taking that decision. I am also pleased that at least one Minister has not lost his head on farm politics, as so many of his colleagues have done recently.

8.8 pm

Mr. Mark Todd (South Derbyshire): I warmly welcome the Bill as an important step in improving United Kingdom food safety and nutritional standards. However, I should like to focus on only one of its specific aspects—about which we have heard some comment today—which is the concept of risk, as that concept is applied in the Bill.

[Mr. Mark Todd]

The first thing to say is that we are largely ignorant about the true state of food safety in the United Kingdom, as the data are incomplete, and we have much evidence of under-reporting. The Bill provides for increased powers to increase reporting by responsible authorities, and that provision is clearly necessary.

The information that is available is extremely hard to interpret. The classic example of that is regional discrepancies in food poisoning across the United Kingdom. Generally, Northern Ireland has much lower levels of food poisoning than other areas. Scotland used to have a much higher level of food poisoning, although the latest statistics showed that that was not true at least for last year. It is also hard to interpret the data and reach a reasonable judgment on what is happening.

We also know painfully little about international comparisons on food safety. On the Agriculture Committee's visit to the United States, it became quite evident that there was much greater confidence in the United States in the various forms of agency involved in enforcing food safety and food standards. When one looked at the limited data available, one found little evidence for such confidence. There had been large-scale outbreaks of food poisoning, which would have caused great concern had they been repeated in this country.

We know little about the relative risks of the processes through the food chain from plough to plate. Without that, it is hard to decide where we should allocate resources. One of the key tasks of the agency will be to decide on the level of inspection and research to provide us with the answers. Thus far, we know very little about the precise point at which risk occurs most clearly.

We know intuitively that the risk of poor diet balance is far greater than the risk of food poisoning. Clearly, this issue will have to be weighed when the agency considers how to allocate its tasks and the weight of its responsibilities. The agency's role in addressing the balance of diet is welcome, but I shall not dwell on that issue this evening. We need far greater knowledge, and the agency has an extremely demanding task ahead of it in gathering that knowledge.

The agency must act proportionately to the risk, to the processes that are being studied and to the various sizes of business in this country. In that context, I welcome the dropping of the blanket charges to be levied by the agency. That is commendable. However, I retain the germ of a concern. I have often thought that when Britain lost an empire, it had to find roles for those trained in producing rules and close governance. We have heard of the lack of relationship between the quantity of regulation and the sought-for outcome in this matter.

The previous 10 years have seen an increase in concern and an increase in Government response, in terms of the amount of work and paper put into the task. One must say also that they have shown no evidence of a reduction in the quantity of food poisoning outbreaks. That gives some doubt to the idea that mere regulation is the solution to our problems.

On proportionality, it would be extremely easy for the agency to crush small food enterprises with intrusive regulations, and to become an obstruction to consumer choice. Other hon. Members have referred to the case of the specialist cheese manufacturer who was tackled with an emergency control order, which effectively put the business out of action entirely. Many have argued that that was a disproportionate use of a power to respond to a genuine health issue. We must recognise the need for proportionality of response and respect for small food-producing enterprises.

Large producers with complex handling processes and long supply chains must, by their nature, carry greater risk than small producers with largely local supply chains and local customer bases. The closure of small enterprises may increase risks by elongating journeys and adding to the complexity of the food chain process. I am concerned about protecting and encouraging food enterprises. This country runs a deficit in milk-based products, in spite of having excellent raw materials. We must ensure that the regulatory framework allows that position to change.

It is critical that any controls and monitoring processes apply to imports at a level equivalent to those applied in the UK. We must recognise that that will be difficult, because the legal framework lies largely outside our control and is carried out by the European Union—albeit locally, by our agencies. Reaching a level of equivalence will be hard, but we must attempt it.

On education, we are moving towards a society of work-free and thought-free food, in which all the work is done by unknown hands. We are less and less aware of food science and of the reasons for what we are doing in the kitchen, which our parents would have readily understood. Our ignorance carries great risk. The Agriculture Committee has said that it is critical that the agency clearly defines the responsibilities of Government, of the food industry and of consumers themselves for food safety.

To try and pass the parcel away from the home is unrealistic, for obvious reasons, and it is dangerous in encouraging a degree of complacency—a belief that food can be totally safe. We will never achieve a clinical hospital environment for the production of our food—and arguably we never should, even if it were possible. Safety can never be assured. It is almost certainly true that there is as much risk in the domestic fridge and microwave as in some other parts of the food chain. Without pestering and intrusiveness, we should help to reverse the decline in public knowledge.

It is wise to reserve powers to intervene in the work of local authorities. Much valuable work is done by local authorities, but it is inconsistently prioritised, unevenly funded and patchy in effect. We have heard comments about that this evening.

I hope that the Bill will lead the drive to greater quality and consistency. My concerns relate largely to how the agency will act, rather than how the Bill is drafted or the intent of the Government. This is an excellent Bill, which was improved following the consultation. Let us get the agency working on it as fast as possible.

8.16 pm

Mr. Owen Paterson (North Shropshire): I had the honour to serve on the first pre-legislative scrutiny Committee which considered this Bill. I pay tribute to the Chairman, the hon. Member for Rother Valley (Mr. Barron). He was given an extremely short time by the House authorities to get the Committee together, and he was given effectively about a month to get the

report out. There were many disparate views on the Committee, but we reached agreement on many points. The Bill was improved by many of the Committee's recommendations, and that was due very much to the skill of our Chairman.

Many of the witnesses from the public interest sector seemed to feel that the British food industry was some kind of conspiracy to poison the British public and—much worse—to make a profit from doing so. I felt that, in many ways, the safety problem was exaggerated.

With 59 million inhabitants eating three meals a day, I calculate that 64,605 million meals are eaten in this country each year. In 1997, there were 32,596 cases of salmonella—a figure which fell by 28 per cent. to 23,420 in 1998. Remarkably, no one really knows why. The probable explanation is that it was a cold summer, so people went back to eating more beef, which pushed consumption up to pre-BSE levels. At the same time—thanks to Delia Smith—there was a massive increase in egg consumption, which confounded those health pundits who are not keen on people eating eggs.

The 100,000 cases of food poisoning annually are more accurately reported by doctors as suspected food poisoning, and they do not have laboratory confirmation. In 1997, there were 307 deaths from food poisoning. That can be compared with the 3,278 deaths on the roads, or with the 1996 figure for accidents in the home—3,499. Sadly, the suicide figure for 1996 was 3,445. We must bear in mind the proportionality of the 307 tragic deaths from food poisoning.

When considering the Bill, we should keep these questions in mind. How do we minimise unnecessary deaths? How should the state's money best be spent to achieve that? That calls into question the concept of regulation by the state.

The hon. Member for Motherwell and Wishaw (Mr. Roy) spoke eloquently about the ghastly case in his constituency. No one here would begrudge the 30p that he said would pay for the agency, but his belief that the agency will cure all food problems is quaint and touching. It simply cannot do that.

As the hon. Member for South Derbyshire (Mr. Todd) said, there will always be a risk. An overarching state authority cannot remove all the risk. The responsibility for food standards and safety should remain firmly with the producers. The danger with state regulation is that it is in the regulators' self-interest to exaggerate a problem, underestimate the ease and cost of correction and overspecify the necessary solutions.

State regulation is frequently out of date and falls behind as technology moves on. Self-regulation can offer a better route so long as the responsibility rests firmly on the producers and they carry on their business in the knowledge that they will be caught and severely punished if they make a mistake.

Transportation in New Zealand is an interesting case. The state used to employ 5,500 people regulating every aspect of all New Zealand transport businesses, including safety and price. The authorities changed that, and, instead of insisting that operators complied with state regulations, they put the responsibility firmly on the operators. The number of people employed is now 57 and the measured safety outcomes are enormously improved.

Self-regulation works so long as there is the certainty of detection and then punishment for a failure. That could work here. We could easily have a simple, one-line Bill imposing a fine of one year's turnover on any food business that is proven to have caused a major case of food poisoning. In those circumstances, an independent agency, studying, collating and above all disseminating the very latest information on food safety to food businesses could become an immensely benign institution, bringing widespread, positive results; but to be independent it should have absolutely no executive powers and should certainly not interfere directly.

I take issue immediately with clause 1(2). It is far too ambitious. It is unrealistic for a central Government agency to take on responsibility for the safety of all food sold in this country. The primary responsibility must rest with the producers. No Government institution can take responsibility for every process, so the agency's eventual failure is written into the Bill.

Worse, the Bill presumes an artificial difference of interest between the consumer and the producer. In fact, their interests are identical: the producer's only interest is in ensuring that the consumer enjoys his product and comes back to buy more. The agency should regard itself as a first-class provider of quality information to the producer, not the defender of the consumer against the producer.

Clauses 6, 7, 8 and 9 are potentially benign but would be far more constructive if the emphasis were on treating the producers and not the end customers as the agency's main focus. The agency's composition will be crucial in deciding which direction it will ultimately take. Clause 2 is highly unsatisfactory. It is vital that all sides of the food industry are represented, and the requirement on members to declare their interests must be placed in the Bill fair and square, as the Committee demanded.

Producers, distributors and caterers employ 500,000 people in small food businesses. Hundreds of small meat and dairy businesses are at risk because over-regulation is out of control. The Meat Hygiene Service is not mentioned once in the Bill; it is referred to only on pages 12, 37 and 40 of the explanatory notes. It is a strange organisation that goes back to the Farmers General, one of the agencies that was fundamental in bringing down the ancien regime in France. It is a tax farm. It has been given the right to extend its own activities, thus extending the resources that it requires.

I have had letters from all over the country about the appalling damage that the service is doing to small producers. It is trying to impose uniform practices and protocols from the centre on all meat producers. The correct target is to achieve a uniform outcome, regardless of the size of the enterprise.

That was graphically brought home to the Committee by Mr. Peter Greig of Piper's Farm in the west country. He offers superb products. In the past three years, he has won four national awards. He employs only seven full-time staff but keeps 25 surrounding farmers and an abattoir busy. His abattoir is consistently in the top 10 of the hygiene assessment scores. He takes one and a quarter hours to dress a bullock. The Meat Hygiene Service insists on a vet being present, as if it were a huge plant processing several hundred bullocks an hour. At £45 an hour, he is paying £60 per beast.

Elsewhere, the Meat Hygiene Service is employing Spanish vets with poor English. In one case in Shropshire, the vets mistook a pig's carcase for a bullock's; others in East Anglia worked for weeks in a turkey plant and

[Mr. Owen Paterson]

thought that the birds were chickens; another was paid a full day's wage by a small business and spent one and a half hours in the slaughter hall and six and a half hours in the office.

Despite all that, the Minister of State said on Radio 4 that

"the Government is very concerned about niche food producers."

The owner of a small abattoir in east Wales wrote to me. His charges have gone up from £300 to £17,000 a year; he pays £180 a tonne, as opposed to the £1 a tonne in a big meat plant for a supermarket. He pointed out forcefully that the United States, Australia and New Zealand have rejected the system used by the Meat Hygiene Service and said that one study has shown that

"the largest single cause of meat contamination is the inspection process in the slaughterhouse."

If the Meat Hygiene Service is to be run by the Food Standards Agency, the latter will be compromised. Fundamentally, we want an independent agency that rules out the current nonsense and says that it is the outcome that counts for the little abattoirs, which produce superb products, employ people in rural areas and pass the hygiene tests with flying colours. They do not need an incompetent, half-literate Spanish vet to be there the whole day. They want someone to check the outcomes, which are excellent.

The Meat Hygiene Service will report to the Food Standards Agency. It is not good enough to say that in another cupboard of the agency, a unit will do the auditing. The agency cannot be the auditor and the enforcer. That simply cannot work. The Committee said that, and I hope that the Minister will take it on board, as so far our advice has not been taken.

There is a fundamental flaw in the Bill. There will inevitably be a food scare, and it is certain that the Meat Hygiene Service, if it reports to the FSA, will pass the ball straight up the line. The blame will pass to the new—independent, free and open?—Food Standards Agency. That is a real problem. The very first time that we have a meat scare, the new agency's reputation will be tarnished, possibly irrevocably.

The Meat Hygiene Service is a huge quango and it must be monitored by a strong, independent body. If it is to work, it is absolutely vital that the FSA is seen to be independent.

It is bizarre that the Government believe that the FSA can absorb 1,500 people employed by the MHS, although only 400 will be working in the agency, and that the tail will not wag the dog. It is also strange that the Bill does not actually say that that enormous organisation will be taken over by the FSA. We are on the way to setting up a national hygiene service that will report, ultimately, to the EU Food and Veterinary Office in Dublin.

Schedule 3, part II, will give the FSA the power to remove the safety enforcement from a local authority that has failed to meet the necessary standards. The Local Government Association spokesman told us:

"If a function is to be removed from a democratically elected local authority then it seems to be something that the minister on advice ought to do directly."

The Committee clearly recommended that

"the final decision to invoke the power to remove food safety enforcement from a local authority that has failed to meet the required standards should remain with the Secretary of State having received advice from the Agency."

That advice has been ignored. Why? Surely only an elected Minister responsible to Parliament should overrule another elected body. It is a most unhealthy constitutional development for the Bill to propose that a quango with non-elected members should do that.

Clause 21, schedule 3, clause 2, clause 26 and schedule 4(5) give the agency extraordinarily wide powers. If it is not intended that the agency should take over powers of enforcement from local government, why has it been given them in the first place? Local government service has always had public health at its heart, centred on food, pollution and housing—take out public health, and the central rationale of local government will be destroyed. There will be little incentive for local authorities to collaborate with the FSA if it is seen to be intent on usurping their powers. If that is not the long-term intention, those powers should be removed from the Bill.

If the FSA is to take those excessive powers, there must be an appeal mechanism so that small—and large—food producers can appeal to an independent body. That is necessary because the FSA will not be perfect and it will make mistakes.

8.31 pm

Mr. Frank Doran (Aberdeen, Central): I welcome this initiative. The area that I represent is at the centre of the largest food producing area in Scotland—the north-east—and we have major farming and fishing industries, from the producers through to the processors. In addition, we have a number of scientific institutions that have a specific interest in food and food science. I firmly believe that the Bill, which I hope will lead to cleaner and more wholesome food, is in the interest of everyone in those industries.

Mr. Savidge: Does my hon. Friend feel that the extraordinary concentration of food producers, processors and researchers in Aberdeen, working across such a wide range of different types of food—from red and white meat to seafood, dairy produce and whisky—means that there is a strong case for it to be involved in the Scottish end of the FSA operation?

Mr. Doran: My hon. Friend will not be surprised to learn that that is a key element of my speech.

My right hon. Friend the Member for South Shields (Dr. Clark), who is no longer in his place, referred to the work of Professor Philip James from the Rowett research institute in Aberdeen, and the contribution that he has made to the development of policy in this area. I take an especial pleasure in that because I introduced my right hon. Friend to Professor James when my right hon. Friend was the Front-Bench spokesman on agriculture and I was previously a Member of Parliament. I am pleased that Professor James's work and the collaboration that they started then has led to this important measure.

In his report, Professor James identified three problems with the present system of regulation of food. He identified the potential for conflicts of interest within the Ministry of Agriculture, Fisheries and Food, arising from

its dual responsibilities for protecting public health and sponsoring the agriculture and food industries. He also identified the fragmentation and lack of co-ordination between the various Government bodies involved in food safety, and the uneven enforcement of food law. All of that has been evident in the years I have spent in the House.

Other hon. Members mentioned the various food scares there have been, such as those involving salmonella, BSE and E. coli, which was spoken of so movingly by my hon. Friend the Member for Motherwell and Wishaw (Mr. Roy), and we have all heard of the recent problems in Belgium. When even a company of the size and status of Coca-Cola can have problems, we know that the issue is serious. The only way to deal with it is by proper independent regulation. We need a powerful independent agency, which will be provided by this legislation.

There is also a political aspect to the issue. In the years that I have been in the House, I have seen the various problems brought before the House and various Ministers skewered on their own complacency. That is certainly how the previous Government operated and I do not want to see that happen to my Government.

It is interesting that no contribution from the Conservatives today—from shadow Minister to Back Benchers—has shown any sign that that sense of complacency has gone. We have heard a succession of Corporal Frasers preaching doom about the disasters that will befall us if the Bill is passed. I exempt the hon. Member for North Shropshire (Mr. Paterson), as he attempted to make constructive proposals to deal with the problems that he envisaged. However, when he said that the food safety factor is often exaggerated, it demonstrated that he suffers from the same problem as his colleagues. A serious problem exists, and Conservative Members need to learn the lessons.

I hope that my hon. Friend the Minister, when he winds up, will deal with the several issues that I wish to raise. The first has to do with charging, on which most people have welcomed the Government's change of heart. I always thought that a uniform charge was wrong in principle, but the costs to the major food producers and supermarkets would have amounted to only a small proportion of their advertising budgets, let alone their turnovers. Although I believe that investing in food safety by means of the charge would be better for those companies than using the money in the budgets that I mentioned, the decision has been made. I respect the way in which the Government made it, and the consultation process that was held.

Nevertheless, I am concerned about the lack of powers for charging in the Bill. Clause 21(3) allows the agency to

"make charges for facilities or services provided by it at the request of any person."

I should welcome an explanation of how that will operate in practice. In the research that the agency will either commission or undertake, material will be produced with great commercial value. Will the agency be entitled to charge for it?

In addition, will the agency be entitled to benefit from patents arising from any discoveries made as a result of work that it commissions or undertakes? I understand that the decision about charging has been made, but that does not mean that money cannot be raised in other ways.

I am also interested in how the agency will operate, given the constitutional changes that have been made. I heard what my right hon. Friend the Minister of Agriculture, Fisheries and Food said in his opening remarks, and I am pleased that the working parties are already studying how the cross-boundary systems will be put in place. However, emergencies will arise occasionally and require very swift action. Will my hon. Friend the Minister say how they will be handled with the Scottish Parliament, the Welsh Assembly and, when it is in place, the Northern Ireland Assembly?

My hon. Friend the Member for Aberdeen, North (Mr. Savidge) raised the issue of Aberdeen's suitability as the headquarters for the Scottish agency. In the north of Scotland, we were especially disappointed when the Government decided that the national agency would be located in London. We felt that there were many good reasons for locating it in Aberdeen.

Earlier, I mentioned the problem of a conflict of interest in the Ministry of Agriculture, Fisheries and Food, from where many of the new agency's personnel will be recruited. Many people outside the Ministry have felt for a long time that what might be called a cultural problem has affected the handling of food and food industry issues. One way to deal with that problem, and the public's perception of it, would be to create a certain amount of distance between the old Ministry and the location of the new agency. Given that one cannot get much further from London than Aberdeen, that geographical distance might have made a difference in terms of perception. In its early days, the agency will find it difficult to establish its independence, and an Aberdeen location might have assisted with that.

I am also conscious of the significant constitutional changes in the country. There is a perception that we will operate as four separate countries. I have fought all my political life for devolution and I firmly believe in devolving power away from this place, but that does not mean that we can no longer consider placing our national institutions outside England, particularly outside London. I can think of no greater statement in support of the Union than the location of the agency outside London, perhaps even in my city of Aberdeen.

My hon. Friend the Member for Aberdeen, North mentioned our city's interest in food. We are one of the leading food-producing regions of the UK, particularly for red meat, white meat and marine fisheries. About 75 per cent. of the white fish landed in the United Kingdom is landed in the north-east of Scotland at Peterhead and Aberdeen. We have the bulk of the Scotch Whisky Association. We also have two universities with—

Sir Robert Smith (West Aberdeenshire and Kincardine): Before the hon. Gentleman moves on to the research institutes, will he say whether he agree that it is not just the volume of our participation in the food industry, but the quality of our products and their added value that marks out the north-east of Scotland as a major area of food production?

Mr. Doran: I agree entirely. Our quality produce is recognised and branded throughout the world. I hope that hon. Members appreciate the power of the local press in the debate.

We have two universities with their own schools of agriculture, and seven research institutes. Some 3,000 people in the north-east of Scotland are employed in

[Mr. Doran]

food research, mainly based around the city of Aberdeen. That is important. The all-party fisheries group had a meeting today with representatives of the fish-processing industry, which employs 5,000 people. We employ people from catchers and growers through to food processing and the scientists working at the cutting edge of food science, one of whom is Philip James, to whom I have spoken.

I appreciate that the decision on the location of the national agency has been made. I gather that the offices in Holborn have been acquired and the moving job is already out to tender, so I appreciate that the battle is lost. I also appreciate that my hon. Friend the Minister of State, who is on the Front Bench, will not be making the decision, because one of the more welcome aspects of the Bill is the authority that is given to the Scottish Parliament and the Scottish Executive. However, he will forgive me if I make the case for Aberdeen being the location of the Scottish executive of the Food Standards Agency.

8.43 pm

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): I welcome the idea of a Food Standards Agency. The hon. Member for Motherwell and Wishaw (Mr. Roy) rightly stressed the importance of the benefits for consumers. We must also stress the benefits for the food industry, which is important in other areas as well as the north-east of Scotland. As the hon. Member for Edinburgh, South (Mr. Griffiths) said, it is essential to increase consumer confidence and ensure the independent monitoring of standards. We must remove the suspicion—even if it is unjustified—that MAFF and the Scottish Office Agriculture, Environment and Fisheries Department are too close to the producers, from whom they are meant to be independent.

The food industry in Scotland thrives because of the reputation of its products, which are of the highest quality. The industry is vital to the rural areas—not just agriculture and horticulture, but food processing, marketing and retailing. An independent agency will help to maintain the industry's high standards and will reinforce public confidence in them.

With the notable exception of the speech of the hon. Member for Aberdeen, Central (Mr. Doran), the constitutional aspect of the Bill has been only briefly touched on in the debate. As the Minister and the hon. Member for Aberdeen, Central said, the matter has been devolved to the Scottish Parliament. It is one of the minority of areas that is specifically devolved to the Scottish Parliament by the Scotland Act 1998. Most devolved areas were devolved not deliberately, but by default because they were not on the reserved list in schedule 5. Section C8 of schedule 5 reserves product standards and safety to Westminster, but specifically exempts from that reservation

"Food, agricultural and horticultural produce, fish and fish products, seeds, animal feeding stuffs, fertilisers and pesticides."

The whole area dealt with by the Food Standards Agency therefore comes within the remit of the new Scottish Parliament.

Coincidentally, the Scottish Parliament will assume its powers on 1 July. We will be visited by the Queen and the Prime Minister. I hope that I am not alone in being astonished that, 10 days before the Scottish Parliament enters into its powers, this House is beginning the formal consideration of a United Kingdom measure that legislates for something wholly devolved to the Scottish Parliament. We are not legislating on the periphery of the Scottish Parliament's powers. This is not some spin-off of reserved legislation that incidentally happens to touch on some devolved matters but substantive, deliberate legislation on something that, on 1 July, will be devolved to the Scottish Parliament. It is as if, having given the power to the Scottish Parliament, and before it has even had the chance to exercise it, the Government have decided that they want to keep some of it. Why is that happening? It will appear in Scotland that Westminster does not wish to let go of the powers and wants to remain in charge.

It will be argued that it is administratively simple to have the same legislation and to have one agency, even if Members representing north-east Scotland would dearly have loved its headquarters to have been there. If the argument for administrative simplicity is valid for this Bill and this agency, it is valid across a range of subjects, many of which are devolved.

Miss Anne Begg (Aberdeen, South): The hon. Gentleman knows that that is the case. The Equal Opportunities Commission and the Disability Rights Commission, which is to be set up, are United Kingdom agencies. Surely it is sensible for the Food Standards Agency to be treated accordingly.

Mr. Morgan: I do not think that it straightforwardly and logically follows that this should be a United Kingdom agency. We might as well say that we should have one Parliament to make everything administratively simpler. [HON. MEMBERS: Hear, hear.] I know that Conservative Members agree with that.

Mr. Savidge: Will the hon. Gentleman give way?

Mr. Morgan: No, I want to make some progress.

If the House did not want food standards to be devolved and wanted the matter to be covered by one agency, it had the chance, when debating the Scotland Bill only a year ago, not to devolve food standards, but the horse has bolted from the stable because of this House's decisions. The essence of devolution is the recognition that some parts of the country may want to do things somewhat differently from other parts of the country, either substantially or in detail.

In Committee on the Scotland Bill, the right hon. Member for Glasgow, Anniesland (Mr. Dewar) said:

"there is a possibility, in theory, of the United Kingdom Parliament legislating across those areas"—

he meant the devolved areas—

"but it is not one which we anticipate or expect." —[*Official Report*, 28 January 1998; Vol. 305, c. 402-03.]

Some 18 months on, I detect some movement in his position. Now promoted—if that is the correct term; certainly he changed his title to First Minister—on 16 June, he told the Scottish Parliament that

"There will be exceptional limited circumstances in which it is sensible and proper that the Westminster Parliament legislates in devolved areas of responsibility".

That is totally different from what he had said 18 months before. Despite the facts that the powers are specifically devolved to Scotland and that the Scottish Parliament has

not even started to exercise them, food standards are apparently so exceptional that Westminster must legislate for Scotland. A substantial Bill such as this hardly fits the First Minister's other description of "limited circumstances". I raise another matter to which the Minister referred—

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): The hon. Gentleman talks as if the decision is entirely one for the Westminster Parliament. The Scottish Executive have agreed the matter with the United Kingdom Government and the Scottish Parliament will have the opportunity—I think tomorrow—to make its views known. If the Scottish Parliament decides that this is a sensible way to proceed, that is surely the way that it should happen.

Mr. Morgan: I thank the Minister for that intervention, as I was coming to that specific point: the consultation that has taken place with the Scottish Parliament on this subject. On 9 June, the First Minister said, about food standards:

"the United Kingdom Government made it clear when it published a draft bill earlier this year that the Scottish Parliament's consent"—

not the consent of the Scottish Administration, which is a totally different thing—

"would be sought for this proposal."

On 16 June, the First Minister said, in relation to Westminster legislating on devolved matters:

"that can happen only with the consent of this Parliament"—

that is, the Scottish Parliament—

"consent specifically given after due process."

The Scottish Parliament has not been asked thus far. The Administration and the coalition may have been asked, but not the Parliament. When will its views be sought? *[Interruption.]* The Minister perhaps does not know the timetable for the Scottish Parliament as well as I do, but I assure him that it will not be tomorrow. Will the Scottish Parliament be asked after Second Reading of the Bill, after Third Reading, or Royal Assent? Perhaps the issue will be discussed on Wednesday—there is debate on a devolved issue scheduled for that day.

Let me pose another question: what will happen if the Scottish Parliament says no? What will happen if the Scottish Parliament says, "Yes, but we'd like to change this bit or that bit"? A "process of consultation" implies that the Government are prepared to listen to the results of that consultation. During the passage of the Bill, will Westminster change the clauses relating to Scotland if the Scottish Parliament decides that it wants them altered? I accept that that is unlikely to occur on this occasion because, politically, the Administrations are the same—or nearly the same—in both Houses. The attraction of the new ministerial cars in Edinburgh remains sufficiently strong for the Liberal Democrats that they will stay on board until the matter reaches the statute book.

What of the future? How on earth will such an arrangement work—it is clear from ministerial statements that this is not the end of the process; it will not stop with the Food Standards Agency—when the two Parliaments have Administrations of different political hues? We are creating a dangerous precedent. Devolution will work in one way only: Westminster must take a self-denying ordinance not to legislate in this place for matters that are devolved to Scotland.

We need a convention—equivalent to the Salisbury convention with the House of Lords—which says that, although Westminster undoubtedly has the power under clause 28 of the Scotland Act 1998 to legislate regarding any matter in Scotland, it will not avail itself of that power. It would be a fine inaugural present for the Scottish Parliament if the House were to say that it trusts the new democracy in Scotland to make its own decisions and let it get on with the job.

Mr. Rooker: The hon. Gentleman implies that we are not treating the Scottish Parliament with respect, but we are—that is why clause 32 is in the Bill. It is wholly within the competence of the Scottish Parliament to vote at any time in the future to take unto itself all of those powers. That would not cause a problem from a primary legislation point of view because it is built into the Bill. That is the perception for the future. We are treating the Scottish Parliament with respect, as we clearly said that we would when we published the White Paper 18 months ago.

Mr. Morgan: Perhaps the Minister underestimates the powers of the Scottish Parliament; on 2 July, it is within the powers of that Parliament to revoke all the clauses of the Bill that apply to Scotland. However, I am trying to make the point that it would be far better if, rather than passing these measures in the first place, this House let the Scottish Parliament get on with it on 2 July. That leaves aside the more worrying precedent that is being created for other matters that are allegedly devolved, but that a future Government—perhaps not a Labour Government—will try to impose on Scotland.

8.55 pm

Ms Sally Keeble (Northampton, North): I am grateful for the chance to speak in the debate. I do not intend to go down the road of talking about what happens in separate Assemblies and Parliaments. However, a representative from Scotland took part in the special scrutiny of the Bill and perhaps some of the practical issues should have been dealt with at that time.

The Bill is important, partly because it was a flagship policy for the new Labour Government, but also because, organisationally and procedurally, it was the first measure to be the subject of the special scrutiny procedure. As the hon. Member for North Shropshire (Mr. Paterson) pointed out, that was an especially valuable procedure. The Bill has been strongly welcomed by my constituents, who have consistently lobbied me on food safety issues.

I shall consider some of the changes that were made to the Bill after the consultation process, especially the changes in the way that the agency should work with local authorities. I very much welcome the rather tougher tone taken in the Bill towards local authorities compared to the tone in the draft Bill, although I realise that other speakers in the debate hold varying views on that matter. However, I was concerned that, in the draft Bill, too much was left to the old enforcement measures. I was not convinced that that would necessarily bring about the changes in standards that we wanted, especially given the wide variation between local authorities in such matters as the division of responsibilities, the variation of practices and budgets, and divisions in scrutiny and accountability.

In my local authority, the Northamptonshire county council trading standards service undertakes some outstanding work. I bring a couple of the department's

[Ms Sally Keeble]

cases to the attention of the House. The first case belies the comment made by the hon. Member for North Cornwall (Mr. Tyler) that no food could be bad for one and that it was a question of diet. One of the actions taken by the trading standards service was against the makers of one of the high energy sports drinks of which so much is claimed. The drink, called "Carbo Power energy drink", was found to contain too many preservatives: 460 mg per litre of sorbic acid, which is 80 per cent. above the permitted level; and 600 mg per litre of benzoic acid, which is 300 per cent. in excess of the permitted level. Those preservatives are not so much something that might possibly cause a problem if one consumed too much of them; rather, they have been linked to bad reactions from asthma sufferers.

One of the reasons why we need the Food Standards Agency is that the way that people eat is changing—the type of food they eat and the risks to which they are exposed are changing. As my hon. Friend the Minister frequently points out, the type of bugs are changing. It is not simply the case that we should tell people to eat more greens, or a bit more of this or that; people are buying processed, packaged and prepared food, and we do not always know how much salt, preservative, fat or other things such foods contain. I shall not go into the subject of turkey burgers, which kept the Committee entertained at almost every meeting.

Another example from the Northamptonshire trading standards service related to cans of cooked chicken that contained too many fragments of bone. In one instance, 32 bone fragments per tin were found. The tins were sold in cut-price supermarkets, and that raises the worrying and strong link between cost and food quality. In protecting food quality, the FSA will be not only considering old and young people who are most likely to suffer from food poisoning, but guarding the quality of food sold to people who can least afford to waste money on poor products.

Although some local authorities, such as my own, do extremely well, others do not. Several hon. Members have talked about outbreaks of E. coli on premises that local authority food standards inspectors have found to be working well. We must ensure uniform standards. That is one reason why I agree with the enforcement powers spelled out in the Bill, and why there must be a stick as well as a carrot.

I also very much welcome the fact that the Bill does not provide for Crown immunity. That is an important new aspect, which means that the Bill will protect not only us in this House, but more importantly, people in hospitals and prisons. We know that people are most likely to suffer food poisoning from institutional catering rather than from one-off meals in a private home. I notice that the one exemption to the provision on Crown immunity is the Queen in her private capacity. At this late hour, that conjures up certain pictures.

Everybody has said that it is good to have dropped the food poll tax, and that will be particularly welcomed in corner and village shops. The levy would have been extraordinarily difficult to implement; I have no doubt that people would have found all kinds of ingenious ways of claiming that they were not running a shop.

The change is good practically, too, although I acknowledge the comments of my hon. Friend the Member for Motherwell and Wishaw (Mr. Roy), who spoke so movingly about E. coli. Members of my family have suffered from that disease, so I share his concern about the illness. There are arguments for requiring a very wealthy industry to contribute to the improvement of standards but, at the end of the day, there was a very strong feeling among the public that who pays the piper calls the tune. It is important that independent financing underwrites the independence of the FSA.

I do not share the view that the food industry is a big conspiracy. Although I have concerns about quality and diet, the best of our food industry is absolutely superb. It has a very important role to play in improving food standards in this country and, indeed, abroad, since the food industry, like others, is international.

For example, the Henry Telfer factory in my constituency makes sandwiches for Marks and Spencer. Many hon. Members present are probably very familiar with its products. Its standard of cleanliness is absolutely superb. The attention given to detail in the production of those sandwiches is second to none. Indeed, its floors are cleaner than many people's kitchen tables; it is quite remarkable. The FSA can play an important role in ensuring that such technical expertise pulls up food standards and quality for everybody.

I am sure that the marketing sections of some companies, working with consumers, can produce good food labelling which will tell consumers what they are eating. I very much hope that responsibility for labelling will not be delegated to committees—or, even worse, to lawyers.

I very much welcome the commitment to scrutinise the entire food chain. The importance of that has been underlined by this morning's release of the Food Ethics Council report on the use of drugs in farm animals. It is a reminder that some practices on farms can have as great an impact on people's health as any of the other factors up and down the food chain.

Several Opposition Members have asked what difference the Food Standards Agency will make. I believe that it will make important differences to what happens to food. Unfortunately, it will not mean that no one will ever get E. coli, but it will be an important policing force for food standards. If it works as is envisaged in the Bill and was spelt out in the Special Select Committee, it will drive up food standards. In its role in the European Union and elsewhere, it will help to drive up food standards throughout Europe and contribute to real improvements in the industry. It will improve public health by improving the safety of food and the nutritional content of people's diet.

9.6 pm

Sir Robert Smith (West Aberdeenshire and Kincardine): I welcome the principle of the Bill. I especially welcome the decision not to go ahead with the levy. Some Machiavellian people have told me that they wondered whether the Government put the levy in the Bill in the first place to take everyone's eye off the ball so that they would focus on that and everything else would slip through nicely when the Government did their U-turn. Anyway, it is a step in the right direction.

I know how the hon. Member for Motherwell and Wishaw (Mr. Roy) must feel. In my constituency, there are communities where the small shop is teetering on the brink of survival, and the fear of losing that shop is a

major threat. Anything that the Government do to make life worse for the small shop is another nail in the coffin of the rural community—I hope that the Minister understands that.

I share some of the concerns of the right hon. Member for Penrith and The Border (Mr. Maclean) and the hon. Member for South Derbyshire (Mr. Todd) about the need for proportionality when it comes to food and the need to remember that the consumer has a role to play in food hygiene. In a sense, food has become so safe over the years that we may have lost the need to be cautious of it and to recognise that, in processing it in our kitchens, we are the final link that decides how safe it will be when consumed.

Miss Begg: I am sure that the hon. Gentleman would agree that education is crucial in the light of the outbreak of E. coli in MacDuff, where it was the grandmother, desperately trying to do her best for her granddaughter's class, who produced the goat's cheese that created the outbreak; but obviously education was needed for the teacher in the class, to ensure that such things do not happen in future.

Sir Robert Smith: Education is crucial. Some of us have reached the time in our life when, as a family, we take over responsibility for hosting Christmas, as the next generation does. I would have welcomed the advice of the right hon. Member for Penrith and The Border on how to stuff a turkey. Sometimes I know at the back of my mind that there are things that we should do in the kitchen to increase food safety, but I am not sure that I have the information to give me confidence that we are doing everything correctly. We have not had a food scare at home, but without the necessary information and advice, that risk remains.

I share the concern of the hon. Member for Ludlow (Mr. Gill) about the wide-ranging powers that have dropped into the Bill. In the two years I have been in Parliament I have noticed that, towards the end of many Bills, after all the detail, there is a clause that says, "Never mind what has gone before. We can do whatever we like by Order in Council or by laying regulations before Parliament." One wonders why the Bill was so detailed, and why the Government did not simply say, "If we want to do this, we will take the powers to do it." Perhaps the Minister will reassure us that the powers in the Bill are not as draconian as they look.

I join other hon. Members representing the north-east in making that pitch. I have made a pitch for the high quality of food from the north-east. As the hon. Member for Aberdeen, North (Mr. Savidge) said, we also have high-quality research in the north-east. The critical mass of research can be made available there. It seems obvious to put the Food Standards Agency in among that research, and there would be the symbolism of removing it from the centre of Government. That argument has been made. Other hon. Members want to speak, so I shall be as quick as possible. The added benefit is that the north-east is an extremely attractive working environment. The staff of many agencies and organisations have been worried when they were told that they would have to move to the north-east, but once they are there, it is impossible to get them to move on to other parts of the United Kingdom. I therefore put in my plea and bid for the north-east.

The hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) is, sadly, not present. He seems to have missed the point of devolution. Once the Scottish Parliament has been established and given powers, the people of Scotland have the option of deciding that although they have the power to do things differently, they want to co-operate in a joint approach to tackling the problem. That does not mean that Scotland is not entitled to do it differently. It means that Scotland can opt to work together with the rest of the United Kingdom to achieve a solution.

There may be a problem with the sequence of events, as the Scottish Parliament will discuss the matter on Wednesday, but in the light of discussions in the Scottish Parliament, it is possible to change the Bill in Committee or on Report. The hon. Gentleman may be panicking unduly. We should recognise the freedom of the Scottish people to decide to co-operate with the other people of the United Kingdom for the benefit of all.

I broadly welcome the Bill, but I do not consider it a panacea. It may entail too many powers. I hope that the concerns about the Meat Hygiene Service will be examined, and that attention will be given to the problem of poacher and gamekeeper being together in one house.

9.11 pm

Mr. John McDonnell (Hayes and Harlington): I shall be brief, especially by trying not to mention Aberdeen more than once.

I welcome the Bill. I have a personal interest in the matter because way back in the early 1980s, as a GLC councillor, I funded the London Food Commission. At that time it was described as a loony left project, but it promoted many of the objectives of the Bill. I also have a constituency interest. Tragically, my constituents, Mr. and Mrs. Nash, lost their young daughter, Joanna, in 1994 as a result of contact with E. coli 0157. She developed haemolytic uraemic syndrome, which it was suspected she contracted as a result of eating a hamburger from a fast-food chain.

With others across the country, Mr. and Mrs. Nash went on to form HUSH, the HUS help group—the UK E. coli support group—which aims to establish communication between the families of sufferers of the illness; to increase understanding and awareness of E. coli, thereby reducing the risk of infection; and to increase knowledge among general practitioners in particular, so as to assist in diagnosis and treatment. The group has also set itself the target of lobbying Ministers, and has been successful in encouraging research and legislation to tackle the problem.

I know that members of the group are to meet the Minister. I have discussed with them issues relating to the independence of the agency. It is important that the agency's membership should be independent. Experience shows that the contribution of advisory committees to that body will be significant. It is therefore critical that the membership of the advisory committees include representatives of the families of sufferers.

The projected number of additional staff is 150. I hope that that will allow fresh expertise to be drawn in, to increase the confidence of the general public. I accept that there will be local authority secondments, but perhaps there should be further secondments from academic institutions and even from some of the campaigning groups.

[Mr. John McDonnell]

That point leads me on to the budget. The start-up cost is to be £30 million, with on-going costs of £20 million. I am concerned that that may be insufficient for the promotion of research and the information exercises that we want the agency to undertake. The budget needs reappraisal.

I am anxious about the abolition of the levy. It should not have been imposed on the small shopkeepers and retailers, but it should have been kept for the large companies that could afford it. It assumes fairly substantial profits in recent years. I do not want to pick on Tesco in particular—but why not? Many companies could make a financial contribution, and in that way demonstrate a commitment. The money could be spent on funding the research and the massive educational programme that is needed to raise consciousness, by working with public and voluntary sector groups such as HUSH.

I welcome the Bill's openness. There will undoubtedly be an increase in transparency, but I am concerned about the public interest and its definition in clause 19(3); we need a clearer definition before we allow case law to define it. I accept that there is an ethos of publishing preference, but I am anxious about clause 25, which gives such a stark, overriding power to the Secretary of State to veto the distribution of information. In respect of future legislation, I reiterate what was said about the need for closer linkage with the current freedom of information debate.

There is power under clause 20 for the agency to issue guidance to local authorities and other public bodies on the management of particular outbreaks of food-borne diseases. I suggest that we should also take into the account the view expressed by some of the campaigning bodies that the guidance could perhaps be translated into a more popular form so that there could be monitoring not only by local authorities and various agencies, but by the community itself relating to what actions need to be taken to ensure the safety of the public.

The fine for failure to notify the incidence of a particular outbreak remains £5,000, which is too low in my view. There is no reference in the Bill to a future fines review, but I urged Ministers in Committee that there should be such a review and that the fines should be increased substantially.

Finally, I move on to one of the issues raised by the campaigning groups. The legislation is welcome and we are also pleased that the agency will be integrated in the Department of Health. One responsibility of the Secretary of State for Health must be enhanced awareness among general practitioners and hospital staff who can identify and diagnose problems early and therefore advise on the co-ordinate treatment.

Overall, I welcome the Bill. I believe that it is much needed and that it will go some way to restoring the confidence of the general public—but only if two factors are taken into account: first, the need for more resources, and secondly, the need for inclusiveness, particularly of the groups representing the families of past sufferers.

9.17 pm

Miss Anne McIntosh (Vale of York): I am delighted to participate in the debate because I recognise the importance of food safety and of achieving the highest possible food standards in this country.

I welcome the Government's changing their mind, or backing down, on charging and the fact that there will be no flat-rate levy. I am especially pleased because, after my "Save Our Shops" campaign, I have pages and pages of petitioners' signatures from people who live in villages throughout the length and breadth of the Vale of York, such as Rawcliffe and Skelton. Those people wanted to intervene to save villages and corner shops, so I am delighted that the Government have accepted that village shops and the services they provide go to the heart of rural life. I welcome the fact that the levy has been removed from the Bill permanently, never to return.

The Bill's main focus is on food safety. In particular, clause 1(2) says that the main objective of the Food Standards Agency is

"to protect public health from risks which may arise in connection with the consumption of food (including risks caused by the way in which it is produced or supplied) and otherwise to protect the interests of consumers in relation to food."

That is welcome, but I add a note of caution. The explanatory notes, which of course are not binding, go on to say that the composition and labelling of foods will be also introduced. For example, the role of nutrition and what role the FSA may play in that have been discussed this evening. I urge the Government that its role on nutrition should be limited and specific.

What is the position of the FSA in relation to imported foods? Will it have any jurisdiction or none at all over the way that imported food is being produced, processed or packed? That in turn prompts the question: what steps will be taken to ensure that imported foods meet the same high standards as home-produced foods?

Clause 9 deals with animal feedstuffs. Pork and pigmeat from animals fed on illegal meat and bonemeal is being imported to this country, yet consumers are not aware that those animals have been fed on feedstuffs that are banned here. Could those foods be labelled in the future?

I regret the Bill's departure from the concept of partnership, to which the Government have referred in many other pieces of legislation. The agency could have been set up as a partnership between producers, retailers and consumers. Too much emphasis is placed on consumers and too little on factoring producers and retailers into the legislative loop.

I am also afraid that the agency may add an unnecessary tier of bureaucracy, as many of its functions could have been undertaken by existing functionaries, namely, environmental health officers or Health and Safety Executive officers. In that sense, it could be regarded as another regulatory burden on small businesses.

Mr. Christopher Fraser (Mid-Dorset and North Poole): Does my hon. Friend agree that small and medium-sized enterprises across the country, particularly in England—we have heard a lot this evening about Scotland—will suffer immeasurably as a result of the costs and implications of the Bill, however it is presented?

Miss McIntosh: I thank my hon. Friend for that timely intervention, which goes to the core of the Bill. Not only would the original Bill, which proposed a levy, have damaged village and corner shops, but the

slaughterhouses, abattoirs and butchers that make up small and medium-sized businesses will have an additional burden imposed on them by the Bill.

I echo what many of my hon. Friends have said: I would prefer food safety to be administered locally. Environmental health officers should be locally accountable to the Meat and Hygiene Service.

Mr. Tyler: Will the hon. Lady give way?

Miss McIntosh: I fear that we have had sufficient interventions from certain quarters of the House and I must make progress. I apologise to the hon. Gentleman.

The Meat and Hygiene Service is to be absorbed into the Food Standards Agency. With regard to openness and transparency, can the Minister clear up an anomaly? Meat processing plants are supervised by environmental health officers, whereas meat cutting plants are supervised by the Meat Hygiene Service. Does that mean that both will be monitored by the Meat Hygiene Service? If so, that would be a regrettable move.

Mr. Rooker: The answer to the hon. Lady's question is no.

Miss McIntosh: Heads were nodding in various quarters to which I am not allowed to refer, so I am delighted that the Minister has put my mind at rest on that count. Will he now turn his attention to a question that I raised in an intervention: why are we the only country in the European Union that interprets the French term, "vétérinaire" as meaning fully qualified veterinary surgeon? In so doing, we are damaging our industry and I urge the Minister to ask his officials whether environmental health officers could be treated as "vétérinaire" for the purposes of the directive, as they are in countries such as Spain. This country is over-interpreting the regulations.

If the agency is to be independent, will the Minister assure the House that parliamentary scrutiny will take place both on the Floor of the House and by the Select Committees concerned, namely, those on health and agriculture? Will the agency be accountable to the Department of Health or the Department for Trade and Industry? I understand that most standards agencies report to the DTI, so it would be a break from tradition if that were altered.

On appointments to the agency, hon. Members from both sides of the House agree that the chairman, the chief executive and members of the agency should be of proven ability, high standing and without any vested interest. At the very least, some members should have a working knowledge of the food industry to prevent knee-jerk reactions to food safety scares that may arise in the future.

I echo the request of my hon. Friend the Member for South Suffolk (Mr. Yeo) for the Minister to explain how a Food Standards Agency could have prevented the recent crisis in Belgium. Scientific evidence was presented to the Belgium Government, who refused to act and to share that information with the public.

I make a plea to the Minister that a competent risk assessment should be made on the basis of sound scientific evidence. I pray in aid the banning of beef on the bone. Farmers in the Vale of York are only too aware that we still cannot serve beef on the bone, yet the risk to the consumer is minuscule. Choice has been taken away from the consumer. I hope that the Bill will provide for the Food Standards Agency to carry out a competent risk assessment on the basis of sound science.

I support the aims and objectives of the Food Standards Agency. It is welcome that the Government wish to instil confidence in the public and in consumers about the food safety of products produced in this country. However, I firmly believe that the FSA would fall short of its objectives if imported food products were not subject to the same high standards as we seek to impose on our own producers. Consumers must know that imported processed and home-produced foods are subject to the same high standards.

Although I shall not vote against Second Reading, I query the idea that the Food Standards Agency is the best vehicle and the best way to achieve these agreed aims, especially as its remit has, under clauses 21 and 32 and schedules 3 and 4, been substantially extended beyond what was originally intended. It will replace local contracts and the local control of environmental health officers, but I believe that local democracy and local control have a real part to play.

Like my colleagues, I hope that the Government will accept some of the amendments that we table in a positive vein to improve the parts of the Food Standards Agency that can be improved. I support Second Reading, subject to amendments being made before the Bill returns to the Floor of the House.

9.28 pm

Mr. James Paice (South-East Cambridgeshire): We have had a generally good-natured and constructive debate on a number of themes on which hon. Members on both sides of the House have spoken with unity of purpose. That bodes well for the Committee stage and for the Bill's further progress. I am sorry that the Minister of Agriculture, Fisheries and Food is not present yet, because I want to pay tribute to him. He opened the debate in his usual courteous style, and he sat through much of it, which is more than can be said of most Cabinet Ministers. He did so of his own volition, and that was appreciated. He also attempted to answer all the interventions.

In response to an intervention from my hon. Friend the Member for South Suffolk (Mr. Yeo) on charging, the right hon. Gentleman clearly stated that charging cannot be introduced because that clause has been removed from the Bill. We fully accept that, but the fact remains that if the Meat Hygiene Service is to be within the Food Standards Agency, an existing charging mechanism will be in place. Although the Minister of State clearly has no intention of altering the position, I should be grateful if he would point out any legal constraint that would prevent the agency from recouping some central costs through MHS charges if it felt so inclined. I am happy to accept that that is not his intention, but I should be grateful if he would examine the legal position to ensure that it could be stopped.

Of course we welcome the Government's decision to back down on the charging issue, but we should like to know where the money has come from. Only a few weeks ago, the Minister had to tell us that he was paying for the increased cost of the BSE inquiry by cutting expenditure elsewhere. I hope that, in the spirit of openness that has pervaded the debate, the Minister will tell us where the money is coming from, welcome as it is.

[Mr. James Paice]

The hon. Member for Rother Valley (Mr. Barron), who chaired the Committee that examined the draft Bill, spoke of the briefness of his timetable and the difficulty of doing a comprehensive job in that time; but I pay tribute to him, and to his Committee, for doing a pretty good job in what were clearly difficult circumstances. The hon. Gentleman made particular reference to advertising, and the agency's role in that context. I hope that the Government will respond to what he said.

Much of the debate hinged on the issue of the agency's independence, to which my hon. Friend the Member for Hexham (Mr. Atkinson) and others referred. On page 5 of their response to the Committee, the Government say:

"It is not the Government's intention that the Agency should be wholly independent of Government."

However, the notes on clauses—which I suspect we have all seen—say that clause 1 establishes the agency as a Crown body, and that it will be a non-ministerial Department. Indeed, the Minister of State intervened to reaffirm that, going so far as to suggest that it would be as independent as Customs and Excise. That does not sit well with the statement that the Government do not intend the agency to be wholly independent.

Clause 21 gives the Government power to overrule the agency's advice, and to invoke draconian powers to act independently and contrary to it. Does that mean that the Government would, or could, continue to ignore advice from their statutory advisers, as they have already ignored that of English Nature on genetically modified crops?

The Government's response also states:

"Any decisions made by the Secretary of State to direct the Agency could be subject to the usual and established procedures of Parliamentary and Judicial accountability."

Having experienced two years of the Government's attitude to parliamentary accountability, I should be grateful if the Minister would expand on precisely how he thinks that that could be achieved.

Comments have been made about representation in Europe, and negotiations on issues in Europe that relate to the agency's responsibilities. The Government have said clearly that the agency will represent the United Kingdom Government in Europe. However, it will have to represent not its policy but Government policy, even if the Government have failed to represent the agency's recommended policy.

It is clear that the Government expect the agency to play a major role in strengthening public confidence. Many hon. Members on both sides of the House have sought to achieve that, but I fear that the Bill goes only part of the way towards fulfilling the Government's expectation. It also has the potential—I put it no more strongly than that—to join an ever-growing list of Big Brother policies. There is considerable concern—which has been expressed in the debate—that, while the powers being given to the agency may be justifiable in some circumstances, it will have the potential to exploit them in an overbearing manner, to take things too far and to cause immense damage to food businesses and manufacturers, small abattoirs and many others who will be affected by its activities. I hope that the Government will show us some way in which the agency can be constrained so that it uses its powers responsibly.

Nowhere is that more relevant than in relation to nutrition and dietary advice. Over the years, we have all heard of many cases in which advice on what to eat or drink has, a year or two later, been overruled—so that the advice changed from, "Don't eat or drink any of that", to, "Eat and drink lots of it." The Opposition are concerned that the agency will take the practice too far, providing advice that might damage businesses and affect individuals, only for that advice to prove, in later years, to have been wrong.

The hon. Member for North Cornwall (Mr. Tyler) also said that the agency should be involved in food quality. Although I understand his objective, I must tell him that quality is usually very much a matter of perception. I am reminded of an article in last week's edition of *The Sunday Telegraph*, which said that a chef had quit because the owners wanted, as he put it, to "dumb down the menu". The chef thought that the new menu's quality was not adequate—although it included sea bream served with pesto and rib-eye of beef in red wine sauce, which I should argue is perfectly good-quality food.

Hon. Members have also mentioned the agency's accountability and the annual report. The question is how the Government will measure the agency's success. Although Ministers have said clearly that the Food Standards Agency will work out national multidisciplinary indicators with local authorities—which we welcome—neither the Bill nor the Minister's speech gave any indication of how the performance of the agency itself will be measured. Although bald statistics, such as food poisoning incidents, could be a part of such measurement, what else will be used?

Over three years, the Government will not only spend £123 million in establishing the agency, but, subsequently, annually spend another £29 million of taxpayers' money. What system will the Government use to assess whether that money is being well spent? Clause 4, on the need to publish a report, does not provide an adequate measurement—we already see enough annual reports from agencies and organisations that are simply guff and self-congratulatory. The Government must publicise and publicly set targets, and the report must show if those targets are being met.

My right hon. Friend the Member for Penrith and The Border (Mr. Maclean)—who, at one time, had responsibility for these issues—addressed in detail the issue of risk assessment. The Select Committee on Agriculture, in its report, said:

"One of the first tasks for the Food Standards Agency will be to draw up and publish the risk assessment criteria under which it will operate. We recommend that it consults widely on these criteria before they are adopted. A clear definition of the respective responsibilities of the Government, the Food Industry and the individual consumer is also required."

There has been only a deathly hush in response to that, but I hope that the Minister will today provide us with a response.

The Consumers Association survey said that 97 per cent. of people wanted the agency to guarantee that food was safe. Many hon. Members have described the true absurdity of that objective—*[Interruption.]* The Agriculture Minister laughs, but, as he will understand, if that is people's expectation—

Mr. Rooker: You said he was a good guy.

Mr. Paice: I did say that the Agriculture Minister is a good guy, and I shall say it again now that he is in the Chamber: he is a good guy—at least in the way in which he deals with his debates.

Nevertheless, if people really believe that the agency will be able to guarantee that food is 100 per cent. safe, expectations have risen far beyond that which is attainable by anyone, however clever he may be. Do Ministers accept that it is impossible to remove risk? Do they also agree that—as the hon. Member for South Derbyshire (Mr. Todd) said—it could even be undesirable to pursue the goal of removing risk, as that might render the population sensitive to all manner of ailments—*[Interruption.]* The hon. Member for Hayes and Harlington (Mr. McDonnell) laughs, but he obviously does not know any science. If we remove the body's opportunity to develop its natural immunities, people become much more susceptible to ordinary ailments that they previously would have resisted.

Several hon. Members said that they believe that the advent of the Food Standards Agency will prevent further food poisoning outbreaks. I wish that were true.

The Secretary of State for Health (Mr. Frank Dobson): No one has said that.

Mr. Paice: The right hon. Gentleman was here for the first speech, and that was that. I can tell him that that has been suggested by some of his hon. Friends. It is not an achievable objective. I do not believe that we are serving our constituents well by suggesting that if the Food Standards Agency had been in existence, none of the recent food scares or incidents would have happened. The hon. Member for North Cornwall called my hon. Friend the Member for South Suffolk "the Member for hindsight"—but we have seen far more hindsight from Labour Members tonight.

Many hon. Members have referred to the Meat Hygiene Service. The Government have said that the service should report to the agency, and yet maintain its identity as a discrete executive agency. However, we have no real explanation—despite the Minister's emollient words—about why the Government have rejected the view of the Committee that the two major roles of the MHS, regulation and enforcement, should be separated. I hope that the Government will take heed of what was said by many Members on both sides of the House and look again at their decision on the position of that service.

My hon. Friends the Members for Ludlow (Mr. Gill) and for North Shropshire (Mr. Paterson) referred to the possibility of appeals, and to the severe impact on small businesses and abattoirs—the hon. Member for South Derbyshire referred to a small cheese producer—if the agency used its powers in too draconian or overbearing a manner. I hope that the Government will look at the relevant mechanisms to provide some avenue of appeal before businesses are closed down by an over-zealous inspector.

As my hon. Friend the Member for South Suffolk said in his opening speech, we would like the agency to have the same powers of control with regard to imported foods—a matter referred to by, among others, my hon. Friend the Member for Vale of York (Miss McIntosh). Why should food be allowed into the UK which has been produced to standards below those expected of food producers in this country? Why should foreign food be allowed into Britain, deliberately undercutting British food producers, whose hands are tied by stricter production standards?

Will Ministers agree to extend the powers of the agency? Obviously such powers cannot affect how food is produced abroad, but they can certainly affect what food is imported into this country, and whether it meets the standards demanded of domestic production. The Minister said nothing about the future of his own Ministry. I must ask whether this Bill, once enacted, leaves very much for it, and whether this is his swan-song. The Government have given Welsh farm policy to a vegetarian and Scottish farm policy to a Liberal. They are giving food policy to the FSA, and they are clearly intent on bankrupting thousands of farmers whose incomes have fallen by more than 70 per cent. since they came to power. We must wonder what is left for MAFF to do. What other goals does the Minister have? Did the Minister's mentor and namesake, the Chancellor, say, "Go to MAFF and get rid of it"?

The Bill has the Opposition's support in principle, as my hon. Friend the Member for South Suffolk made clear. However, as my right hon. Friend the Member for Penrith and The Border said, it is important not to raise expectations to the unattainable. We support the principle of the Bill, but believe that there is significant room for improvement. I hope that the Government will listen to those concerns and to those of the many organisations which have responded since the final version of the Bill was published. If they do respond, we will do all that we can to give the Bill a fair wind.

9.43 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I will do my best in the time available to respond to as many points as possible.

On behalf of the Government and the House, I want to pay tribute to the work of the Special Select Committee. We understand the reasons why the Committee had such a tight timetable. We intended, if at all possible, to start to legislate in this Session, so everyone could work out the time constraints that we were under. The Committee did an excellent job, and the proof of that is that the Bill has changed as a direct result of the report and the evidence given to the Committee by outsiders.

We have heard 16 speeches from Back Benchers, with detailed and positive points, although there have been a few negatives. We must not lose sight of the ball itself: why the agency is needed. It was proposed by both Government and Opposition Members before the general election, to overcome the perceived contradiction of the Ministry of Agriculture, Fisheries and Food, as the sponsoring Department of agriculture and the food industry, being the guardian of food standards and safety. We could not carry the public perception. That is why the agency is being set up.

In a way, MAFF is indeed two Departments. The hon. Member for Vale of York (Miss McIntosh) got it wrong, because there is no new bureaucracy here, although it is true that the agency will grow a little from the joint food standards and safety group. It is not generally appreciated

[Mr. Jeff Rooker]

how much work goes on in MAFF. I freely admit that, having been a Member of Parliament for more than 20 years, I had no idea when I walked into the Ministry that there were the best part of 300 people in Ergon house and 70 in Skipton house dealing with food matters that are not dealt with by the local authorities.

The work done by MAFF includes that of the additives and novel foods division, which deals with all the issues of sweeteners, flavourings, colourings and chemical migration from packaging; the work of the food hygiene division, which deals with the research and scientific advice on the microbiological safety of food; work on milk and egg hygiene; the surveillance of the food contaminants division, monitoring natural toxicants, microtoxins, environmental contaminants and heavy metals; risk management work; studies of the scientific aspects of food contamination; the work of the food labelling and standards division; the policy studies of the meat hygiene division; the work of the radiological safety and protection of nutrition division; the work of the veterinary public health division; and work on food and welfare.

All that work is being done under central Government. My criticism of the previous Government is that, by and large, I never heard about it. I knew about BSE, E. coli, salmonella and the other crises. No one can criticise the technical and policy work driven by officials inside MAFF—it is second to none—but the public did not know about it because they were overwhelmed by the other work that MAFF had to do on, for example, the common agricultural policy and supporting farmers. The work got hidden away, and the Food Standards Agency is a way of bringing it to the fore.

There has been criticism of the research budget. We are simply transferring the existing budget. I do not get that many complaints. MAFF spends the best part of £130 million on research, out of running costs of less than £700 million. We estimate that about £25 million of that is directly related to food standards and safety. The Department of Health also does parallel work. The agency will have total control of the budget. At present, all the work is contracted out by tender, and even the work that goes in-house has to be fought for by MAFF agencies.

There has been some criticism of the Bill's drafting. I must not criticise the parliamentary draftsmen as I will have to work with them while the Bill is in Committee. The agency, as a quango, is different from all the existing quangos and agencies. It will function as a non-ministerial department and the Bill gives it the right to decide to publish whatever information it controls, and not only advice to Ministers. Obviously, there is a set of procedures to go through, but the agency, not Ministers, will have control. Freedom of information is built into the Bill. That is crucial to the transparency and openness of the agency's operation.

Hon. Members have spoken about the agency's independence from Ministers. It must not be independent from the House; it must report to the House. Its accounting officer will be responsible to the Public Accounts Committee. Any Select Committee can call in Government agencies and the Food Standards Agency will be the prime source of policy making, information and advice for all and sundry and for all Departments and outside bodies, including industry. Select Committees can make inquiries as and when they want. Obviously, the independence of its members will be important and we will need some class people. It will not be a case of learning on the job. The agency will fully conform with the Nolan principles, and advertisements will be placed in the next few days.

I can tell the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) why we are proceeding now, instead of waiting. Our original plan was to proceed last year, in advance of Scottish devolution. There is nothing underhand about the Government's actions. Until the House gives the Bill a Second Reading, my right hon. Friend the Secretary of State has no legal authority to advertise for the chair and deputy chair. We have the authority to set up the headquarters building, and that is not nugatory. However, we do not want to rush the process of appointment. Over the summer, we will have time to set the agency up with care.

The location of the headquarters will be central London. I can tell my hon. Friend the Member for Aberdeen, Central (Mr. Doran) that Professor Philip James recommended that so that the agency was not marginalised from the rest of Government. We announced that important decision some time ago.

The vast majority of the staff will, I hope—and we are engaged in asking the staff their opinion—transfer from the joint food safety and standards group. There will be no compulsion and we will ask for volunteers. Those staff are the experts, who deal with the subjects I mentioned earlier. We will also need some 100 to 150 extra staff and we intend to bring people in from outside to dilute the culture. I believe that we are handing over to the agency a culture of openness and transparency in some of the policy changes that we have made in the past two years, but we can always do better. By diluting the MAFF and Department of Health culture with outsiders, we will move a little further towards that aim.

The meat hygiene charges cannot exceed the inspection service costs, as I hope hon. Members know. The levy has gone, but the Food Safety Act 1990 provides for a charge for the work of enforcement authorities. Treasury rules, however, mean that only the direct costs of enforcement can be recovered. The Bill contains no means to bring in a tax or levy in the way that was originally proposed.

I was not present for the contribution by the hon. Member for Ludlow (Mr. Gill), but I was listening downstairs. He made a big point of saying that the agency will be able to do anything, but he did not finish the sentence, which reads:

"The Agency has power to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of its functions."

That is an important qualification. The agency will not have free range: it will be constrained by the legislation and the guiding principles it contains.

My hon. Friend the Member for Rother Valley (Mr. Barron), who chaired the Committee with distinction, asked about an independent review of the Meat Hygiene Service. It will be subject to the normal quinquennial review, because it is a next steps agency.

I am relaxed about that. The one failure of the way that the House has worked in the past is that we have not systematically revisited legislation to ask whether it has done what we intended. Other countries in the European Union do that as a matter of course. The first time we did it was before I became a Member of Parliament, with a review of the redundancy payments legislation.

Mr. Tyler *rose—*

Mr. Rooker: No, I shall not give way. That was unique at the time. Since then, we have revisited the Child Support Agency several times, and that was the result of legislation that was not properly scrutinised because everyone thought it was a good idea. This Government have gone out of their way to consult on this idea on no less than four separate occasions. We want to get it right. The idea is well supported, but we want to be sure that all the right questions are asked.

This is not an anti-trade measure. No one has put it in those terms, but I want to make that clear.

Mr. Paice: We did not say that.

Mr. Rooker: No, it has been unspoken, but I want to make it clear that the agency will not discriminate between home-produced and imported foods. It will have no power to do so. Indeed, the Government have no power to do so. Food that is put on sale in this country has to conform to the existing food safety legislation. There are many issues relating to the methods of production of that food abroad, including perhaps welfare conditions, that are debatable. However, to suggest that the agency will allow food to be imported that is less safe but cheaper than our super-safe food, and that people will thereby be poisoned, is nonsense. There is no possibility of that.

Miss McIntosh: Will the Minister give way?

Mr. Rooker: No, there is not enough time.

The hon. Member for South Suffolk (Mr. Yeo) said that clause 19 allowed Ministers to make secondary legislation to prevent publication of information. Clause 19 does not give any powers to Ministers, but relates to existing statutory bars.

Clause 25 was also mentioned in that connection. We have searched the relevant legislation to ensure that the Food Standards Agency has access to all the information that it is required to have. For example, veterinary and other products are covered by confidentiality under the Medicines Acts, but the agency will have to have access to that information. Therefore, we have gone through the legislation to lift every statutory bar that we could find. We have included in the Bill provisions that mean that, if we find any other statutory bars to information that we think that the Food Standards Agency should have, the Government will be able to lift them. The reality is the exact opposite of what some have imagined. We want to be absolutely open and transparent.

The hon. Member for North Shropshire (Mr. Paterson) asked about the advice from the Select Committee on Agriculture and whether Ministers should be able to decide about removing the duty of enforcement from local authorities. That responsibility already resides with Ministers under the Food Safety Act 1990. That provision was part of the draft legislation, and remains in this Bill.

The House will understand that the participation of local authorities raises a difficult problem. One of the agency's three new functions is to set standards and to monitor their enforcement by local authorities. There are more than 300 local authorities, with different policies, budgets and concerns. We do not say that they should all be the same, but there must be a degree of consistency, and therefore monitoring.

One would not willingly take away powers from elected authorities, but it is possible that the agency may ask one authority to take over another's work if there is a failure. However, there are many examples around the country of local authorities co-operating and working collectively, and we want that to continue.

My hon. Friend the Member for Aberdeen, Central asked about charging for research. If the research generates results whose patents are of commercial value, the agency, if it so wishes, will be able to sell those results, or to license them to industry. There is nothing wrong with that.

We are continuing to undertake an enormous amount of background work on risk. One of the research contracts that we recently put out for next year's food safety research was for a study of the best way to communicate to the public risk elements related to food. We understand that we have a lot to learn and that we do not have all the answers. Communicating these matters to the public is one of the agency's fundamental tasks. Although bringing about a reduction in food poisoning cases will not be a test of the agency's success—we do not know why such cases are caused, so setting a target for such a reduction is not on—the ability to communicate risks successfully to the public without closing down an industry by accident is very important.

I shall finish by referring to what I took to be an attack by the hon. Member for South Suffolk on the integrity of Sir Robert May and Professor Liam Donaldson. In a letter to the hon. Gentleman, they have made it clear that neither would countenance any interference in the production of medical and scientific assessments. They added that, when the draft of their paper was considered by the Cabinet Committee, they suggested that it needed to be made less technical. They also suggested that it should include reference to the Royal Society's publication on the work of Dr. Pusztai. Such a reference was included in the final draft, and a set of recommendations for the future were also included. They added that at no time was any pressure exerted on them, and I hope that the hon. Member for South Suffolk will apologise to both of those people.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

FOOD STANDARDS BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Food Standards Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure incurred by the Food Standards Agency established by the Act;

(b) any expenditure incurred by a Minister of the Crown by virtue of the Act;

(c) any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Betts.]*

Question agreed to.

Northern Ireland

9.59 pm

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): I beg to move,

That the draft Appropriation (No. 2) (Northern Ireland) Order 1999, which was laid before this House on 9th June, be approved.

The order authorises £4,282 million for Northern Ireland Departments in the current financial year which, together with the £3,120 million voted in February, brings the total to £7,402 million for the current financial year.

In many ways, the debate should not be taking place here. The Assembly should be debating the figures, but that has proved impossible. Even if devolution occurs soon, we could not have left the debate until later in the year. We could not afford the risk that our vital services in Northern Ireland, including health, education, agriculture and local government, might run out of money. After devolution, it will be for the Assembly to approve any supplementary estimate. I know that most hon. Members join me in hoping that this will be the last time that the House has to debate the estimates in this way.

We face a crucial two weeks in Northern Ireland. My right hon. Friend the Secretary of State and I are meeting with parties in Northern Ireland in the next few days. My right hon. Friend the Prime Minister and the Taoiseach of the Republic of Ireland will join us later this week. Our aim is to end the current impasse and to ensure that devolution can occur by July in Belfast as well as in Cardiff and Edinburgh.

The 10 Departments are decided, as are the six north-south bodies. The Assembly has made extensive preparations for its operation. The other aspects of the Good Friday agreement, including the Human Rights Commission, the Equality Commission and the Police Commission, have been implemented or are in the process of being implemented. We are left with two key issues: how to set up the Executive Government and how to make sure that decommissioning happens as the agreement sets out. As all Northern Ireland Members will testify, we face difficult times in July, but I believe that the agreement is robust and that a majority of people in Northern Ireland approve of it.

We are committed to healing the divisions in Northern Ireland society. We recognise the work done by many groups to bring about mutual understanding, respect and reconciliation. We support initiatives to that end and we have provided £9 million for community relations programmes.

I emphasise that the estimates for the Northern Ireland Assembly can only be provisional. They are intended to sustain it through the summer recess. It was always recognised that further provision would be needed. There is no dispute about the fact that some items were omitted from the original projections and others were underestimated. Assuming early devolution, the revised provision can be voted by the Assembly as soon as possible after the recess.

The Government recognise that the £14 million determined in the comprehensive spending review last year is only an interim figure. I am fully persuaded that it will not be enough for the Assembly after devolution. I acknowledge that if devolution occurs next month,

a figure of up to £27.6 million could be needed this year to finance the Assembly's plans. The final figure will depend on the state of devolution, when additional support staff are recruited and when other services become fully operational. The Northern Ireland assigned budget has sufficient flexibility to cover those costs. That will be reflected in a supplementary estimate later in the year.

The Government's position is clear. The creation of the Assembly is a key aspect of the Good Friday agreement. There can be no doubt about the importance of establishing and paying for that major advance for Northern Ireland.

Mr. William Ross (East Londonderry): Can the right hon. Gentleman clarify the position? Everyone has heard him with great interest, but when he talks about flexibility and a further estimate, is he saying that any further sums needed for the Assembly will come from what was voted in March and what will be voted tonight, or will there be a supplementary estimate to draw further money down from the United Kingdom Consolidated Fund?

Mr. Murphy: The answer is no. Further money will not come from the Consolidated Fund in that the Government have made it clear that for devolution in Northern Ireland, as much as in Wales and Scotland, costs for the Assemblies must be found from the block grant. However, the hon. Gentleman knows that during any financial year, financial monitoring takes place on a three-monthly and then a six-monthly basis. On those estimates, we will look clearly at the situation and sufficient money will be provided for the operation of the Assembly. My right hon. Friend the Secretary of State and I could not estimate a precise figure six or seven months ago, when we were not sure exactly what arrangements would be necessary. Of course, we still do not know precisely when the Assembly will operate from. We will find the money from the existing provision.

Mr. Ross: That implies that any additional sums needed will have to come from provision made under other headings. Has the Minister any idea which they would be? Most Departments, especially those dealing with hospitals and education, find it difficult enough to manage already.

Mr. Murphy: I understand what the hon. Gentleman is getting at, but he will not get me to agree with him on this. As we get to the middle of a financial year and consider estimates in a budget of almost £8 billion, we sometimes find enormous underspends while there are overspends in other Departments. The whole budget tends to balance out in the middle of the year. We knew that when the budget was formed, but it would have been wrong for us initially to put in an indeterminate figure. We now believe that we have a firm figure, if and when devolution occurs in Northern Ireland in the next few weeks. We do not know precisely when that will happen, but provision will be made. We cannot allow a situation to develop in which the Assembly cannot be paid for, but it is in a very different situation from Cardiff or Edinburgh, in that we knew precisely when the Assembly in Wales and the Parliament in Scotland would start. We do not know precisely from when the full devolved Assembly will operate in Northern Ireland, but today, we are indicating that, in the event of it starting at the beginning of July, we could have to find the figures that I mentioned earlier. We are confident that they will be found within the provisions of the budget.

Rev. Martin Smyth (Belfast, South): I understand the Minister's point, but he said that there was a miscalculation and that certain figures had been overlooked. The total originally worked out at about half the amount that is now required. That is the point we are pressing because that was surely a mistake in the original estimates. It would be wrong to take money out of the block budget for a Government planning mistake. It may not be needed, but I would like the Minister to reconsider his statement that the money must be found from the block grant if a mistake has been made at the start.

Mr. Murphy: The comprehensive spending review extended over not one, but three years. It is more difficult to estimate for something when we do not know when it will start. That is a totally different situation. Since then, we have benefited from the expertise of those in the Assembly, particularly the Northern Ireland Assembly Commission, who have examined in detail what the Assembly has to provide. I have had several meetings with the hon. Member for Belfast, East (Mr. Robinson) and others who have made perfectly clear what it is likely to have to deal with in coming years. There are other aspects, such as the payment of salaries and other on-going matters, for which we must make provision.

The Northern Ireland Assembly is different—I repeat this point—because we do not know the precise start date. We know the situation in Cardiff and in Edinburgh. The people of Northern Ireland voted for the Assembly. I believe that they desperately want it to be established as soon as possible so that there can be local accountability—and we must pay for it.

Dr. Norman A. Godman (Greenock and Inverclyde): The Minister mentioned the Parliament in Scotland. I hope to be at its formal opening next week—subject to the agreement of the Whips. I am the husband of a Member of the Scottish Parliament, so I should be there. The Minister referred earlier to the Human Rights Commission. Am I correct in thinking that its members are preparing a draft Bill of Rights? If that is so, has the Minister any knowledge of when that draft might be published for consultation purposes?

Mr. Murphy: I hope that my hon. Friend joins his wife at the opening of the Scottish Parliament next week—but that will depend upon the Whips. The Human Rights Commission is working hard on the Bill of Rights to which my hon. Friend refers. I do not know precisely when it will evolve, but I shall bear in mind his remarks and ensure that the widest possible consultation occurs.

Mr. Peter Robinson (Belfast, East): As a general principle, does the Minister agree that it is much easier for Ministers to add money to a budget than take it away? Therefore, would it not have been better if the Government had allocated the amount that they deemed might be necessary for the Assembly to that head of expenditure, rather than subtracting it from other heads of expenditure as soon as devolution occurs? Has the Minister not left an unpalatable task for the new

[Mr. Peter Robinson]

Finance Minister, should devolution take place? His first act will be to take money away from health, education, agriculture or some other head of expenditure.

Mr. Murphy: The matter ought not be looked at in the context of removing money from this or that. Even if we had allocated the money to which the hon. Gentleman refers to the budget in the first place, the same argument could have applied some months ago—as it may apply some weeks hence. I hope that we will face this problem because it will mean that there is a fully devolved Administration in Northern Ireland.

I raise the matter in some detail this evening because the hon. Gentleman, I and other members of the Commission have discussed it. I do not want it to be thought for one second that the Government are reneging on their responsibility to pay for the Assembly. However, the figure is obviously difficult to pin down—whether we have it now or had it six months ago. I think that we are in a better position now to work out precisely what we think could be spent in the event of devolution. It is a matter of judgment whether we should have allocated the money some months ago. The Government accept absolutely the responsibility of paying for the Assembly. That is what the people of Northern Ireland voted for and it is what democracy is about.

I must refer to Belfast port as several hon. Members may refer to it during the debate. The House should be aware that the estimates before it tonight assume a receipt from the sale of Belfast port as part of the Chancellor's economic initiative. I made it clear to the Assembly when I addressed it some months ago—my ministerial colleagues have reinforced this point—that the sale of the port is an essential underpinning of the initiative. We are making every effort to promote a successful sale and we have encouraged extensive consultation about an acceptable proposal from the Belfast harbour commissioners.

However, if, for any reason, it is not possible to complete the sale during this financial year, there will have to be adjustments to spending plans. In that context—and as a contingency—we are, for the moment, holding back some future spending. If necessary, some projects may have to be delayed until the receipt is available. That is a prudent safeguard that may be needed in order to live within our budget. We will clearly have to examine the figures in the weeks and months ahead in the light of what I have explained to the House.

We have included £17 million for European Union and national agriculture support measures, and £153 million for other agricultural services. That includes estimates for farm support, for the development of agricultural industries, for the enhancement of the countryside, for forestry and fisheries, for rivers and for rural development. I know that Northern Ireland Members place a high premium on the agricultural industry in Northern Ireland; it is one of the major employers and is extremely important to the economy.

Economic development is vital for the future of Northern Ireland; we have set aside £153 million for the Industrial Development Board. I believe that the Good Friday agreement provides us with a unique opportunity for attracting new investment.

We have allowed £15 million for the Northern Ireland tourist board; continued peace will undoubtedly enhance tourist potential. We estimate that there will be a 4 per cent. increase in visitors this year—1.53 million people will come to Northern Ireland—and 15,000 jobs depend on that. If we achieved the same levels of tourism as the Republic of Ireland, we could create a further 20,000 jobs in Northern Ireland. We have allocated £265 million for the Training and Employment Agency, and £72 million for welfare to work. Almost 3,000 employees have signed up for the new deal agreement. We have allocated £61 million for more than 11,000 places under the job skills training programme.

The amount provided for education in Northern Ireland is £1.536 million: that is a 6 per cent. increase over last year for schools, libraries, youth and further and higher education services—for all types of school in Northern Ireland. We have included £17 million for arts and museums, and £5 million for the Odyssey millennium landmark project.

Another of the Government's priorities is the health service; we are spending £1,666 million for hospital, community health and personal social services. We have set aside £33 million for grants to voluntary bodies and certain other services. There has been increased provision for winter fuel payments and for payments into the Northern Ireland national insurance fund.

Finally, the Department of the Environment covers many areas of spending in Northern Ireland. There will be £147 million for our roads, £20 million for road passenger services and £13 million for the support of our rail services. There will be about £605 million available for housing, and £209 million for water and sewerage systems. We are targeting £30 million on areas in need of social and economic regeneration.

Those are high figures for a population of 1.5 million, and are similar in scale and proportion to those for Wales and for Scotland. That is deserved in Northern Ireland, as it is in Wales and in Scotland. The difference in Wales and Scotland is that, after 1 July, democratically elected men and women in the Assembly in Cardiff and in the Parliament in Edinburgh will be able to run their own affairs. We want that to happen in Northern Ireland. The purpose of the next 10 days is to ensure that we arrive at a solution to the current problem, so that when UK devolution goes live in Wales and in Scotland, it can also do so in Northern Ireland. The £7,000 million plus to which I referred will then properly be the subject of debate and discussion in the Northern Ireland Assembly. Above all, the Executive who will be formed in that Assembly will themselves be held accountable to, and elected by, the people of Northern Ireland. That is the prize that awaits us during the next 10 days.

It is important to understand that the world is looking at Northern Ireland. There is a great deal of good will among all the nations of the world for this process to succeed in Northern Ireland, and we shall do our best to achieve it over the next 10 days.

Mr. William Thompson (West Tyrone): The Minister compares Scotland and Wales with Northern Ireland, but perhaps he would acknowledge that, although the Scottish Parliament and the Welsh Assembly are democratic and have democratic Executives, an undemocratic institution

is proposed in Northern Ireland. If people elect a party, the policies of that party cannot be carried out because of the system. That is completely undemocratic.

Mr. Murphy: I do not agree with the hon. Gentleman; he will not be surprised at that. We have disagreed on these matters for some time. He holds his views sincerely, as we all do. In Scotland, some 70 per cent. of people voted for the system of government that they will have. In Wales, we voted for a change, too—by a much narrower margin, but we had a majority. The biggest percentage of people who turned out to vote was in Northern Ireland. Of those people, in a referendum that was specifically geared to an agreement, which every household in Northern Ireland received, 72 per cent. voted yes. We may disagree with that and hold our different views, but there is no doubt in my mind that the system of government—with the Assembly and the Executive—was approved by the people in a plebiscite. I believe sincerely that the majority of people in Northern Ireland still want what was approved.

In these coming days, the burden and duty on those of us who will be in Castle buildings will be to follow the wishes of the people by ensuring that the agreement is implemented and that there is an Assembly. Why should people in Northern Ireland not have an Assembly when the people of Wales and Scotland will have such bodies in a fortnight's time? They want one. That is why we should be absolutely certain that this is the very last such debate in the House of Commons, and that the next one will be for the Northern Ireland Assembly.

Several hon. Members *rose—*

Madam Speaker: Order. Before I call another Member, it may be helpful at this stage if I remind the House that debate on this order may cover all matters for which Northern Ireland Departments, as distinct from the Northern Ireland Office, are responsible. Police and security matters are, of course, the principal excluded subjects.

10.22 pm

Mr. Malcolm Moss (North-East Cambridgeshire): I shall start by echoing some of the Minister's remarks. We are debating this order against the intensification of efforts by both the British and Irish Governments and the Northern Ireland parties to break the deadlock in the peace process. The Opposition hope that those efforts will be successful and that an agreement can be reached by 30 June. We are anxious to see the formation of the new Northern Ireland Executive, and we want all eligible parties to take their seats in the Executive, in accordance with the Good Friday agreement.

As the Minister rightly pointed out, this is not a debate on decommissioning, but the Opposition are clear that only parties that have established a commitment to exclusively democratic and peaceful means can take their seats in government. As we have said on many occasions, there can be no question of Sinn Fein members taking on Executive responsibilities without a credible and verifiable start to decommissioning.

One of the reasons why we are so keen for the Executive to be established is so that responsibility for the matters that we are discussing can be rightly determined in the Assembly, in Northern Ireland itself. These are particularly important matters, relating to public expenditure on several key areas in Northern Ireland, such as health, education and transport, yet they are being addressed late at night in a debate on an order which is limited to just three hours. Of course, that has been one of the perennial defects of direct rule, which the establishment of the Assembly is intended to rectify. How much better it would be if these issues could be determined by a local Administration sensitive to local priorities.

Many of us thought that, once the Northern Ireland Act 1998 had become law, we had debated the appropriation order on the Floor of the House for the very last time. I suspect that that concerned appropriation order No. 1—No. 2 is of course before us—although I share the Minister's wish that this is the last appropriation order to be debated by this House.

As the Minister helpfully said, the order covers the main estimates for the Northern Ireland Departments and authorises spending of some £4,282 million for the current year. It does not, of course, cover the money spent by the Northern Ireland Office, including on matters such as security, policing, prisons and compensation. Many hon. Members will look forward to the sums spent on those areas being reduced in the context of peace becoming a firmly established feature in Northern Ireland. Regrettably, that is not yet the case, so those areas must continue to be top priorities for Ministers in the Province.

The order covers areas of expenditure across all Northern Ireland Departments, but I want to focus my brief comments on the Northern Ireland economy. One of the key by-products of peace will be the boost to the economy, which will make Northern Ireland a much easier place to sell to potential inward investors. In that context, I note the money being granted to the Industrial Development Board, which comes to just over £81 million.

The IDB has done an extremely creditable job over the years, attracting many prestigious inward investment projects. To a large extent, they have been attracted by a combination of policies—low taxation, flexible labour markets and less regulation. We fear that the present Government risk throwing away many of the competitive advantages that the Conservative Governments of the 1980s and 1990s fought so hard to gain. That would be particularly damaging, especially given the exceptionally high growth rates currently being enjoyed in the Republic of Ireland, not to mention some of the tax incentives there.

Let us look at Labour's record. Instead of making it easier to employ people, the Government have been piling extra red tape, regulations and burdens on to business. The social chapter, the working time directive, the national minimum wage and statutory union recognition will all saddle business with extra costs. *[Interruption.]* There are groans from those on the Government Benches, but these views are borne out across the board.

After the last Budget, Chris Humphries, director-general of the British Chambers of Commerce, said:

"I do not believe we are yet seeing the evidence of the business friendly face the government promised in its manifesto. Business is more heavily taxed, more heavily regulated than we were two years ago.

The smoke and mirrors Chancellor has not given us the whole picture. The net effect of Tuesday's Budget is that businesses will be £500 million worse off in 1999, £1.5 billion worse off in 2000, and £1.2 billion worse off in 2001".

That is an increased burden of £3.2 billion over the next three years, and it comes on top of the extra £5 billion a year in business taxes that Labour has already imposed.

Mr. David Winnick (Walsall, North): The hon. Gentleman mentioned the national minimum wage. Can we work on the assumption that, at the next general election, the Conservative party will totally oppose the national minimum wage and, if elected, will ensure that it is dropped?

Mr. Moss: We have said all along that we oppose the Government's proposals on the minimum wage, and we continue to do so.

I know that one of the particular concerns of hon. Members representing Northern Ireland was the massive hike in fuel and excise duties in the last Budget, including a 12 per cent. increase in fuel duty. The Government are clobbering the road haulage industry and, in Northern Ireland, giving a green light to the racketeers and smugglers across the border with the Republic. We believe that most of the proceeds of such racketeering and smuggling go into the pockets of the terrorist organisations.

Although we welcome the extra money for the IDB and the amounts being spent on economic development generally, let us be clear in our minds that it will be money wasted unless the Government wake up to the reality of the damage that their policies are doing to business.

I shall pick out a couple of matters for comment. Significant amounts of money are being devoted to the Training and Employment Agency—rightly so, as it is very important. However, perhaps the Minister would give an idea of the cost of each job created by the new deal in Northern Ireland. In the United Kingdom as a whole, the cost is in the order of £11,000 per job, making it the most expensive job creation scheme in history. Also, in the country as a whole, almost half of those who go on to the scheme come off it without any positive result. They move on to other benefits or disappear entirely.

The Government make much of the comprehensive spending review and the extra money being given to health and education. We have made it clear that we welcome that extra money.

Those concerns aside, I offer the Opposition's support for the order and hope, as I said earlier, that the next time it is debated will be in the Parliament buildings at Stormont, with the Minister of Finance and Personnel moving it.

10.30 pm

Mr. Eddie McGrady (South Down): I endorse the Minister's hope that this will be the last time that an appropriation order is debated in the Chamber, and that the democratic will of the people of Northern Ireland, so clearly expressed and so passionately sought, will be fulfilled over the next couple of weeks. In the meantime, it behoves us all to use our best endeavours to honour the will of the people as expressed in the referendum on the terms of the Good Friday agreement, which the people endorsed and are entitled to have delivered. That does not mean that we have to agree with all of it, but if we subscribe to democracy, we have an obligation to ensure that the will of the people, so clearly expressed with a 70 per cent. margin, is delivered by the parties in Northern Ireland within a very short time.

The need for a local Administration is apparent each day. In all the Departments of Government, many measures have been shelved and not brought into effect. They are awaiting proper debate by the people of Northern Ireland, through their representatives, in the context of what best suits the Administration there. It is essential that that proceeds as quickly as possible.

I share the concern expressed by the hon. Member for Belfast, East (Mr. Robinson) about the task of the new Minister of Finance and Personnel—who we hope will be in office before too long—in the light of the shortfall in provision for the expenses of the new Assembly, which were grossly underestimated by officials in many Departments. As the Minister noted, they have reached £27.6 million, instead of £14 million.

The new Minister will have to deal with the debacle that has resulted from the Chancellor's May 1998 so-called bonanza. The Good Friday agreement was endorsed by the Chancellor's statement that funds would be provided for an £87 million programme of essential and urgent major roadworks. Those included the Banbridge to Newry section of the Dublin-Belfast arterial route, the West Link in Belfast and the Toome bypass. On 21 April, a major roadworks programme was launched for 1999–2000 to 2002–03 by the Minister. That was in addition to the £87 million that was to come out of the Belfast port sale.

Examination of the proposal of the Belfast harbour commissioners, which was accepted, showed that it was wanting in many respects. I am deeply concerned about the indications given in the ministerial introduction to the debate that the funding shortfall, be it temporary or permanent, will mean that not only the roads programme, to which the money from the harbour sale was specifically dedicated, but other aspects of the budget will be affected.

I hope that the Minister will be able to reassure us that the budget of the Housing Executive for social housing, that for the agricultural and farming community and a number of other budgets will not be restricted because of failure to receive, or delay in receiving, receipts from the proposed privatisation of Belfast harbour. It is most important that we know that as soon as possible.

We all know that duty on fuel is part of the escalator. We in Northern Ireland, along with the rest of western Europe, accept our share of responsibility for achieving a greener and better environment, but the problem is that we are suffering disproportionately from the application of that tax. When we were debating clause 2 of the Finance Bill, I said, as did people from all parties subsequently, that increased fuel and road tax duties were causing great difficulty for haulage and transport companies and petrol retailers in the border areas.

The only land border between the United Kingdom and any other country is that with the Republic of Ireland. The enormous differential in fuel costs and road tax levy costs between the UK and the Republic of Ireland is already on record. In that debate, I suggested that, although the scheme implemented by the Netherlands Government in respect of their problem vis-a-vis the German fiscal system has created a differential, it is not nearly as big as that between the UK and the Republic of Ireland. I have pursued that suggestion ever since.

I understand that the Netherlands Government give a grant to Dutch border companies within 10 km of the German border sufficient to equalise the fuel prices of Germany and the Netherlands. In the area between 11 km and 20 km from the border, a levy grant is given to alleviate the difference, making it half the differential between the products of the two fiscal regimes. I am terribly disappointed that, despite many representations being made by many parties, we do not seem to be any nearer receiving an answer; because of that, there is further unemployment in Northern Ireland, and the transfer of companies to the Republic of Ireland is growing apace. It is vital that we receive an answer on the scheme as soon as possible.

One difficulty is that the matter of who is ultimately responsibility for whether such a measure is a tax concession or a levy concession from the estimates seems to travel back and forth like a shuttlecock between the Chancellor at Westminster and the Northern Ireland Office. If the measure is introduced, as I hope it will be, and the money has to come out of the Northern Ireland block grant, provision must be made for that. The Confederation of British Industry is deeply concerned about the long-term impact that such a huge differential will have on the economy of Northern Ireland. I shall not quote from its lengthy document on that; it is sufficient to refer the Minister to it.

The Department of Health and Social Services deals with long-term care. Some years ago, under the previous Administration, there was a great push to create private nursing homes at the expense of the public or statutory nursing homes. I participated in the struggle to ensure that there was a choice between those two sectors for the less well-off in our community. It appears that economic circumstances are being created in which the private sector is being pushed out of existence. I take as an example the case in the southern part of my constituency, where some 73 bed closures took place in a relatively short time because the funding was not sufficient to meet the cost of care and had not risen in line with inflation. If that process continues, the state will have to pick up the difference and supply the residential beds that have disappeared from the private sector.

The whole question of long-term care seems to have been put on hold. Some of the health boards that administer parts of my constituency have been instructed not to proceed with further implementation of long-term care projects because they cannot meet the justifiable increases in the cost of their staff and doctors. They will have to cut services to provide the funds for those—quite proper—increases in salary, which should have been properly funded to enable the new salary scales to be paid and to allow existing services to be at least sustained, if not improved. The long-term care document says that expenditure on the care of the elderly in our community should be increased. That now seems destined not to happen.

I know that many other hon. Members want to speak, so I shall make just one final point. It concerns the Government's road transport policy. Will there be a new ferry between Strangford and Portaferry, or are we to sink the next time we cross that piece of water? The proposal has been on and off for as long as I can remember. Will the Minister either take up that point, or take it away with him and come back to us another time with some affirmative action to replace the aged ferries known as the Motor Vessel Strangford and the Motor Vessel Portaferry? I am sorry to end on that parochial note, but I had to get it in somewhere.

10.42 pm

Mr. Lembit Öpik (Montgomeryshire): The Minister said that he hoped that this would be the last time that we debate these estimates, and I very much agree with him. Now that Wales and Scotland are enjoying devolution, we must remember that it is never too late to delegate. I continue to hope—for the sake of fulfilling many of the dreams and ambitions of constitutional reform, but, even more, for the sake of securing peace in Northern Ireland—that Northern Ireland takes its rightful place in what is becoming a federal United Kingdom.

It is worth bearing in mind that £4.2 billion is a lot of money. It is more than £3,000 a head in Northern Ireland, which continues to be the part of the UK most dependent on public funding. In the medium to long term, we want that to change. As Northern Ireland's economy benefits from the peace dividend, I should like to think that the proportion of income generated through private enterprise will increase.

I welcome the money for health and education. The increase in the education budget is about 6 per cent., which is well above inflation. That is very much in line with what the Government promised; more to the point, it is in line with our expectations of proper investment in education, which, for many years, has been starved of that sort of investment across the UK, including Northern Ireland. I therefore award the Minister a big tick, a "well done" and a 2-1 for that.

What concerns me most is the continuing question of the funds that will accrue from the sale of the port of Belfast. Last year, the Chancellor announced under the roads programme a special package for Northern Ireland, which amounted to some £70 million. The money was to come from the privatisation of Belfast harbour through a public-private partnership. As the Minister knows, I have grave reservations about the privatisation process, although I do not intend to pursue those now. Other hon. Members from Northern Ireland may wish to discuss that.

However, I remind the Minister that it is widely acknowledged that such a flotation would raise much more than £70 million, probably in the region of £110 million to £120 million. Lord Dubs has consistently informed Members of the Northern Ireland Assembly—my contacts are in the Northern Ireland Alliance party—that any money in excess of £70 million would be retained within the Northern Ireland budget. We have since learned that that may no longer be the case, and that the £70 million will be spent not only on road schemes, but on projects such as new school buildings and beef marketing. Great pressure has been put on the Committee of the Assembly to support the privatisation plans. If those plans are not agreed, the threat is that the projects will be delayed or even shelved.

Is it still Government policy, as outlined in Lord Dubs's submission to the ad hoc Committee of the Northern Ireland Assembly on the privatisation of Belfast harbour, that any money in excess of the £70 million contained in the Chancellor's proposals

[Mr. Lembit Öpik]

should be retained in the Northern Ireland budget? To underline the point, I remind the Minister of the reply that Lord Dubs gave to Mr. Neeson of the Alliance party on this subject. He said:

"The Chancellor of the Exchequer gave an undertaking that the proceeds from the sale of Belfast harbour would stay in the Northern Ireland block and therefore would be spent for Northern Ireland purposes. The Secretary of State and I have reiterated that on a number of occasions. I cannot see that the Assembly would do otherwise, because it would be their money. It is unusual for the Treasury to give such a commitment in relation to a privatisation, but one has clearly been given in this instance. It is there in black and white."

Will the Minister confirm that all the money from the privatisation will be ring-fenced for inward investment in Northern Ireland, and will not be drawn out of Northern Ireland by the Treasury and put into the collective coffers for the United Kingdom? That is an extremely important point. The Minister is obligated, especially on account of the Government's statements in the House and in the other place, to reaffirm that the money will be protected for Northern Ireland interests.

I congratulate the Minister on his confirmation that the current figure in the estimates for the cost of running the Assembly will be modified and increased if the Assembly begins to operate in line with its full intended purpose. I assure the Minister that he has saved the House from a long and tedious list of on-costs and unaccounted costs, which I would have read out had that assurance not been given. In reward for his far-sighted and fair-minded considerations, I shall spare him a whole page of my speech—a rare occurrence.

I want to comment briefly on a matter of continuing concern: rural life and farming in Northern Ireland. I looked at the figures, and I understand the Minister's comments in justification of the investment in agriculture. I am still concerned that agriculture is under great pressure in Northern Ireland, as in other parts of the United Kingdom. I hope that the Minister will be flexible on the need for further investment to protect a traditional way of life in the Province. It is a political decision to support smallholdings and family farms. Indeed, Northern Ireland has much in common with Wales, including the area that I represent. It is important to acknowledge the Government's warm words of reassurance for Northern Ireland farmers. I hope that those words are backed up by action, especially if the crisis deepens for any reason.

I am duty bound to comment on my continuing hobbyhorse and favourite worthy cause: Armagh observatory and planetarium. Having considered its budget, I can see that the increase from £798,000 to £818,000 is in line with inflation. The Minister is to be congratulated on his continuing concern for something that really is a centre of excellence in the United Kingdom. The Armagh observatory, in particular, is now participating in a proactive way in the international effort to track and catalogue asteroids and other heavenly objects that might collide with the earth.

You will recall, Mr. Deputy Speaker, that when I first raised this matter I was regarded as something of a crank—[HON. MEMBERS: "No, no."] I thank hon. Members for their consolation. I am glad to say that, following an Adjournment debate on that very subject a few months ago, both the national and the international specialist press have acknowledged the substantial step forward that was taken by Ministers in recognising first that asteroids pose a genuine threat to life on earth, and secondly—specifically—that Northern Ireland's Armagh observatory makes a significant contribution to the investigation of what I would describe as a developing area of astronomy. An inflation-linked increase for Armagh observatory could be the most important investment that the Minister has ever approved.

Mr. William Ross: I assume that the hon. Gentleman has read the report of a recent debate on this subject in the other place, and has also read an excellent document on near-earth objects, which sets out the dangers very clearly. There is a copy in the Library.

Mr. Öpik: I assure the hon. Gentleman that I have read both. I congratulate him on his interest in the subject, but I fear that I shall be ruled out of order if I stray any further into the subject of space. I commend both the documents that he mentioned to any other hon. Members who are interested.

Finally, I want to raise an issue that others have mentioned: the importance of recognising that we should have fewer debates on Northern Ireland here. This is one debate that I hope very much will pass from us to the Northern Ireland Assembly. As I am about the only member of my party who is not standing for its leadership, I thank Northern Ireland politicians for giving me a chance to keep myself busy in the evenings; but I would rather be idle than see this debate return to the House of Commons next year. I think that we all hope sincerely that, next year, we shall be debating and commenting informally on decisions made on the budget by Northern Ireland politicians, rather than their debating ours.

10.52 pm

Dr. Norman A. Godman (Greenock and Inverclyde): I am sorry to hear that the hon. Member for Montgomeryshire (Mr. Öpik) is not standing for the leadership of his party.

In his opening remarks, the Minister compared and contrasted the present condition of political devolution in Northern Ireland with that obtaining in Wales and Scotland. I visited the Scottish Parliament a few days ago in its temporary accommodation on The Mound in Edinburgh. I need hardly remind the Minister that First Minister Dewar—as he is known in Scotland—has already published details of eight Bills dealing with matters with which a Northern Ireland Assembly would deal in the round. As the Under-Secretary, my hon. Friend the Member for Dumbarton (Mr. McFall), will acknowledge, some of those Bills are less popular than others, but that is another story.

Along with the hon. Members for North-East Cambridgeshire (Mr. Moss) and for Montgomeryshire, I sincerely hope that this is the last occasion on which we shall discuss orders of this kind. There are, of course, profound differences between Belfast and Edinburgh and Belfast and Cardiff, but let us hope that Ministers in a Northern Ireland Assembly will, in the near future, engage with their Back-Bench Committees in the furtherance of legislation in their Province.

I want to ask the Minister some specific questions about the order.

Vote 2 deals with fisheries and other matters. Although we hear a great deal about agriculture in Northern Ireland—which is right and proper, as it is a very important industry—we hear rather less about Northern Ireland's fishing industry and fishing communities. Will the Minister confirm that he and his ministerial colleagues are anxious to ensure renewal of the older parts of Northern Ireland's fishing fleet? Especially in smaller fishing communities, it is essential that skipper owners should be given the opportunity and encouragement to replace old vessels.

In Scotland, we have similar problems with our fishing fleet, and Brussels—some might say unfortunately—is the final arbiter over their resolution. Nevertheless, it is essential that we should maintain a lively fishing industry, which must be based on a modern catching sector.

Are moneys being found to encourage training of young fishermen? These days, I probably should have added "young fisherwomen" to the end of that question, but it is primarily young males who take those fishing jobs. The Minister may not be able to answer those questions today, but I should welcome answers to them later.

Vote 7 deals with, among other things, ferry services, which were mentioned by my hon. Friend the Member for South Down (Mr. McGrady). Many ferry services already link Scotland to Northern Ireland, and we welcomed establishment of the Ballycastle-Campbeltown service. However, what discussions have been held between the Minister's officials and ferry companies on developing a service between Northern Ireland and Port Glasgow—which, as the Minister will know, is not in my constituency, but is not far from it. Such a service could be an important development for Northern Ireland, especially for its tourist trade.

I have no wish to harm the interests of people in Stranraer or in Troon, but there is keen interest on the lower Clyde in development of another service between Northern Ireland and the Firth of Clyde that uses the most modern ferry vessels—such as those built in Australia, as the Australians seem to be the experts. Have any discussions on developing more such ferry services been held between the Minister's officials, P and O Stena and other companies?

Vote 12 deals with expenditure on education. Recently, I received a letter from the chief executive of PlayBoard, on a matter which the hon. Member for Belfast, South (Rev. Martin Smyth) and other hon. Members are interested in and concerned about. The letter states:

"PlayBoard recently wrote to Assembly Members, MPs and other key Members of Parliament within the GB political parties on the lack of infrastructure support for the New Opportunities Fund in Northern Ireland".

After being approached by PlayBoard members, I wrote to the Minister on that very issue, to solicit his observations and advice on PlayBoard's mildly critical view of the Government and their officials.

The letter also states:

"The Minister refers to a Development Worker funded in each Area",

but claims that

"No decision has been taken on this yet. PlayBoard is acutely aware of the target to create 12,000 out of school childcare places and secure enough applications from Northern Ireland to spend the £9.9 million budget. Such targets require much more than one Worker in each area, providing advice and support to hundreds of community groups. Neither does it respond to the crucial training needs to ensure appropriate standards of quality and skills."

I would be grateful if the Minister could address that critical view of what has and has not been done.

On the funding of training for industrial skills, I remind the Minister that Harland and Wolff is one of only two shipyards in the whole of the UK that is capable of building vessels and structures in excess of 40,000 tonnes of gross registered tonnage. It is essential that that company be given assistance. I know that it is now specialising in the fabrication industry, but it is essential that training programmes are maintained to enable youngsters to use their skills in that shipyard.

Welding is an important skill in the construction of any kind of maritime vessel or offshore structure. A welder needs to be out of work for only a month or six weeks for him or her to be unable to meet the rigorous standards set by the major international insurance organisations.

There is a need to ensure that the facility survives, as it is one of only two such facilities in the UK—which had a once-famous, vast shipbuilding industry. The other is in Barrow-in-Furness. While the Minister has responsibility for such matters—before it is passed to Opposition Members or their friends in the Assembly—I urge upon him the need to ensure that that kind of training programme is maintained in the interests of that important shipyard.

I sincerely hope that this is the last time that we debate such orders. Despite the immense problems facing the negotiations in Northern Ireland, I hope that the Assembly can, in the near future, get down to the everyday work that, even this side of the formal opening day of the Scottish Parliament, Members of that Parliament are already engaged in. Committees are being set up there—more powerful than our Select Committees—and I look forward to the day when similarly powerful Committees which can hold the Executive to account are at work on similar Bills in Northern Ireland to those that will go through the Scottish Parliament. I hope that that day is not far off.

11.3 pm

Mr. Jeffrey Donaldson (Lagan Valley): The Minister dealt at length with the reasons why this House, and not the Northern Ireland Assembly, is considering the order this evening, and I want to comment on some of his remarks.

The Minister referred also to the referendum that was held in Northern Ireland last year which endorsed the Belfast Agreement and gave rise to the new institutions that have been proposed for Northern Ireland. Those of us who voted no in the referendum are not, as some suggest, against the concept of devolution for Northern Ireland. Indeed, many of us have campaigned for years for accountable Government to be restored to Northern Ireland. We want to see an Assembly working in Northern Ireland, and we want greater accountability. That must include the whole issue of appropriation. We, too, look forward to the day when these matters will be discussed in the Assembly.

The Minister touched on the reasons why power has not yet been transferred. I remind the House of the words

[Mr. Jeffrey Donaldson]

of the Prime Minister. In the *Irish News* and the *Belfast News Letter*, on the morning of the referendum, he wrote:

"Representatives of parties intimately linked to paramilitary groups can only be in a future Northern Ireland government if it is clear that there will be no more violence and the threat of violence has gone. That doesn't just mean decommissioning, but all bombing, killings, beatings, and an end to targeting, recruiting, and all the structures of terrorism."

When the same Prime Minister came to Belfast last week, and spoke again on the transfer of power to the Northern Ireland Assembly and the establishment of an Executive, I did not hear those words repeated. I heard a lot of condemnation of Ulster Unionist Members who have taken a particular political line, but I did not hear condemnation in the same terms of the terrorist organisations that are preventing the transfer of power to the Assembly through their failure to honour their obligations under the agreement.

I hope that, on the issue of the transfer of power, which would include decision making on appropriations, the Government will come down firmly on the side of the democrats. The argument is not between the Ulster Unionist party and Sinn Fein-IRA, but between terrorism and democracy. The Prime Minister said that one cannot blur the line between terrorism and democracy, but I see considerable blurring in his present attitude.

The Government cannot sit on the fence; they have to support the democratic parties. For power to be transferred to the Assembly, there has to be at least the beginning of the process of decommissioning illegal terrorist weapons, primarily by the IRA, as only the IRA's political representatives in Sinn Fein stand to gain from seats on the Executive.

To use the Prime Minister's own language, violence is continuing in Northern Ireland on the part of all the paramilitary groupings, but particularly the IRA. There have been three murders by the IRA this year, and last week there was the attempted murder of Martin McGartland. According to the Prime Minister's own criteria, set before the people of Northern Ireland, Sinn Fein-IRA should be ineligible to take up their seats on the Executive, against the backdrop of the continuing violence and their failure to decommission their weapons.

Let me be clear about where the Ulster Unionist party stands on this issue. We will not fudge the issue of decommissioning. As my party leader, my right hon. Friend the Member for Upper Bann (Mr. Trimble) said recently, it is no guns and no government for Sinn Fein-IRA, and that will not change.

Right hon. and hon. Members have referred to the privatisation of Belfast port. The Chancellor made provision in his special package for about £87 million for additional road works in Northern Ireland, to be drawn from the proceeds of the port privatisation. My party is not opposed to the privatisation in principle, although I note that Labour was opposed to it in opposition, so we find it a little surprising that it should be so enthusiastic about it now. What is important is the method of privatisation that is used, and I understand that a public-private partnership is the preferred option. However, safeguards must be built in to ensure that the public interest is protected. We do not want a repeat of what happened with Belfast international airport, when individuals lined their pockets at the expense of the taxpayer. That must not be allowed to happen in respect of Belfast port.

There is more flexibility in expenditure than the Government pretend. I hope that important infrastructural improvements, proposed recently by Lord Dubs in the five-year roads programme for Northern Ireland, which included a number of improvements to our major roads network, will not be sacrificed in order to proceed with the roads measures proposed in the Chancellor's package simply because there is a delay in the privatisation of Belfast port.

The Minister mentioned the considerable underspend on certain aspects of the Northern Ireland Departments and I hope that the flexibility provided by that underspend will ensure that the projects in the major roads works programme for the next five years will proceed as planned. I welcome that programme, especially the improvements proposed to the A1 dual carriageway—the Belfast road which runs through Newry, across the border and towards Dublin—and the improvements to the Hillsborough road junction in Dromore and the Rathfriland road junction in Banbridge, which have seen several fatal accidents in the past few years. Those improvements are essential and I hope that they will proceed in the next financial year, as envisaged in Lord Dubs's announcement.

We welcome the additional moneys that have been made available by the Government to promote and expand nursery education in Northern Ireland. I welcome the presence of the Under-Secretary of State for Northern Ireland, who has been very active in promoting nursery education in Northern Ireland. We welcome the expansion of nursery education, because there has been a gap in our education system. We are very proud of our education system, and we feel that the provision of extra nursery places can serve only to enhance educational attainment.

The Government are keen to focus much of the expansion in areas of high social need, and my party is not opposed to that in principle. However, we have been concerned by the implementation of the new admissions criteria, which link prioritisation of places specifically to children whose parents are in receipt of certain social security benefits. I do not say that there is no place for doing that, but the feedback I have received in my constituency suggests that the system has problems. I urge the Minister to review again the implementation of those special criteria. I support the targeting of nursery places in areas of high social need, but I am not convinced that we have got the balance right. I hope that once the present intake has been dealt with, the Minister will learn whatever lessons arise and review the criteria as required.

The Minister referred to economic development and we welcome the progress that has been made in Northern Ireland, especially in attracting new investment. We were pleased last week by the Government's selection of the Bombardier Aerospace Raytheon team's project for the airborne standoff radar system—ASTOR—for the United Kingdom. That will benefit Shorts in Belfast significantly. The firm's main plant is in the constituency of the hon. Member for Belfast, East (Mr. Robinson). He and other hon. Members from Northern Ireland have lobbied the Government in support of the project, and we welcome an announcement that will bring employment security to Shorts, our largest engineering employer.

That is the type of success story that we want in Northern Ireland. We welcome inward investment and its promotion, but we also want our indigenous companies to grow and to export their goods throughout the world. We must get that balance right, and the expenditure on economic development provided under this order is very important. We want peace and progress in Northern Ireland, but we must provide employment, especially for our young people. Employment gives them a stake in the community, and that is vital for progress.

The order contains provision for redundancy payments to be made following the demise of the action for community employment schemes. I was among those hon. Members with Northern Ireland constituencies who supported the ACE schemes, which brought important employment into areas of high social need. Some of the schemes were very successful.

The ACE project was very different from the new deal system, which I also welcome and which I have promoted in my constituency. However, the demise of the ACE schemes has caused problems. In the Seymour hill area in my constituency, the end of the ACE schemes has been much lamented by the local community. They assisted local people tremendously, and I am worried that the new deal arrangement does not provide the same community service. I urge the Government to examine the matter to see whether the new deal arrangement, which obviously provides new opportunities for people to gain employment, can also be matched to community needs.

The appropriation order also includes provision for the fire service. The present dispute is not exclusive to Northern Ireland, but stems from union unease about the withdrawal of national negotiating rights throughout the United Kingdom. Many fire brigade officers in Northern Ireland are concerned about the withdrawal of those rights, and I hope that the Government will use their influence to support their retention for fire services. It is very important to the men and women in the Northern Ireland fire service that we maintain a standard that applies throughout the United Kingdom.

The hon. Member for South Down (Mr. McGrady) spoke of the plight of Northern Ireland's petrol retailers, and the hon. Member for North-East Cambridgeshire (Mr. Moss) referred to the road haulage industry and to the impact of the increase in fuel excise duties on those industries. That is a major problem.

Recently, the hon. Member for East Antrim (Mr. Beggs) and I led a delegation from the Road Haulage Association to meet the Secretary of State for Northern Ireland. She undertook to bring their case to the attention of the Treasury, but we still await a response. I hope that the Northern Ireland Office will take the matter seriously, as the road haulage industry is suffering as a result of the difference in fuel prices and vehicle excise duties between Northern Ireland and the Republic. We are part of an island, so the road haulage industry is essential to our ability to export, and the matter needs to be given priority.

I endorse the comments of the hon. Member for South Down, who cited the example of the special arrangements in the Netherlands to deal with price differentials across the frontier with Germany. I hope that the Government will examine that seriously. As a member of the Northern Ireland Affairs Committee, I look forward to the report that it hopes to publish on fuel in Northern Ireland. I hope that it contributes to the debate. It is important that the Government should move quickly to deal with the problem, because it is having a serious impact on petrol retailers, particularly in border regions, and on the road haulage industry.

We look forward to the day when we have devolution in Northern Ireland, but it must be achieved on the basis of the principles of democracy, just as it has been in Scotland and Wales. It is easy for hon. Members to compare Northern Ireland with Scotland and Wales and say how beneficial it would be for all three of those regions of the United Kingdom to achieve devolution at the same time. That would be nice, but it has to be done on the basis of democracy. Just as it would be wrong for people who are linked to terrorist organisations that remain fully armed and engaged in violence to be in the Governments of Wales or Scotland, so it is wrong in Northern Ireland. We should be happy to see a devolved Administration with democrats creating accountable government in Northern Ireland, but those who are involved in that Government must be committed to exclusively peaceful means. That can be the only way forward.

11.22 pm

Mr. Peter Robinson (Belfast, East): We have had an interesting debate. The hon. Member for Montgomeryshire (Mr. Öpik) was chasing heavenly bodies around the firmament. The hon. Member for Lagan Valley (Mr. Donaldson) wanted to improve the road to Dublin. I am glad that I have a new friend and colleague, sitting on the Government Benches, who supports the introduction of more training schemes, particularly for shipyard workers. I have long campaigned for that cause and have been in touch with Ministers from this Government and previous Governments many times. A lot of work could be done, particularly on welding, because much of the work with oil rigs at Harland and Wolff requires a higher spec of welding. A training scheme in Northern Ireland would allow many local people to use welding skills in Harland and Wolff rather than bringing in workers from outside. The use of subcontractors has been a source of discontent in the shipyard for a long time.

I declare my registered interest as a shareholder of Harland and Wolff, although I assure the House that it is a modest shareholding. I should like to make some comments about the Belfast port. As a major land user in the port, Harland and Wolff has an interest. However, I shall speak against my recorded interest, because my position would not be to the benefit of any shareholding in Harland and Wolff. The hon. Member for South Down (Mr. McGrady) and I jointly proposed a motion in the new Northern Ireland Assembly to set up an ad hoc Committee to look at the future of the Belfast port. We had an undertaking on record from the Government that they would leave it to the Assembly to decide the future of the Belfast port. I always thought that it was slightly mischievous of the Government to say that they would leave the future of the port to the Assembly and then put into their estimates for the year £70 million contingent on the sale of it. However, perhaps that allowed the Assembly to decide which way it would cut the port's throat.

The Assembly Committee that is dealing with the matter has been working diligently and has spoken to all the interests. I do not believe that I am telling tales out of

[Mr. Peter Robinson]

school in saying that there is a clear impression among those who know of its work that it is not as Thatcherite as the Government about the future of Belfast port. Indeed, it would probably take the view that Labour took in opposition about the privatisation of Belfast port. I remember standing shoulder to shoulder with the then Opposition on this issue, in line with the trade unions, which recognised that certain functions made Belfast port a very bad candidate for privatisation.

A few days ago, the Committee met Lord Dubs, who expanded on what the Minister said tonight and said that in the absence of the £70 million from the sale of the port, they were looking where to cut back in other areas. I am sure it is only a coincidence that the cuts suggested just happened to affect each member of the Committee. No doubt they will not take anything that he said into consideration in dealing with the principles involved.

As was said earlier, the sale of Belfast port would probably raise considerably more than the £70 million mentioned in the estimates for this year. I rather suspect that the Government intend to pocket anything beyond the £70 million and put it back into the Exchequer.

Rev. Martin Smyth: Does the hon. Gentleman suspect that the person who miscalculated the amount required for the Assembly might have been the mathematician who divided the development land from the harbour land and took some land that was not really development land?

Mr. Robinson: Perhaps it was the same person who worked out the amount required for the Assembly in the rest of the financial year. We will come to that in a moment.

I believe that it is possible to gain something in the region of £70 million by privatising the port functions of Belfast port without taking away any of the land involved. The Committee will no doubt consider that. It would be far better, not least because if we can get £70 million and hold on to the land with the Exchequer getting nothing back, it is a much better deal than handing it back to the Government. We could put that gain in our treasure chest.

I am concerned that the Minister is getting bullish on Belfast port. One might almost say that there is intimidation because pressure is being applied to Assembly Members in respect of the consequences of their not taking such action. I hope that he will be able to assure us in his reply that the clear public commitment given to the Assembly that this task would be left to it is still the Government's policy and that they will not seek to sell the port off behind its back without reference to the Committee's views as expressed in its report.

Before I turn to the Assembly's budget, I see that the Under-Secretary of State for Northern Ireland—who is responsible for education in Northern Ireland—is on the Front Bench and clearly intends to reply to the debate. I take this opportunity to remind him of the great needs of Cregagh primary school. The Minister was good enough to see for himself the state of its buildings. Local people were impressed by his knowledge of, and interest in, the matter—he expressed his understanding and recognised the needs at that school. Feasibility and other studies have been conducted, but the matter appears to be dragging on. While we do not doubt what the end result will be, we fear that the issue will drift on for another year. The school has been blighted, and we must have a clear statement from the Minister at the earliest possible moment that the school will be rebuilt, and will therefore survive. I hope that he will make that statement before the Assembly assumes responsibility, as he has taken an interest in the matter thus far.

I want to make some substantive comments about an issue that has dominated not only many speeches this evening, but the debate in the other place a few days ago. Any argument for reform of the House of Lords was reinforced by the contributions to that debate, which were full of much ill-informed comment. Probably the best-informed speaker was Lord Molyneaux, who had clearly been briefed and who put the figures on the record. The result of that debate was, in many ways, most unfortunate. The debate was massively reported in the *Belfast Telegraph*, the main newspaper in Northern Ireland, and created much concern in the community and among the general public. It is important to set the record straight.

My view of the present process is different from that of most hon. Members. I opposed it before, during and after the referendum. Everyone knows where I am coming from on that issue. Therefore, they might take it better if I make it clear that I believe that the Assembly has been very badly treated on this issue. When asked to perform a task, the Assembly Commission must do so in the context of the existing structure. It did not invent the structure: it was not responsible for determining that there would be 108 Members, for instance.

I did not hear some of those who have complained about the cost agreeing with us when we said that the Assembly had far too many Members and was far too costly. When it was decided that there should be 10 Departments instead of the existing six, I did not hear any of them complain. They opted for the more costly option. Therefore, the Assembly Commission has costed a year of the fully functioning Assembly on the basis of the architectural drawings prepared and passed by the House and the other place. It therefore ill became Lord Fitt to speak in the manner that he did a few days ago. He said that the Assembly Commission's figure of £36 million had been produced with gay abandon; it had been pulled out of the air. The reality is that the most reckless statements were those that he made. He made remarks with no acknowledgement of the facts or of the details, but, having served in this House with the noble Lord when he was the Member of Parliament for Belfast West, that comes as no surprise.

The facts are that the Department of Finance and Personnel produced a figure of about £14 million; and the Assembly's shadow Commission produced an estimate of £36.9 million, but they were pricing for completely different items. The Department of Finance and Personnel was pricing for a version of the old forum, whereas the Assembly's Commission was pricing a fully functional, full-steam-ahead, legislative and administrative Assembly. There is a world of difference between the two. That is clear and it was immediately clear to the Assembly Commission.

Far from pulling figures out of the air, recklessly or with gay abandon, the members of the Commission took the task so seriously that they met officials of this House, who were most helpful in relation to the staffing that would be required in the Assembly. We spoke to the Stationery Office about the likely costs for printing. We

spoke to the Scottish consultative body about its estimate of costs. The costs prepared for the Northern Ireland Assembly are less per capita than for Scotland, for this House and, indeed, for Dail Eireann.

I should explain that I mean "per capita" in terms of the number of Members of the Assembly—not of the population. An Assembly to look after 2 million people will cost the same as one that looks after 10 million, if it has the same number of Members and functions in the same way. The Northern Ireland Assembly was set up with 108 Members by the Labour Government, although half that number would suffice. Indeed, the Members sit in a Chamber that originally held 52 Members. The old Northern Ireland Parliament functioned perfectly well with 52 Members. The pudding is being over-egged in order to bring certain interests into the Assembly—namely paramilitary interests.

The Assembly is cost-effective when compared to this House, to Scotland and to Dail Eireann—although I should not automatically choose to make the latter comparison. The amount of £14.3 million proposed by the Government does not take several factors into account. First, some costs have been underestimated, one of which is the stationery bill. The cost allocated for publications and printing was a few hundred thousand pounds. The Government obviously did not realise that a fully functioning Assembly will have to print Bills and a report of its proceedings. There will be Committees, which will have reports. There will be notice papers, business papers and so on. The eventual bill will be about £3 million, rather than £200,000 or £300,000. Several costs were underestimated.

Some matters were completely omitted from the costs. In several areas, set-up costs—where the transitional programme or training kicks in—which would of course be non-recurring, must be taken into account. There are a number of areas in which there are transferred costs, too. The Department of the Environment, for instance, is currently responsible for funding the repairs and maintenance of the Parliament buildings. After devolution, that responsibility will be transferred to the Assembly Commission.

The present figure that the shadow Assembly Commission is running to is in the region of £26 million. The only difference between the £26 million that it is now considering and the previous £36.9 million is the length of time of full devolution during the financial year. The base figure is still the same, but the amount that will be required, should devolution occur on 1 July, is in the region of £26 million. I am glad that the Minister has to some extent recognised that tonight.

I think that the Government have been involved in a little sharp practice on this issue. As one who is involved in preparing estimates for several different bodies, I know that one looks to the year ahead and decides what provision is required. On occasions, one must recognise that the money might not be spent. A head of expenditure is included if one thinks that it is probable that it will be spent. If it is not spent, the money can either be released for other purposes or put into the reserves. One has such an opportunity later in the year.

Either the Government do not believe that devolution will occur—they have no faith in their own policy of devolving powers to Northern Ireland—and therefore are allocating only £14 million ticking-over money, or Ministers are saying to themselves, "Why should we get our hands dirty in taking money away from education, the environment, some of the very important job-creation schemes, agriculture or housing projects? We'll leave that to the people who come behind us. We will put the low figure in for the Assembly costs, knowing full well that it is not sufficient, and let those fellows after us come in and take money away from various heads of expenditure." That is the job that has been left to a Northern Ireland Minister of Finance should devolution occur.

During debate in the House of Lords, reference was made—I think by more than one of the noble Lords—to the Assembly's functions, particularly the cost of what they called "democracy in Northern Ireland". As a devolutionist, I happen to think that a devolved Assembly is good value. The fact that I do not think that there is much democracy in the Assembly takes some of the glitter away from it.

The type of assembly to be set up in Northern Ireland is more costly than the kind now set up in Scotland—

Dr. Godman: That is a Parliament.

Mr. Robinson: Well, I am talking about a parliamentary Assembly. The Scottish structure is not based on the same committee structure. The Committees in Northern Ireland undertake a considerable function; they have even more powers than a Select Committee in this House. The staffing of those Committees was not even taken into account in the Government's £14 million, so it is very clear that the underestimate was the Government's responsibility, and that the figure proposed by the Northern Ireland Assembly was not an overestimate. It is important that those facts are on the record.

Finally, in relation to the possibilities of devolving power, some comments have been made during the evening that that is what the people of Northern Ireland voted for in the referendum. I do not believe that it is. I believe that the people of Northern Ireland were seduced into believing that the Prime Minister of the United Kingdom meant what he said when he made promises in and outside the House that there would be no prisoner releases until violence was given up for good.

The IRA have killed four people since then. They have been breaking legs and shooting legs. They have been racketeering. They have been involved in all kinds of violence. The fact that they do it under an alias does not make it any less a breach of the IRA's ceasefire. The Prime Minister did not keep his word on that issue.

The Prime Minister did not keep his word on the future of the Royal Ulster Constabulary. Reports of the work of the Patten commission make it very clear that it is talking about a new—yes, completely new—police service. The RUC is on the altar, to be destroyed as part of this process, and the Unionist community will not easily forgive those who have placed the RUC there.

The Prime Minister is about to break the promise that he made about the membership of an Executive by Sinn Fein-IRA. He made it abundantly clear that there was no place in government for those who were still wedded to violence and had not decommissioned their weapons. He is back-tracking daily on that pledge.

The people of Northern Ireland did not get what they voted for. They were given a second opportunity to give a verdict on that issue and, in the European election,

[Mr. Robinson]

no less than 60 per cent. of the Unionist electorate showed that they had no confidence in the process. The Government would be making a grave error if they were to disregard that voice.

It is abundantly clear that the Unionist community does not support the process. The Unionist community has given, in democratic terms, its verdict on the Belfast agreement, and I suggest to the Government that they think twice before they push that agenda forward. It must be reviewed. It must start to move towards a Unionist position instead of being dictated solely by a nationalist agenda.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call another hon. Member, perhaps I should remind hon. Members of the statement made by Madam Speaker at the start of the debate as to what is permissible within discussion of the draft appropriation order.

11.48 pm

Mr. William Ross (East Londonderry): I am always mindful of comments made by Madam Speaker, as she tends not to see people who disobey them. Therefore, I shall keep strictly in order.

I am grateful to the Minister for the letter that he sent all Northern Ireland Members on 3 June, stating the reasons why the appropriation order is before the House tonight. We all expected it to come in the normal course of events, so some of us are not surprised to find ourselves sitting in the Chamber at this hour of the evening. The mere fact of our presence shows that the Government's optimism about the establishment of the Assembly has not been realised. For that reason, the fact that the Minister is answering on some of the items that Members have indicated that we regard as sharp practice places him on the altar of having to answer for the decisions that have been taken in drawing up the estimates.

Given that the Government apparently expected someone else to reply to the debate this evening, I am looking at the figures with an even more jaundiced eye than usual to see whether the sums granted match the expenditure that is detailed. I was not greatly encouraged by what was said earlier. It seems that we are to have a block grant. Although we will be able to move the sums around a little within the block grant, in future years, there will be no question of coming back in March with a further appropriation order stating, as was the case earlier this year, that Her Majesty makes a grant of further sums. In that case, on 10 March, it was

"any sum or sums not exceeding in the whole one thousand six hundred and thirty-three million pounds"—

that is £1.6 billion, in plain language.

If, in future years, sufficient money is not granted in the block grant, too bad; we are stuck with it. If I am wrong, I shall be happy for the Minister to tell me so in his winding-up speech. It seems to me that if there is a shortfall, it will be a matter of, "Hard cheese, boys. You are stuck with it. The block grant is fixed at the start of the financial year."

We heard an interesting and telling speech from the hon. Member for Belfast, East (Mr. Robinson) on the cost of the Assembly, and others have raised the matter too. The sum last year was considerable—£10,642,000. In March this year, we looked for £7,650,000 and we are now looking for another £6,628,000—a total sum of more than £14 million, which falls short by £22 million of the sum arrived at by the Commission of the Assembly.

I listened to the Minister's comments this evening. He said that there was so much flexibility—so much fat on the sums granted to Northern Ireland—that there would be no trouble finding the £22 million out of some little corner. I am sorry, but I take that with a great big fistful of salt, not a pinch. That £22 million is already earmarked for expenditure under other headings. It has to be brought from somewhere else to go to the Assembly. It is clear that the Government intended the new Ministers to make cuts totalling £22 million in other earmarked expenditures.

It will be interesting to see where that sum is to come from. The estimates and the orders are laid before the House. We can go through them and compare them with last year's. The ways of Government never fail to amaze me, and I should like to know how they propose to find that £22 million. There are often overspends, but rarely underspends. When people in the public service get their hands on a few million, they will find something on which to spend it, even for the long term, such as on vehicles, rather than give it back to the Treasury and go looking for more next year. We all know that that happens.

Having drawn attention to the potential black hole in the finances, and having listened to the remarks of my hon. Friend the Member for Lagan Valley (Mr. Donaldson) and others on the sum that we are supposed to get for the roads programme from the sale of Belfast harbour, it is apparent that there is a considerable dent in the money available for capital expenditure on other requirements in Northern Ireland.

That leads me to another item about which I am somewhat concerned. Although it may appear that I shall trespass on the bounds of order, I can assure you, Mr. Deputy Speaker, that I shall not do so. I shall simply ask questions about where certain sums are to be found, because they are being expended in Northern Ireland.

I have tabled a number of questions about the inquiry into events in Londonderry on 30 January 1972. The Secretary of State provided me with some information on the sums expended in the past financial year—slightly under £7 million. In my latest questions, I have asked where provision is made in the estimates for those sums, which are certain to increase considerably this year; indeed, I understand that considerable sums have been spent since the beginning of April. The answers are surprising.

Legal aid is normally set by the taxing master and varies for a solicitor from £64.50 an hour to double that sum in some cases, although that is rarely paid. The taxing master is a judicial appointment; he is a judge who fulfils a certain, specific function. The inquiry has what is described as an independent cost assessor presently negotiating with the solicitors for the families, and there is no agreement as yet. The Secretary of State has told me that hearing and witnesses costs to the end of March were £4.25 million. I wonder how much of that money is for solicitors and barristers, and what their hourly rate is.

It is not clear to me why it is necessary to have an assessor. I ask the Minister specifically whether the money for the inquiry is coming from the legal aid fund

or from the Northern Ireland block grant. If so, it will have an impact that cannot be measured because we do not know what that sum will be. Is the money coming from some other fund which has been set up specifically for that purpose? Can we please have an answer to that simple question this evening? How much will it all cost and where will we find the sub-heading under which that provision has been made? The Secretary of State did not tell me that in her answer to my last question. I believe that unless the money has come from sources outwith the Northern Ireland block grant, there will be implications because the sum is considerable. The people of Northern Ireland need to be told exactly what the position is.

On a number of occasions, I have raised in the House the issue of care of the elderly who require nursing care; the Minister and I have debated it before. He will recall that, in the debate of 28 January in the Northern Ireland Grand Committee on the hospital services, I highlighted the problem of elderly people in hospital who should have been in nursing home beds and pointed out that looking after them in hospital cost roughly double looking after them in a nursing home. A lot of other problems from that time may have eased with better weather.

The Minister subsequently commissioned a special survey, which said that, on 26 February, there were 26 such persons in the Eastern health and social services board area, 30 in the Southern HSSB area, 65 in the Northern HSSB area and one in the Western HSSB area, adding up to a total of 122 elderly people who, for one reason or another, were in a hospital bed when they should have been in a nursing home. I appreciate that the number involved changes month by month, and possibly week by week, but there are still far too many people blocking hospital beds when they should be in nursing homes or, in some cases perhaps, receiving domiciliary care.

The Minister told us that he would do something about the problem. He said in his winding-up speech to the Northern Ireland Grand Committee on 28 January that he had earmarked £25 million for community care. Can he tell me this evening whether the domiciliary care element has been resolved? If it has, is its resolution permanent or temporary? Will that extra £25 million be available this year, next year and from here on out to deal with this on-going problem? Although the money is welcome, it applies only to domiciliary care. What extra provision has the Minister managed to make, in the current estimates and for future years, for residential care? That problem must be attended to. It has gone on for far too long, and if the Minister looks at it carefully, he will realise that savings could be made by putting those elderly folk and some of the very frail into the cheapest accommodation that is capable of meeting their needs. There is no reason why that should not be done when nursing home places are available.

I have been listening with interest to the various statements that have been made on the roads programme this evening and reading what has been said about it in the Northern Ireland press. I have also read the papers issued by the Northern Ireland information service on 16 June, which say that £155 million is to be spent on the roads programme during the next year. I am not too clear about what it will be spent on. We are not told, for instance, whether it embodies the Belfast harbour money, but apparently £155 million is available.

Interestingly, the chief executive of the Roads Service, Mr. McCoubrey, said:

"Roads are the backbone of Northern Ireland's social and economic life and it is essential not only to preserve this important asset but also to make the best use of it."

None of us would deny that, although sometimes when we look at the Government's policy on taxing lorries and fuel, we begin to wonder whether they really understand the vital necessity of a sound road network in Northern Ireland and of transport for what is essentially a rural community.

I believe that roads are the backbone of Northern Ireland's social and economic life. Too little money has been spent on them, especially on major rebuild, bypasses and maintenance. I therefore hope that much more money will be found and that the Government will set out a long-term programme of major works, giving some idea of when they will come up and prioritising them, and will stick to it. We have had enough chopping, changing and shifting about over the past 20 years to last us three lifetimes, never mind one. People have been told time and again that bypasses will be built.

The bypass in my local town, Dungiven, has been on and off the programme for many years. I declare an interest—or rather a loss—in that regard, as I have a small portion of ground that will be taken up for that road when it is built. When I was in my late teens or early 20s—nearly 40 years ago—a roads officials came round to the house and told my father that we would probably lose that bit of field within the next couple of years. My father and I debated seriously whether we should go ahead with necessary land drainage. We have done it a couple of times since and the road is still not there. It is not the most important bypass in my constituency. I think that the most important is Limavady, although others may disagree.

I hope that when we have a priority list, with the main road from Belfast to Larne at the top, we will stick to it until it is completed and not allow ourselves to be blown off course when somebody else comes in screaming their head off a bit louder than the folk who rely on the word of Governments and officials.

There is much that I could say about agriculture, not least about the perilous state of the pig industry. If my hon. Friend the Member for West Tyrone (Mr. Thompson) catches your eye, Mr. Deputy Speaker, he will be far better able to expand on that than I. The remaining hon. Members have nearly an hour in which to put their points before the House and to the Minister.

12.5 am

Rev. Martin Smyth (Belfast, South): I shall not take the line that some hon. Members have developed, but I shall refer to the concept of democratic control in the light of the experience of the Angolan Parliament. Angola elected a Government of national reconstruction, but people quickly returned to their weapons, and the country continues to be in turmoil. Some of us are concerned about what may be going on in Northern Ireland.

Can the Minister tell us whether expenditure on water and related services will be required to deal with the problem of lead pipes? They are still around. I raised the issue in the House the last time we discussed appropriation orders and in the Northern Ireland Grand

[Rev. Martin Smyth]

Committee because there is much concern. Action is being taken on one estate to which I drew attention, but larger areas are affected.

Vote 12 deals with expenditure on education. I pay tribute to the work that is being done in our schools, from the youngest to the oldest. I particularly pay tribute to Rathmore convent school in my constituency, which again won the bar competition. Methodist college still shines in the performing arts, and will be in the Olivier theatre on 12 July—that will be an appropriate evening, even though it may bring me back earlier than usual.

Has the Minister any information on the number of families affected by the decision on nursery education to which my hon. Friend the Member for Lagan Valley (Mr. Donaldson) referred? Many people in gainful employment who want to purchase places find it difficult to obtain them, and others who are in the state system of nursery education have been told that although their names were on a list they could no longer be accepted. How will that affect employment patterns?

I represent at least three of the wards of greatest deprivation in Northern Ireland and many other parts of south Belfast where there is need. Like my hon. Friend the Member for Lagan Valley, I support the concept of helping families that need help, but we must also be careful not to destroy a sector in which people have been working hard and making sacrifices to make an economic contribution to society.

The hon. Member for Montgomeryshire (Mr. Öpik) welcomed the 6 per cent. increase above inflation. We must also bear in mind the fact that Government policies have unfortunately added to the cost of the education budget in Northern Ireland. We have the controlled sector, which is the state sector, the maintained sector, which is the voluntary sector, and now we have the other voluntary sector, the integrated sector. Some people want Irish-language schools. I appreciate that, in its own way, each sector is meeting particular needs. None the less, that fragments the whole education provision and, given structural and staffing costs, it eats into the budget. That aspect is often forgotten.

Under vote 14, can the Minister tell us what will happen with the hospital development programme in the light of the judicial review of the Jubilee hospital closure? Has money been made available so that the new maternity provision will be up and running very shortly, or are the Government relying on people voting with their feet? That new maternity provision may not be required, because people will go to other hospitals outside Belfast.

What impact will that decision have on the provision of new cancer services on the city hospital site? The spectre of cancer is overshadowing the whole community. Although we welcome development in the area, the harsh reality is that the specialist centre for cancer research and provision that was planned for the city site is vital to deal with the growing problem.

I agree with what my hon. Friend the Member for East Londonderry (Mr. Ross) said about long-term health care. I want to raise two other aspects. Has proper attention been given to those with multiple sclerosis? The Multiple Sclerosis Society in Northern Ireland has done commendable work: it recently opened one of the finest training and research centres in the United Kingdom. Some time ago, however, it was asked to move from Peter Scott Martin house at Cullybacky to the Dalriada unit at Ballycastle. Most folk are reasonably conservative. They do not like moving; old habits die hard. However, I suggested that the society visit Ballycastle, because I thought that it would provide better services than Peter Scott Martin house. It did so, and thanked me for my guidance. It has now arranged to transfer its provision to Ballycastle.

Under the purchaser-provider system—which, theoretically, has now been done away with—boards purchased not to provide specialist services in Dalriada but, quite often, to provide them in residential or nursing homes in their own areas, where it was cheaper. That meant that MS sufferers were not receiving the treatment and conditions that were available in Dalriada. I have written letters about this, and await responses. In the budget, has any consideration been given to rebuilding the provision of care in Dalriada?

Another problem is myalgic encephalomyelitis, or ME. In parts of the kingdom as a whole, and particularly in Northern Ireland, there are medical practitioners who have not a clue about it. No one on the Western health and social services board has made any special study of it, and as a result people are not receiving the services that they require. Too many people still accuse sufferers of malingering. I understand part of the problem. It is possible to malinger with back pain, for instance, and I realise that medical people are sometimes caught by means of that diagnosis. None the less, it appears from approaches made to me that more provision is needed for ME care in Northern Ireland.

Let me now raise what I realise are narrow points. I do not expect specific answers tonight, but I hope that the Minister will be able to respond in writing.

On vote 18, are we really satisfied that social security benefits are going to the right people? Some people might wonder why I ask such a question, or tell me that I should not believe everything that I read in the newspapers—I do not believe everything that I read in them, but usually read between the lines so that I might get a sense of what is really happening. However, there is something wrong with the social security system.

When we asked the previous Government whether Gerry Adams was receiving social security payments, we were told that he was not. Subsequently, however, we discovered that he was receiving such payments, although a job was available for him. Anyone who thought that there was an unemployed barman in Belfast was not living in the same Belfast that I was.

Now, the weekend's newspapers have reported that Paul Downey, one of the latest victims of terrorist murder—in the drug scene, it is true, but we dissociate ourselves from anyone taking the law into his own hands and murdering anyone—not only owned several houses and his own firm, but was, in the jargon, signing on the dole each week. Will the Minister clarify whether Paul Downey was being so paid, or whether another poor clerk was made to fear for his or her own life and allow the benefit to be paid, rather than passing the matter to a senior person, who receives protection, to take the decision not to pay it?

We should not allow flagrant abuses of the social security system. Many men and women have worked faithfully all their lives, but are made redundant when

their firm ceases trading. They go through purgatory, with social security staff asking them why they are claiming benefit. In other cases, however, people who are well known in the community for their practices are wrongly claiming and receiving social security benefit.

We have to address those issues—that is one of the reasons why we are in this place. I pay tribute to many of those who work in social security and social services and who are doing a magnificent job. Nevertheless, there seems to be a continual waste of money that is vitally needed elsewhere, especially if, ultimately—as has been said—there might be a hole in appropriations for Northern Ireland.

Many issues in the appropriation order require closer attention. I look forward to the day when we shall have proper scrutiny in a Northern Ireland Assembly, but regret that the House did not have an opportunity properly to debate the report of the constitutional convention of 1975, when Northern Ireland's democratic structures were set aside. We could have had such an Assembly long since. Nevertheless, as the old saying in Ulster goes, "Marry in haste; repent at leisure."

The House quickly abolished the Northern Ireland Parliament, but has found it very difficult to restore to Northern Ireland a proper democratic structure. Although I trust that we shall have such a structure in the reasonably near future, I do not share the confidence expressed today that this will be the final Northern Ireland appropriation order debated in the House.

12.18 am

Mr. William Thompson (West Tyrone): I, too, would be surprised if this were the last Northern Ireland appropriation order debated in the House. Given the nature of the new Assembly, and particularly the nature of the proposed Executive—which is completely unworkable—the idea that we shall produce proper local government in Northern Ireland seems to be only a remote possibility. Nevertheless, today's debate gives us an opportunity to say that, as part of the United Kingdom, we welcome the fact that we enjoy the prosperity enjoyed across the United Kingdom.

There are those who tell us that we would be better off looking towards the Irish Republic, where there is a glowing economy which would be good for us. However, we in Northern Ireland are well aware that something that is happening now may not be happening in a year or two. Therefore, it has always been our view that we will do best as an integral part of the United Kingdom, rising and falling with the fortunes of that kingdom.

Had the people of Northern Ireland known that the Assembly would cost them £36 million per year, they might not have been so keen to vote for it. Having voted for it, they now know that it will cost that amount—if it ever gets off the ground.

I refer first to the Department of Education. We welcome the fact that more money has been given to pre-school education, and we welcome the numbers given to the various boards for PEAG pupils. We have heard this evening that the children of parents who are on social security benefits will get preference over others. There is a problem with that, because the children of parents who are not on any of those benefits will be left behind.

The real problem is that there are not yet enough places. I appreciate that the programme will last for three years but, from the figures that I have seen for the Western education and library board, we will need additional places and a continuation of the programme to fulfil the existing need. I trust that the Minister will consider that.

On the Department of Environment and the roads, I am interested in the sale of Belfast port, because the programme announced by the Chancellor of the Exchequer included two bypasses in my constituency. I know that design work is going on in connection with these bypasses, but I was concerned when the Minister said this evening that if the port sale did not go through quickly, the schemes might be delayed. These schemes are at an early stage, and it will be some time before the design work is completed and the land is available for them. I hope that that situation will not arise and that the promises will be kept.

As for agriculture, we all know of the tremendous blow suffered by farmers, especially pig farmers in Northern Ireland, many of whom are in dire straits. We had hoped that there would be an upsurge in pig prices. There has been a slight increase, but it is nowhere near the point at which profits can be made. I encourage the Department of Agriculture to look at every possible means of bringing aid and assistance not only to the pig industry, but to the other farming sectors such as beef. I hope that the Department will do everything possible in Europe to get the date-based scheme up and running as soon as possible, so that an adequate number of animals can be killed and their meat exported.

On health and social services, the Public Accounts Committee reported on the scandalous abuse of prescriptions. It is a disgrace that money that could be better used to help needy people and to provide better medication should be wasted. I know that the Department is trying to introduce more accountability. I certainly hope that those efforts will continue and that the scandalous abuse will be stopped.

I am glad that we are a part of the United Kingdom. We benefit from the arrangement, and I trust that it will continue for many years to come.

12.26 am

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. John McFall): This has been an interesting debate. Some of the contributions have certainly kept us awake. For example, the hon. Member for Lagan Valley (Mr. Donaldson) wanted the rocky road to Dublin to be smoothed out round about Hillsborough. The hon. Member for Belfast, East (Mr. Robinson) was unabashed in his enthusiasm for the Assembly, and his sentiments would have done Jimmy Reid proud when he was working at UCS on the Clyde. The comments about my colleagues and me being Thatcherite will live with me for some time.

This is an historic debate, because it will be the last time that Northern Ireland appropriations are discussed in the House; thereafter, they will be a matter for the Northern Ireland Assembly. I will answer as many points as I can, and I promise to write to hon. Members about those that I cannot cover.

The hon. Member for North-East Cambridgeshire (Mr. Moss) spoke about the Industrial Development Board and said that £84 million was available; in fact, about £153 million has been made available in 1999–2000. That is a considerable commitment of resources to assist the Northern Ireland economy. The economy that

[Mr. John McFall]

he described was not the Northern Ireland economy; the output of manufacturing and production industries in Northern Ireland continues to rise at a rate well above the national average.

For example, over the past four years, Northern Ireland's manufacturing sector has increased its output by almost 12 per cent., compared with growth of only 0.5 per cent. nationally, and there has been significant improvement in the Province's gross domestic product relative to the United Kingdom's, with GDP per head rising from 76.9 per cent. of the national average in 1990 to 80.4 per cent. by 1997. The economic scene is good.

The hon. Gentleman mentioned the national minimum wage. He will be aware that low pay is more prevalent in Northern Ireland than elsewhere in the United Kingdom, so the minimum wage will benefit people there very much. I have yet to hear any criticism of its introduction from any quarter in Northern Ireland.

The hon. Gentleman also asked about the cost per place of the new deal. I will write to him with the details, but I can tell him now that, in 1999–2000, £72 million has been allocated for the new deal for 18 to 24-year-olds, providing about 9,000 places, and we will have about 16,000 places for over-25s. We also have a very good record on the new deal in Northern Ireland, especially in the number of employers who have taken an interest. They have reacted enthusiastically to our proposals and almost 3,000 have signed agreements to deliver the employment option and 7,000 long-term unemployed have entered the new deal for the 25-plus. To date, 745 have gained employment.

It is also important to remember that the new deal also has a quality training element. It is a welfare-to-work programme. The hon. Member for Lagan Valley mentioned the ACE programme, and I sympathise with the comments I have received from hon. Members about that programme. The hon. Gentleman will be aware that I have met several delegations and, in the past week or so, I have met the hon. Member for South Down (Mr. McGrady) and his colleagues. I take the issues they have raised very seriously and I have established a dedicated team, made up of officials from all Departments in Northern Ireland. I consider it a problem across the subjects—health, education and agriculture—and it is important for that dedicated team to consider the problems.

The hon. Member for South Down mentioned the Belfast port, as did the hon. Members for Lagan Valley, for Belfast, East, for East Londonderry (Mr. Ross) and for Belfast, South (Rev. Martin Smyth). Because of the timing and the size of the receipts from the port, programmes beyond those exclusive to the projects in the Chancellor's initiative would be affected in the short term. All possible steps will be taken to minimise the effects, but they cannot be totally eliminated because the receipts were included in the spending proposals at the early stages.

The hon. Member for Lagan Valley asked about the effect on the roads programme. If receipts are not forthcoming, some road schemes will have to be delayed. Shortfall on the block may help, but there will be many urgent claims on the money for other programmes in, for example, health and education. As the hon. Gentleman knows, in the comprehensive spending review, we chose our priorities, and health and education were at the top.

The sale of Belfast port will be a matter for the Assembly. In 10 days' time, when the Assembly takes over, hon. Members from Northern Ireland will be dealing with the issue themselves. It is for the Belfast harbour commissioners to bring forward a proposal for the sale. Their current proposals merit careful consideration. After devolution, that will be a matter for the Assembly.

The hon. Member for South Down mentioned the Chancellor's initiative and the implication for other budgets, especially education. Until the position on the sale is clarified, it is only prudent that we should delay entry into some capital commitments. It will affect the start date for several school projects and it will also be necessary to hold back some minor works. However, I emphasise that no schemes have been cancelled and we expect projects still to commence before the end of this financial year. These are contingency measures only.

Mr. Donaldson: Will the Minister clarify what he has just said about the receipts from the privatisation of Belfast port? I understood that the Chancellor's package, which arises out of the privatisation of the port, related specifically to special roads programmes. I was not aware that it had any impact on schemes involving schools and I would be concerned if that were the case.

Mr. McFall: The thrust of what the hon. Gentleman said is right, but the timing of the projects is crucial. There may be a short delay with the schools projects, but there is no chance that any will be cancelled. It is very important that that message is sent out tonight.

The hon. Member for South Down asked about the Strangford ferry.

Mr. Öpik: Before the Minister moves on, will he answer my question? Will he confirm that all the receipts from the sale of Belfast port will be ring-fenced for reinvestment in Northern Ireland, and that the Chancellor will not put money from the sale into the Treasury's coffers?

Mr. McFall: The hon. Gentleman said that £70 million was expected to accrue from the sale of the port. The normal procedure is that that money would go to the Treasury, but my right hon. Friend the Chancellor made a specific commitment that the money from this sale would go back into Northern Ireland and the block grant. However, discussions are in hand between my right hon. Friend and Lord Dubs on this matter.

The hon. Member for South Down asked whether the Strangford ferry would be replaced. He gives a unique resonance to the saying that all politics is local: whenever I go to his constituency, he has a plethora of matters for me to attend to. I can tell him that the Government are fully conscious of the importance of the Strangford ferry. We will be making funding available to provide a replacement as soon as possible.

The hon. Member for Montgomeryshire (Mr. Öpik) mentioned the Armagh observatory and planetarium. Having followed him in hot pursuit on a visit there, I know of his family interest in such matters and of his grandfather's great contribution to that excellent

institution. Although the hon. Gentleman will know that we allocate budgets across a wide range of priority demands, I can assure him that we have found a way to way to maintain the real cash value of the grants to the observatory and the planetarium.

The hon. Member for Montgomeryshire also mentioned rural development. The Government have worked with local communities to introduce 76 regeneration projects, bringing a total investment of more than £37 million to disadvantaged rural areas of Northern Ireland. The result will be the creation of 380 jobs in those areas, where there are often few alternative employment opportunities. The Leader II programme is set to create more than 300 jobs and almost 130 new businesses.

The hon. Members for South Down and for Lagan Valley mentioned the differential in petrol prices between Northern Ireland and the Republic. The Government fully accept the concerns expressed about that differential, and about its adverse effect on petrol retailers, especially in the border areas. The differential is mainly the result of the different tax regimes in the United Kingdom and the Republic. I am aware that there has been some pressure for the introduction of a rebate scheme in Northern Ireland, similar to that which operates on the border between the Netherlands and Germany. However, the European Commission has questioned the legality of that scheme, and any such scheme would have to be able to meet European rules. My right hon. Friend the Minister of State has received representations on the matter, and is considering them at present.

My hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) asked about the link between Port Glasgow and Northern Ireland. He will appreciate that that is a commercial undertaking, which the Government cannot support directly. However, any new service would have to be considered on the same terms as exist at present. My hon. Friend will know that P and O in Troon has already taken advantage of that. Given the advent of the Northern Ireland Assembly and the greater economic opportunities, I am sure that we shall hear more from my hon. Friend on this important issue as the weeks and months pass.

I defer to my hon. Friend on the subject of fisheries. I shall write to him about the issues that he raised. He also talked about training at Harland and Wolff. The Government have put great emphasis on training. In my Department, more than £260 million is being made available in the current financial year through the Training and Employment Agency. Almost £135 million of that is for promoting and improving the skills of those seeking work. The job skills programme, aimed at 16 and 17-year-olds, has achieved a 60 per cent. success rate at NVQ level 2. The modern apprenticeships programme aims to provide the skills needed by manufacturers, including Harland and Wolff. We are alive to the issue.

My hon. Friend also mentioned PlayBoard and the support for development officers. I have had a range of letters from Members of Parliament and Assembly representatives on that. The Government are committed to investing in the young people of Northern Ireland. We have initiated a major programme for the development of pre-school facilities. That will be further assisted by the valuable resources coming from the new opportunities fund. In that context, I am happy to look further at the issues that my hon. Friend has raised. They have to be considered in the context of pre-school provision.

When the Government came to office in May 1997, there was only 45 per cent. provision of pre-school places in Northern Ireland. Under our four-year programme, it will be 70 per cent. by September this year and 85 per cent. in September 2001. We are thus providing an expansion in pre-school places.

Concern has been expressed in the media about the social criteria. The Government looked for the best way to assist education for the young people of Northern Ireland and we decided to target resources at an early stage. All education research, right back to Lyndon Johnson's headstart programme in 1960s America, shows that we have to start early and put money into socially disadvantaged areas, because that provides greater educational opportunities.

The Government have tackled the issue in Northern Ireland. I want to demolish the notion that only those from socially disadvantaged areas can get into nursery schools. From September, two out of every three parents will have their wish for a nursery school place granted. Some 60 per cent. of them will be from non-disadvantaged homes. The bulk will go to the non-disadvantaged, but there is a place for the disadvantaged.

Our policy has run up against several problems. The hon. Member for Belfast, East and others have told me about the problems of open enrolment and multiple applications. People ask me why we cannot determine the places now. One family could apply to 12 nursery schools. With no central record of where they have applied, that causes problems. After receiving representations from hon. Members, I established what in good Labour party terms could be called a focus group. I called it a working party, but one of my officials called it a focus group. The group consisted of members of the Department and the boards to try to find out what was happening on the ground. We have tightened the arrangement between the Department and the boards so that we have that information, know what direction we are moving in and can ensure that, by 2001, 85 per cent. of the population will get pre-school places. I hope that I have gone some way to reassure hon. Members on the admission criteria and on our aims.

The hon. Member for Lagan Valley asked about ACE, the action for community employment programme. Again, he is correct; the issue is causing us problems. When the Government came to power in May 1997, we decided that our macro-economic policy would be the new deal, or welfare to work. We take people, particularly young people, from welfare and unemployment and give them good training so that in a global economy and flexible market they will be equipped with the skills to get jobs. That has clashed with the ACE programme, which was set up in Northern Ireland in the early 1980s for very good reasons. Unemployment was almost 18 per cent., compared with today's figure of slightly more than 7 per cent.

Three regions in the United Kingdom, including Scotland, have higher unemployment than Northern Ireland. We are adapting the new deal programme for good reasons, but as far as possible, we do not want to lose the good work that is going on locally. Again, I have established a dedicated team to look at what is happening on the ground and encourage the 180 ACE groups to transfer and make a good fit as between ACE and the new deal. I do not hide the problems, but hon. Members know

[Mr. McFall]

that we are trying to ensure that ACE fits in as well as possible with the Government's macro-economic priorities in the new deal.

The hon. Member for Belfast, East mentioned Cregagh primary school. I well remember my visit with him and the impression that the concrete cancer there made on me. More particularly, I remember the impression that the local community made on me, particularly the women whom I met. I would go back and examine that issue. In the schools programme, we announced projects worth £64 million, the biggest capital development programme ever for schools in Northern Ireland. I was sorry that Cregagh was not part of that, but no economic assessment and development programme had then been established by the board.

I am as keen as the hon. Gentleman is to ensure that we get a replacement for the school, because we must support the community. Those people were burning with pride at the contribution of their school to the community. The school and community went hand in hand. I took that image away with me. In the 10 days to 1 July, it is unlikely that I will make great progress on that, but I will certainly leave a file for my successor to illustrate the deficiencies and the community's need for another school.

The hon. Member for Belfast, East made much of the Assembly estimates, but my right hon. Friend the Minister covered that comprehensively in his opening remarks. We have acknowledged the problems, but it is clear that the new Assembly will get the funds that it needs. In future, it will be responsible for voting its own provision. I do not think that we should say much more on that.

The hon. Member for East Londonderry mentioned the block expenditure and the limits on it. As he knows, expenditure plans are reflected in the estimates. Some expenditures slip as the year proceeds and needs have to be reallocated. New provision may be made in the national Budget. Those facts are reflected in the supplementary estimates. That will continue to be the case under the United Kingdom Government and the Assembly, so it will be considered under the supplementary estimates element. The hon. Gentleman also asked about the Saville inquiry, and the expenditure on legal aid and whether that was charged to the Northern Ireland block. I can state categorically that it is not. The charge is met from the Lord Chancellor's budget, so it has no impact on the block.

Mr. William Ross: In the circumstances, why are the negotiations not being dealt with in the normal way? It appears that the negotiations, the fees for solicitors and all the rest are being dealt with in a novel fashion.

Mr. McFall: The hon. Gentleman has information that has not been shared with me or with other hon. Members. I will examine the matter and, in the usual tradition, write to the hon. Gentleman about it.

Rev. Martin Smyth: Joined-up government.

Mr. McFall: That is what hon. Members are getting tonight.

With my health hat on, I am very much aware of the deficiencies in community care services in Northern Ireland. I deliver a little sermon on this issue wherever I go, but I will not bore the House with it tonight as time is short. There is a need to change priorities in the health service and concentrate on primary and community care.

Northern Ireland has 16 acute hospitals—all singing, all dancing hospitals—to serve a population of 1.5 million. That situation cannot continue if we are to provide the best possible health service for the people of Northern Ireland. We must introduce some changes, but we cannot do that overnight. As the hon. Member for East Londonderry knows from the documents that I produced in November, entitled "Putting it Right", which was about the hospital service, and "Fit for the Future", about organisational arrangements, it will take a little time. Meanwhile, it is important to address the concerns of community care.

The Government's priority is to support people at home or in their own communities and to respond flexibly and assess need sensitively. We provided an additional recurring £5 million for community care in the 1998–99 programme. Several months ago, I released an extra £6.5 million to help ease the pressures on health and social services over the winter months. We have allocated a further £25 million this year for general community care services, which includes the domiciliary care to which the hon. Gentleman referred. Some £5 million of that funding will be spent on providing better services for people with learning disabilities and mental health needs. I suggest that that is a substantial allocation that will enable boards to restore public confidence in community care services.

The hon. Member for East Londonderry knows that I gave Eastern health board an extra £39 million several months ago, of which I asked that £10 million be spent on community care. The board decided to use the funds to pay off some of its debt, but I met board members and made it clear that the Government wanted the money to be spent on community care. There is a problem with the present structure of the health service and the debts that some trusts and boards have. However, it is important to send that key message, and I am grateful to the hon. Gentleman for raising the issue.

The hon. Member for Belfast, South mentioned maternity services and acute hospital reorganisation. He referred to Justice Coghlin's decision that the Jubilee hospital case must be reviewed. The petitioners made their case on three grounds and, following consultation, Justice Coghlin said that the Department would need to re-examine the third ground. The Department is obviously disappointed that the result means further uncertainty for mothers-to-be, and it is my priority to remove that uncertainty as soon as possible.

I will be back in Belfast tomorrow morning and I will certainly consider the Jubilee hospital review. I will issue a consultation paper on the matter shortly. I hope that the consultative process can be completed by the end of September and that I—or the Assembly—can announce the decision soon after that. There are implications for cancer care services, as the hon. Member for Belfast, South pointed out, so it is important to remove uncertainty as soon as possible. With that in mind, I shall be dealing with the matter.

The hon. Gentleman mentioned lead in water supplies, and he has written to me and to my noble Friend Lord Dubs on that matter. He also raised it during a Grand Committee debate earlier this year. After the hon. Gentleman's meeting with my noble Friend on 2 June,

the latter asked water service officials to investigate other, related issues so that the hon. Gentleman could be given a substantive response within the next two weeks. He should receive a letter on that matter.

The hon. Member for Belfast, South made some points about the provision of care for sufferers from MS and ME; those points have a resonance with all Members. We are continually petitioned by constituents who suffer from those debilitating diseases and we are told that, as a community, we do not do enough. The hon. Gentleman has raised that issue with me several times; I shall write to him on the specific points that he made.

The hon. Gentleman also referred to cancer services. In line with the Campbell report, the health and social services boards have produced area-strategic services for cancer, and plans for the development of a cancer centre and designated cancer units are well under way. The health and social services executive has identified cancer services as priorities for development. An additional £2 million of the current allocation for 1998–99 and an extra allocation of £7 million in 1999–2000 will allow boards and trusts to make further progress in implementing many of the sound recommendations in the Campbell report. I hope that I have satisfied the hon. Gentleman on that.

The hon. Member for West Tyrone (Mr. Thompson) made several points that also threaded through the concerns of other hon. Members. He addressed the issue of the fall in agricultural income. As 1998 unfolded, the Government were aware that the situation was serious. We took steps in the form of aid packages—the most recent of which was announced by my right hon. Friend the Minister of Agriculture, Fisheries and Food in November 1998. The prospects now look a little brighter; the beef export ban has been lifted, albeit with restrictions; some commodity markets have strengthened; and interest rates have fallen in recent months. In the face of competing demands for finite resources, Agriculture Ministers have secured the best deal possible. It must be understood that there is a limit to the Government's ability to provide direct financial assistance to the farming sector.

To sum up, we have had a full and worthy debate. The Good Friday agreement and the establishment of the Northern Ireland Assembly have been mentioned. Tonight, we have discussed the real bread-and-butter issues—those that affect each of our constituents. I am delighted that Ministers were able to respond, in part, to people's concerns, but I shall be even more delighted—like other right hon. and hon. Members—when such responses become a proper function of the Northern Ireland Assembly.

Question put and agreed to.

Resolved,

That the draft Appropriation (No. 2) (Northern Ireland) Order 1999, which was laid before this House on 9th June, be approved.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INCOME TAX

That an humble Address be presented to Her Majesty, praying that the Double Taxation Relief (Taxes on Income) (Kuwait) Order 1999 be made in the form of the draft laid before this House on 10th May.—*[Mr. Dowd.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

INCINERATION OF WASTE

That this House takes note of European Union Document No. 12791/98, a draft Council Directive on the incineration of waste, and of European Union Document No. 12756/97, a proposed amendment to Directive 94/67/EC on incineration of hazardous waste, and endorses the Government's approach to these documents.—*[Mr. Dowd.]*

Question agreed to.

Swimming (Schools)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

1 am

Valerie Davey (Bristol, West): Even at this early hour of the morning, I am pleased to have been given the opportunity to promote discussion about the state of swimming education in primary schools.

In most local education authorities, "Every child a swimmer" is no longer a statement of intent. In many LEAs, just how many children leave primary school able to swim is, as I shall show, an unanswered or even an unasked question. This is a timely debate, bearing in mind the current review of the national curriculum for primary physical education. I acknowledge the detailed information that I have been given by the Swim For Life campaign, which incorporates the Amateur Swimming Association, the Royal Life Saving Society and the English Schools Swimming Association.

My interest was prompted by a constituent, Mr. Gerry Hicks, a tireless campaigner for improved sports provision for children. He welcomed the reduction in the sale of school playing fields by the Labour Government and their commitment to sport generally, but has specific concerns, which I share, about swimming.

The debate is not new. In June 1991, a report by the Select Committee on Education, Science and Arts showed that for 44 per cent. of 11-year-olds there was no swimming in the curriculum, and that in the three years preceding the report, almost 200 children had died in drowning accidents—80 per cent. of whom could not swim. The report recommended that every child be taught to swim and that the necessary resources be provided. In 1996, there were 60 deaths by drowning—so the figures have barely improved—yet an Amateur Swimming Association survey in 1997 showed that 23 per cent. of all schools recorded a decrease in their provision of swimming lessons.

Evidence of poor attainment has come more recently from another source. A humorous article in *The Guardian* in September stated that the Royal Navy had sent an SOS to the Government to help reduce the number of would-be sailors who could not swim—20 per cent. of recruits were failing the test of swimming the length of a pool in overalls and treading water for three minutes. That figure compares with a failure rate of 15 per cent. in 1984. I know that the Under-Secretary of State for Defence has written to the Department for Education and Employment, saying that the Royal Navy would welcome any changes to the curriculum that result in more teaching of swimming in schools. I start with a strong ally for my case.

The present situation raises the question whether current policy is enabling every child to become a swimmer. I would like to think so, but we appear to be moving further and further away from that objective. I say "appear" because evidence is not easily available. The DfEE does not hold details of whether we are meeting the national curriculum requirement at key stage 2

"to swim unaided, competently and safely for at least 25 metres".

Parliamentary questions have met with the reply that the Department does not currently collect that information—nor does the Office For Standards in Education.

The 1997–98 Ofsted annual report says:

"Most schools are able to provide a reasonably balanced programme of P. E., including swimming lessons",

but that is not based on statistical evidence. The office of Her Majesty's chief inspector of schools in Wales had rather more specific information. The 1996–97 annual report on Wales, under physical information, stated:

"Standards in Key Stage 1 and Key Stage 2 have improved significantly. The best standards are achieved in swimming, where nearly all pupils make satisfactory to good progress".

In response to my inquiry, I was assured that

"the majority of pupils achieve the statutory target of swimming at least 25 metres competently".

Given the lack of centrally held information in England, I wrote to all 151 LEAs asking what percentage of pupils who leave at key stage 2 are able to swim competently and unaided for 25 m, and which factors influenced whether that level of competence was reached. I had a good response, with more than two thirds—69 per cent.—of authorities replying. My thanks go to all LEA officers, some schools and a few concerned individuals who took the trouble to send information and ideas. It was much appreciated, given all the other demands on their time.

A few authorities have a very well established swimming policy and could give me detailed information, including statistics of each school's attainment at each pool. I refuse to name and shame, but I would like to name and fame the London borough of Barking and Dagenham, Cumbria county council and Salford metropolitan borough council for their high attainment, and Kirklees metropolitan council and Oxfordshire county council for their detailed statistics. From the responses that I received, 64 per cent. could give me the number of children who are able to swim 25 m at key stage 2, although a significant number of those replies were approximations.

Some authorities that did not hold attainment records were still able to give me details of the provision that they do or do not make. One authority provides 30 weeks' swimming a year at key stage 2 but has no record of the children's achievement. A minority of authorities had no records and, from the tone of the letter, it seemed that they did not regard swimming as an important part of the national curriculum. One wrote:

"the LEA does not collect information . . . we are currently very focused on meeting challenging targets for attainment in mathematics and English."

Other authorities stated that because there has been no requirement to collect the data, they felt that there was no need to do so—a national curriculum requirement is therefore unrecorded. Some authorities, as a result of my letter, carried out impromptu assessments, while others did not have the relevant data because they are new authorities.

There was a huge variance in the responses. The answer to the key question, "What percentage of children could swim 25 metres?", varied from 98 per cent. down to as low as 28 per cent. Remember that this is just 64 per cent. of the 69 per cent. that replied, so that is less than 50 per cent. of all LEAs, and those respondents are likely to be those most interested in swimming.

LEAs pointed to five main difficulties in providing swimming lessons—the literacy hour, fair funding, the need for parental contributions, time and the lack of trained teachers. According to more than 30 authorities

that I contacted, the literacy hour has had a detrimental effect on the provision of swimming lessons. One authority described the problem clearly:

"Schools are covering Literacy Hour in the morning and pushing most of their PE work into the afternoon—this brings pressure on existing facilities, particularly the school hall and also specialist facilities like swimming pools. What is significant is that a . . . provision"

made previously

"for pupils of all ages has now been reduced to provision for one or two year groups only. This tends to be Year 6."

Another stated:

"School Heads are considering the provision of swimming lessons for one term, rather than the whole year".

A vast number raised the issue of fair funding. One authority stated that swimming lessons had declined steadily since the introduction of local management of schools, but most specifically mentioned fair funding. Delegated budgets are not always spent on swimming, and the Amateur Swimming Association wants that element to be ring-fenced.

I have been given clear evidence of reduced provision. One authority pointed out that lessons had been cut to 15 half-hour lessons for key stage 2, not necessarily in year 6. In two authorities, swimming programmes stopped before year 6, and in both cases, fewer than 50 per cent. of children could swim 25 m.

Authorities stressed the problem of schools having to ask parents for voluntary contributions of up to £3.40 a week towards the swimming lessons. Parents were not happy to be asked to fund a statutory element of the curriculum. The latest research conducted by the Swim for Life campaign shows that 41 per cent. of schools sought a parental contribution, and the survey conducted by the National Association of Head Teachers in March revealed a similar percentage. A few authorities, mostly in rural areas, highlighted the problem of time, when 20 minutes in the water meant, with transport and changing, two hours out of the timetable.

Some authorities, including my authority, Bristol, pointed to the lack of qualified teachers. The Amateur Swimming Association sought sponsorship to remedy this problem, and BT has contributed £0.5 million for training primary school teachers. So far, 72 LEAs have teachers in training. I welcome that but, for the long term, I want swimming training to be reinstated in initial teacher training courses.

Another underlying concern, to which I shall return, is the need to modernise or replace many of the old municipal pools, which are reaching the end of their useful life.

Many authorities are anxious about the recommendations that the Qualifications and Curriculum Authority has made to the Secretary of State concerning changes in the national curriculum for PE. Following consultation between January and March this year, the Qualifications and Curriculum Authority proposed that the requirement to swim 25 m be replaced with a requirement that did not stipulate a distance, but recognised that 25 m is not always sufficient to ensure safety in the water. I agree with that proposal, but if many schools do not keep records of the 25 m attainment, how many will record less measurable requirements?

The Swim for Life campaign notes that it is a dangerous assumption that swimming 25 m in a pool is a satisfactory definition of being able to swim, and reminds us that before the national curriculum, most schools expected children to be able to swim at least 100 m before they left primary school.

Almost 60 per cent. of the LEAs that could give me figures stated that more than 80 per cent. of children reached the 25 m requirement. However, given the lack of emphasis on water skills and safety, and the fact that 25 m is not a great distance, that is hardly cause for celebration.

The level of attainment in swimming at key stage 2 needs to be clarified and the standard raised, even though the evidence points to reduced provision. The double challenge must be met, because swimming is a vital, if at present undervalued, aspect of the key stage 2 curriculum. Swimming is a life-saver and of all sports it is probably the most beneficial for health at every stage of life. Swimming is also the gateway skill that gives access to other water activities, such as canoeing, surfing and sailing. It remains a relatively inexpensive sport, is good fun and can be for life.

My conclusions are that the current resourcing of primary school swimming, in terms of time, funding, professional staff and facilities, is a matter of serious concern. Swimming should be respected as a requirement of the national curriculum, in the same way as other subjects such as mathematics and English, and the expectation of achievement should be as high.

Some schools and LEAs record achievement now. In future, consistent monitoring should be required of all schools, LEAs and Ofsted. A rigorous inspection process is essential if schools are to be encouraged to provide an appropriate swimming programme. As regards funding, I believe that financial resources for swimming should be identified separately and that LEAs should have a duty to ensure provision.

In 1994 the Education Committee visited Japan, where the Government, having made swimming compulsory, had begun a comprehensive programme to ensure that every school had its own pool. I admire such commitment, and recognise that Sport England is making some new provision, but it is literally something of a lottery, although more proactive measures are being undertaken. The new funding for sports co-ordinators announced over the weekend by my right hon. Friend the Secretary of State for Culture, Media and Sport is excellent news. I trust that it includes funding for swimming instructors, because swimming galas are also—dare I say it—floundering.

Bristol is typical of many towns and cities. It has a long and proud tradition of neighbourhood pools, dating back to the turn of the century. The council could boast that it provided the means for every child to become a swimmer. Nine pools remain, but are beyond the resources of the city council to refurbish or replace. It is to the city's credit that it is consulting with Sport England and the private and voluntary sectors on a progressive scheme to deliver swimming skills through a core curriculum in schools and the Bristol Community Sports Learn to Swim programme. I admire that imaginative option.

There can be no single solution. We cannot be prescriptive, but there should be a single objective. Bristol LEA used to boast, "Every child a swimmer, every swimmer a lifesaver." That is the standard for which I hope Bristol will again provide, and which I would like to see established nationally.

1.14 am

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Charles Clarke): I congratulate my hon. Friend the Member for Bristol, West (Valerie Davey) on securing the debate and on the way in which she has presented her case. The Government welcome her remarks about swimming because, like her, we believe that swimming has a vital role. I recognise the interest of many hon. Members in this issue and pay tribute, with my hon. Friend, to the important work of the Swim for Life campaign, the Amateur Swimming Association and the range of organisations with which she has been working.

We believe that swimming is important, both for its intrinsic value as a sport and as an essential safety tool which we are determined all young people should have. It opens the way to a range of other water-based activities, which my hon. Friend mentioned, and is a critical element in the progress of healthy children who can develop themselves in all aspects of their lives. I agree entirely with her assessment of its value and with her objective that every child should be a swimmer.

I am particularly grateful for the trouble that my hon. Friend has taken in preparing for the debate the useful data that she collected from local education authorities throughout the country. She has raised serious issues, and I hope to be able to offer reassurance on a number of points, but those data are an important element of our ability to discuss the issue directly. I shall return to the particular issues that she raised about monitoring and data collecting, which are important in deciding how we are to proceed more generally.

As my hon. Friend said, we are currently reviewing the national curriculum. We are consulting, and I know that the Qualifications and Curriculum Authority and my right hon. Friend the Secretary of State will take serious account of the points that have been raised in the debate. We agree wholeheartedly with the points that she made about the advantages of swimming. That is why swimming is a compulsory part of the national curriculum for primary age children and why we ensured that it remained compulsory when we introduced temporary flexibility to other areas of the physical education national curriculum in September last year.

Our proposals for the new revised national curriculum retain a compulsory swimming element for seven to 11-year-olds; provide an option for schools to teach swimming to five to seven-year-olds, because the earlier young people learn the essential skills the better; and provide the opportunity for skills to be further developed in secondary schools. I agree with what my hon. Friend said about the national curriculum requirement to swim 25 m unaided, in relation to its importance and its limitation as a measure of achievement. That distance is not the be-all and end-all of what swimming in schools should be about, but it is an important benchmark.

The proposals on which my right hon. Friend the Secretary of State is presently consulting retain the stipulation that, by the age of 11, pupils should be taught to swim 25 m unaided. We propose specific requirements for swimming activity and water safety, and the proposals state:

"Pupils should be taught to:

(a) swim unaided for more sustained periods of time using recognised arm and leg actions, and strokes on front and back, and then to increase the range of strokes and skills;

(b) pace their effort appropriately for challenges related to time and distance for floating and swimming, including swimming at least 25 metres unaided, and then to plan individually and collaboratively in groups to meet challenges related to speed, distance and personal survival;

(c) recognise and describe the effectiveness of their own performance, and then to evaluate it and suggest ways to improve the quality of their performance and water safety."

I suggest that those requirements—they are set out in our proposals for the national curriculum, which provides a more comprehensive definition of what children should do—will enable them to develop their skills and help them to be safe in water in a wide range of different situations.

I of course acknowledge my hon. Friend's point that safety around water can never be guaranteed. Even experienced adult swimmers can drown in conditions in which swimming 25 m is very difficult, for example in rough seas. That is why we have specifically chosen in the review to give greater explicit prominence in the curriculum to water safety. I acknowledge that that may not go as far as she wants, but I believe that it is an important step in the right direction.

I hope that my remarks help to ease the concerns that schools and local education authorities have expressed to my hon. Friend, and I urge all those with an interest in the national curriculum to contribute to the consultation exercise, which the QCA is conducting on behalf of my right hon. Friend the Secretary of State. It is a genuine consultation and we shall listen not only to what my hon. Friend has said this evening, but to representations from those concerned from now until the end of July, when the consultation period ends. The QCA is working on guidance and schemes of work on swimming, as on other aspects of the curriculum, in consultation with schools and other key players, to ensure that proper guidance is provided in those areas.

My hon. Friend raised five other issues, which I should like to address: first, the literacy hour; secondly, fair funding; thirdly, voluntary contributions; fourthly; time pressures; and, fifthly, lack of qualified teachers. I shall take those points in the order in which she raised them.

On the effect of the literacy hour, I make no apology for the fact that the Government are concentrating their effort on literacy and numeracy. They are important requirements, which are essential to our efforts to raise educational standards. I hope that my hon. Friend will not be disappointed to hear that it is not the Government's intention to lower our emphasis on those subjects. They must be the top priority for all schools. However, I acknowledge her point that swimming and some other subjects are also very important in the primary school curriculum. That is why we believe that it is possible to meet national curriculum requirements for swimming in schools across the country, despite the obligations for literacy and numeracy.

I know that my hon. Friend was not suggesting that we dump literacy and numeracy. Some people argue that there is a polarity between focusing on basic educational standards in literacy and numeracy, and developing the wider curriculum, both in relation to swimming and in other areas. I do not believe that that polarity exists. I acknowledge that there are time pressures and problems, but schools can be and are effective in addressing those issues and providing swimming across the range.

On our analysis of the average taught time in primary schools, we believe that, even now, literacy and numeracy lessons leave enough time for swimming and other national curriculum subjects. It is important to encourage flexibility in timetabling in schools, to reduce pressure on facilities and to make time available in both mornings and afternoons, and we do not believe that swimming needs to be damaged. However, I acknowledge that we all need more data on that. Were there demonstrable proof that literacy and numeracy hours were somehow damaging that area, we would look at ways in which to deal with that effectively.

Secondly, my hon. Friend raised the issue of fair funding and its implications, and reported concerns about funding for swimming—particularly the implications of delegation. We received few representations from local education authorities about the funding of swimming last year when we had responses to our "Fair Funding" consultation paper, or later when we consulted them on the detail of the financing of maintained schools' regulations. That may reflect the point that she raised—that swimming is not a high enough priority in LEAs' preoccupations—but the fact remains that that was not what they said to us in the consultation.

As my hon. Friend said, the regulations are based on the premise that the cost of swimming lessons should be met from schools' delegated budgets, whether lessons are provided on site in schools' own pools, or whether off-site facilities have to be used. The regulations allow LEAs to include in their funding formulae factors that take account of schools' need to spend money on the hire of off-site facilities, or on transport to and from off-site swimming lessons. Transport can be an extremely important inhibiting factor. LEAs can also allocate additional funding to schools with on-site pools in recognition of the additional costs.

Our current view—although, again, I refer to the need for more data and acknowledge my hon. Friend's observations in this area—is that the regulations provide sufficient flexibility to enable LEAs and schools to meet the requirements of the national curriculum and, if they so choose, to go beyond them.. If there is clear evidence, through more data, of a need for greater flexibility in LEA formulae than the regulations currently allow, I assure my hon. Friend that we shall consider what more should be done in response to that evidence. We are also delegating funds in the context of a substantial funding increase for education, following the comprehensive spending review and the significant extra resources that have been allocated.

I share my hon. Friend's concerns about voluntary contributions. If voluntary contributions are a substantial part of fundraising for this important aspect of the national curriculum, we shall consider carefully what needs to be done under the fair funding agreements. We need evidence and data to come to a view, but I am reinforcing her principal point. It would be outrageous if a child were inhibited from studying swimming under the national curriculum because of a funding requirement, but I do not think that my hon. Friend was suggesting that. She was merely arguing that voluntary fundraising was an unacceptably large part of the funding in this area. I am happy to consider that issue in more detail.

I dealt with the time point in my comments on fair funding and the national curriculum review. Perhaps I could remark on my hon. Friend's observation on the announcements to be made about sports co-ordinators for schools. We hope that that approach, which will encompass swimming, will bring swimming and other sports clubs and schools closer together, so that we can liberate more time, energy and skill to developing that area. The jury is still out and the proof of the pudding will be in the eating, but I honestly believe that we are setting a course that will improve the situation and enable us to make advances in this area.

I hear what my hon. Friend says about the need for qualified teaching of swimming as a more substantial aspect of initial teacher training. As she knows, we are currently carefully considering what to do about the Green Paper on reform of the teaching profession, which we published last December. It makes a series of proposals about ITT and other aspects of teacher training, and includes extra burdens in a variety of areas. Her bid will be considered in that context.

I shall lastly deal with my hon. Friend's fundamental point about information. She suggests that there is a shortage of information about swimming in England. She set out the statistical background and explained some of the difficulties in collecting data. It is true that we do not collect centrally information about the number of key stage 2 pupils who can swim 25 m unaided, but Ofsted inspects swimming, alongside other aspects of the PE curriculum.

The current Ofsted findings are encouraging. The evidence suggests that swimming is one of the best taught aspects of the PE curriculum, that children often make rapid progress in national curriculum swimming, and that success rates are high. Our task is to ensure that we continue to improve that picture. That is why Ofsted, in conjunction with the Amateur Swimming Association, is currently considering a specific survey of swimming in schools during the next academic year to try to provide the systematic data that my hon. Friend has laid the way for in her survey, which she reported to the House this evening and for which she argues eloquently and powerfully, as is her wont. I hope that that specific survey will help to develop a clearer picture of current school swimming provision and achievement, and thus help us to decide what policy steps are needed to make what my hon. Friend described a reality in schools throughout the country. If my hon. Friend or other hon. Members have any views on how we could make that survey more effective, I would be delighted to listen to them.

I conclude by reiterating the Government's commitment to swimming in schools. We believe that the proposals in the new national curriculum reaffirm that commitment and that, for all the reasons that my hon. Friend has set out, it is critically important that the Government, schools and swimming bodies work together in partnership to maximise the range and quality of opportunities available.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past One o'clock.

House of Commons

Tuesday 22 June 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

India (Religious Persecution)

1. **Mr. Laurence Robertson** (Tewkesbury): What discussions he has had with the Indian Government regarding the persecution of Christians in that country; and if he will make a statement. [86572]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): India is widely respected for its commitment to religious diversity. We have made clear to the Indian Government our concern over attacks on religious minorities. My right hon. Friend the Foreign Secretary raised the issue with the Indian national security adviser and principal secretary to the Indian Prime Minister in January. The late Derek Fatchett urged the Indian Home Minister last year to take steps to restore the confidence of the Christian community. Officials here and, indeed, in India are in touch with representatives of those communities.

Mr. Robertson: I thank the Minister for his reply. Is he aware that, on 13 January this year, more than 140 bishops in India wrote to the President saying:

"Christians are being maligned and persecuted and a wave of hatred is being spread against them"?

Is he also aware of reports in the press about the Vishwa Hindu Parishad, which is currently operating illegally in India and also collecting money in the United States and this country, and is alleged to be persecuting Christians on the back of the money that it is raising?

Mr. Hoon: I am aware of the letter and, indeed, of the situation. That is why—as I said in answer to the hon. Gentleman's main question—we continue to urge India to respect the rights of minorities. We have, however, welcomed statements by the Indian President and Prime Minister condemning attacks on, in particular, Christian minorities. We will continue to urge them to preserve India's secularism and respect for religious minorities.

European Common Foreign and Security Policy

2. **Mr. Desmond Swayne** (New Forest, West): If he will make a statement on his policy in respect of implementing a common defence and foreign affairs policy for the European Union. [86573]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): The Government believe that we are likely to have a bigger impact on what happens in the world if Europe speaks wherever possible with one voice and not with different voices. Britain has been in the lead, along with France, in promoting an initiative on European security. That will improve the ability of the European Union to draw on NATO's assets for crisis management and peacekeeping.

The initiative was warmly welcomed in Washington by all members of NATO, and in Cologne by all members of the European Union. It is a good example of the leadership that Britain now provides in Europe, which must be welcome to all hon. Members.

Mr. Swayne: Not quite, Madam Speaker.

Why did the Government agree at Cologne to the merging of the functions of the Western European Union into those of the European Union, when that very move was described by the Prime Minister only two years ago as an ill-judged transplant? What has changed?

If Her Majesty's Government do not intend there to be a single European army, what can the right hon. Gentleman do to make Mr. Prodi desist from calling for one?

Mr. Cook: I am sorry that I have been unable to carry the hon. Gentleman with me—and, probably, the House—in welcoming the initiative.

There is not the slightest prospect of a single European army. No one in the Council of Minister is proposing one, and no one would support one. Let us leave aside Britain's view: there is no question of France or any of the other major military powers of Europe putting their armies under a single European control. Following our experience of the past 10 years in the Balkans, however, it surely makes sense for Europe to consider how it can improve its decision making on security, and provide a better capacity to enforce that. Surely all hon. Members recognise that as a legitimate objective.

Mr. Jim Marshall (Leicester, South): Does my right hon. Friend see any continuing role for the Parliamentary Assembly of the Western European Union when the other institutions are absorbed into the second pillar? He must agree that there is a need for some continuing supervision of common foreign and defence policy. Can he give some hope to those who are currently delegates from the House of Commons to the Parliamentary Assembly of the WEU?

Mr. Cook: I fully understand my hon. Friend's concern, but I think it is premature to bury the WEU. Throughout this initiative, we have stressed that the important thing is to ensure that we get the decision making right in the European Union, and provide the right capacity for it to carry out its security decisions. Only when we have done that will the time be right for us to consider whether the WEU has fulfilled its purpose.

I agree with my hon. Friend that, if we arrive at that point, it will be important for us to ensure that there is proper democratic scrutiny of security decisions.

Mr. John Maples (Stratford-on-Avon): Can the Foreign Secretary explain why what the Prime Minister vetoed at Amsterdam became acceptable at Cologne? What exactly happened to change the Government's mind?

Mr. Cook: What has happened since Amsterdam is that over the past year, along with the French and our other partners in Europe, we have proceeded on the basis of our St. Malo declaration. As a result, we have a new communiqué from NATO which expands on the Berlin declaration, carried by the last Government. That enhances our ability to call on NATO's assets for the purpose of European security decisions. We have also considered how we can improve security decision making within the European Union. In the light of all those changes, there is an obvious question mark over whether it is necessary to keep the Western European Union as a body existing to call meetings, but not necessarily existing to replicate what can be done better in the European Union.

Mr. Maples: I am grateful to the Foreign Secretary, but I did not ask him about the Western European Union. He does not seem to have a reason for the fundamental change of policy announced at Cologne. Although hon. Members know that two years is a very long time for this Government to believe in anything, it was a fundamental change of policy. Is not the real reason for that change the fact that we were not going to be in the first group joining the euro, and the Prime Minister was worried about his European adulation rating? He needed a Euro-friendly policy at short notice, and the policy change was the sacrifice.

Is it not true that the development of a military capability outside NATO, as envisaged at Cologne, will inevitably create a conflict between the EU and NATO, undermine the United States commitment to Europe, and give the EU a role for which it is totally unsuited—as the Prime Minister, quite rightly, said at Amsterdam?

Mr. Cook: I welcome the hon. Gentleman to his role, but have to say that the initiative goes back long before Cologne, to last autumn, when we met—*[Interruption.]* The hon. Gentleman shakes his head, but I was there at St. Malo. The initiative goes back to St. Malo and the Portschach decision of last autumn. As for NATO, I tell Opposition Members that not a single ally in NATO failed to welcome what we have done—*[Interruption.]* I was also at Washington, but do not think that the hon. Gentleman was. I have the Washington communiqué, which records the welcome for what the European Union has done to strengthen the initiative. I have had many discussions with Madeleine Albright—*[Interruption.]* The only countries at the Washington NATO summit were the countries inside NATO, and they all welcomed the initiative, which builds on the basis of the Berlin declaration. As I recall it, that declaration was negotiated and signed by one Michael Portillo. I honestly do not think that the hon. Member for Stratford-on-Avon (Mr. Maples) should try to outdo him in Euro-scepticism.

Ms Rachel Squire (Dunfermline, West): Does my right hon. Friend agree that, in developing a common foreign and security policy, it is important to consider the role and perspective of countries that are in Europe, but are not currently either in the European Union or in NATO? Specifically, does he agree that Ukraine could play an important role in Europe? Will he try to ensure that Brussels remembers that Ukraine is now an independent country, and no longer a subsidiary of Russia?

Mr. Cook: I absolutely agree with my hon. Friend's last point. My right hon. Friend the Secretary of State for Defence has just return from a visit to Ukraine, and carried that message on behalf of Britain to the Government of Ukraine. Of course, through NATO we work closely with our partners for peace. Through the European security initiative that we are launching, we shall want to ensure that we have the closest possible contacts with those NATO members that are not in the European Union. I have had bilateral discussions with a number of those countries.

Mr. Menzies Campbell (North-East Fife): Does the Foreign Secretary share my despair at the visceral and irrational anti-Europeanism that prompted the main question? Does he also agree that the lesson of the Balkans demonstrates that there should be a European defence capability, so that we may act when the United States is either unable or unwilling to do so? Does he also agree that no one in Europe can be satisfied when the European members of NATO have a defence budget that totals two thirds of the US defence budget, but produces only a fraction of the capability of the United States?

Mr. Cook: The right hon. and learned Gentleman makes a very valid point. Europe spends on defence the equivalent of 60 per cent. of that spent by the United States, yet Europe could field only 20 per cent. of the military aircraft involved in the recent conflict in Kosovo. There is something wrong in that mismatch of spending against output. It surely must make sense for Europe to co-operate more closely, and to ensure that we are better able to get value for our money. I echo the point made by the right hon. and learned Gentleman.

The issue is not one for NATO: it is not about territorial defence, but about peacekeeping and crisis management. Heaven knows, we have seen the need for that recently on our continent, and it is time that we were ready to respond to it.

Middle East Peace Process

3. **Dr. Brian Iddon** (Bolton, South-East): If he will make a statement on the initiatives taken by his Department to assist in the middle east peace process. [86574]

4. **Ms Hazel Blears** (Salford): What steps he plans to take to support the new Israeli Government in achieving a lasting peace settlement in the region. [86575]

5. **Mr. Derek Wyatt** (Sittingbourne and Sheppey): When he expects the Palestinian authority to be accorded statehood by the new Government in Israel. [86576]

11. **Mr. Tony Colman** (Putney): If he will make a statement on Her Majesty's Government's relations with the state of Israel. [86583]

14. **Mr. Tony McNulty** (Harrow, East): When he next expects to meet representatives of the Israeli Government to discuss the middle east peace process; and if he will make a statement. [86586]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): We welcomed the election of Mr. Barak as Prime Minister of Israel. It provides an opportunity to break the stalemate on the peace process. Mr. Barak has yet to form his new Government, but my right hon. Friend the Prime Minister has spoken twice with him and offered him an open invitation for an early visit to Britain.

We have called for full implementation of the Wye agreement as a first step back on the path to peace. We helped to draft the EU Berlin declaration and we fully support its call for final status talks to be completed within a year.

Britain is one of the largest bilateral donors in support of the peace process. The Foreign Office recently supported a highly successful visit by Palestinian and Israeli teachers to Northern Ireland to study reconciliation projects. That has led to student exchanges between the two communities.

Progress on the peace process is primarily a matter for the parties to it, but Britain will do everything that it can to help them reach an outcome that brings a lasting and just peace to the region.

Dr. Iddon: My right hon. Friend will be aware that just two weeks ago the Israeli Government confiscated a very large tract of land between Mu'ale Adumim and east Jerusalem. If that land is developed it will cut off the north of the west bank from the south. In any negotiations with Mr. Barak, will my right hon. Friend try to dissuade him from developing the land, which is far more controversial even than Har Homa?

Mr. Cook: My hon. Friend touches on an important issue. In the Berlin declaration and in the declaration of the G8 summit at the weekend, we have called on the Government of Israel to cease settlement activity that unilaterally broke the peace agreement. I welcome the fact that Mr. Barak has said that he is not necessarily bound to develop all the settlements. I hope that there will be a return to the negotiating table rather than a unilateral attempt to change the situation on the ground.

Ms Blears: Does my right hon. Friend agree that to achieve a lasting settlement throughout the region good relations between Israelis and Arabs are as important as good relations between Muslims and Jews? Will he urge the Iranian Government to release the Jewish people who were arrested in March this year? They have been subjected to spurious charges of spying and could face death. Does he agree that if any harm came to the Jewish people in Iran, it would be appropriate for us to reconsider whether our ambassador should remain in that country?

Mr. Cook: We have just sent an ambassador to Iran. President Khatami has made some welcome statements about his wish to ensure that all religious minorities in Iran are protected. We have made representations insisting on a fair judicial process for the 13 who have been arrested and for any charges against them to be publicised and brought to court. I welcome some of the balanced and favourable comments that have appeared recently in the Iranian press, criticising some of the people who have prejudged the guilt of those who have been arrested. It is important that they should have a fair and open trial.

Mr. Wyatt: As my hon. Friend the Member for Bolton, South–East (Dr. Iddon) has already said, there are serious problems in one part of the Palestinian area. The situation is incredibly difficult for the Palestinian authorities. What is the current state of discussions between our Government and the new Labour Government of Israel on illegal israeli settlements?

Mr. Cook: As I have said, the new Government have not yet been formed, but I look forward to an early consultation with the Foreign Minister once he is appointed. We have already sought an early meeting with Mr. Barak. In the communications from our Government and from the European Union we have stressed the importance of making sure that settlement development does not proceed, because of the risk that it would make it difficult to bring both sides back to the negotiating table. The way forward on the peace process is through dialogue, not unilateral action.

Mr. Colman: I am sure that my right hon. Friend welcomes the commitment from Mr. Barak to withdraw all Israeli troops from Lebanon within the next 12 months. Of course, they were put there to stop the terrorist incursions and the missiles that were fired on to northern Israel. Will my right hon. Friend urge the Lebanese Government to ensure that when Israel withdraws—as it has from Jezzine—they take up their rightful role of policing the area to prevent the resumption of terrorist attacks on northern Israel?

Mr. Cook: My hon. Friend is quite right to say that, in the event of an Israeli withdrawal, there must be no security vacuum. I very much welcome, as I did last month following the election of Mr. Barak, the indication that he gave that he hoped to secure the withdrawal of Israeli forces from southern Lebanon within a year. I hope

that that timetable will prove possible. Progress on the Lebanese and the associated Syrian track will help to prevent any security gaps.

Mr. McNulty: My right hon. Friend's comment about Jewish communities throughout the middle east being part of the middle east peace process is welcome. Can he give me a little more reassurance on the plight of the 22 Iranian Jews arrested in Iran on trumped-up charges? While a commitment to free and fair trials is of course welcome, those people have had no visits in prison, they have no legal representation and their plight, and indeed that of the entire 25,000 Jewish population in Iran, must be a serious concern. What representations are we making?

Mr. Cook: We have made representations to the Government of Iran both on the need for legal representation and for due legal process. I can assure the House that we shall continue to do so. My hon. Friend touches on a wider issue also. It is a matter of concern that the Jewish population of Iran has fallen from about 100,000 to barely a quarter of that figure. That is testimony to the pressure that has been put on them. The Government condemn anti-Semitism wherever it occurs and we shall certainly remind the Government of President Khatami that we expect them to implement fully their commitment to protecting the rights of all religious minorities, including the Jewish community.

Sir David Madel (South–West Bedfordshire): A cause of intense disagreement between Israel and Palestinian negotiators is the future of Jerusalem. Does the Foreign Secretary envisage Jerusalem becoming the capital of both Israel and an independent Palestinian state?

Mr. Cook: The hon. Gentleman is absolutely right. That is one of the most contentious elements within the peace process. That is why it was reserved to the final status talks. It would not be helpful for even the strongest well wisher of the peace process, such as the United Kingdom, to express a view on what should be the outcome of those final status talks, but we support—and helped to write—the Berlin declaration that called for the final status talks to begin as soon as possible. We believe that there is no reason why they could not be concluded with good will within a year. They would have to include an agreement on the future of Jerusalem.

Mr. James Clappison (Hertsmere): Is the Foreign Secretary aware of the wide support in and outside the House for the sentiments expressed by the hon. Member for Salford (Ms Blears) regarding the members of the Jewish community arrested on trumped-up spying charges in Iran? They include a chief rabbi, teachers and other members of the religious community. Does the Foreign Secretary agree that this grisly spectacle does immense harm to Iran's standing in the world and that the elements in Iranian society that are responsible for it should bear that in mind?

Mr. Cook: As I have told the House, certain elements of Iranian society have expressed quite robust and strong views about those who have prejudged the guilt of the people who have been arrested. We insist that the Government of Iran should ensure proper observation and due legal process and proper legal rights for those arrested. The Iranian Government would rightly expect that for any of their citizens that we arrested, as indeed they would expect that from Israel. It is right that the international community should remind Iran that they must treat the Jewish members of their own society in the same way.

Mr. John Bercow (Buckingham): In reflecting upon the peace process, will the Foreign Secretary acknowledge that the early general election in Israel was precipitated by the inherent instability of that country's so-called proportional representation voting system? If the right hon. Gentleman can bring himself to acknowledge that simple and salient fact, will he also acknowledge that a strong Government with a clear mandate would be a better negotiating partner in the region for the simple reason that they will be able to focus on the policy agenda and not the grubby struggle for seats around the Cabinet table?

Mr. Cook: At two successive Question Times I have welcomed the result of that election, therefore I would be unwise to criticise the basis on which it was secured. I simply invite the hon. Gentleman to reflect on whether the past two years' history of the peace process would have been any better had Mr. Netanyahu had a strong majority.

Mr. Michael Fabricant (Lichfield): Further to the question from the hon. Member for Putney (Mr. Colman) concerning the withdrawal of Israeli forces from southern Lebanon, is the Foreign Secretary aware of the generally held belief that President Assad is using Hezbollah as his proxy militia to fight the southern Lebanese army and Israeli forces in south Lebanon? To facilitate the withdrawal from southern Lebanon, will the Secretary of State endeavour to meet President Assad to try to impose on him some regulations, or at least to encourage him to withdraw his support for Hezbollah in Lebanon?

Mr. Cook: We retain strong dialogue with Syria. I have met President Assad, and I met the Syrian Foreign Minister recently. The Minister of State, my hon. Friend the Member for Ashfield (Mr. Hoon), is meeting the Syrian Foreign Minister tomorrow. We continue to press Damascus on these matters, but it will not be easy to secure the outcome that the hon. Gentleman seeks without progress on the Syrian track, on which Damascus, quite rightly, has its own legitimate views.

Mr. Ernie Ross (Dundee, West): Everyone in this House would wish Prime Minister-elect Barak success in his coalition building, particularly as he seeks to include in the coalition those organisations that believe in the principle held by the previous Prime Minister of land for peace. If the new Government are to get off to a good start with the Palestinians, they must concentrate on freezing development of the settlements as a genuine sign that there is a determination to reach final status discussions on all outstanding matters. I welcome my right hon. Friend's comments, because unless there is a comprehensive peace that includes peace with Syria and Lebanon, there will be no peace in the region.

Mr. Cook: I reinforce my hon. Friend's point that if the peace process is to be successful, there must be progress on all its tracks, and not just on the Palestinian

track. He is right that nothing could do more to jeopardise this unique opportunity to get the peace process back on track than a continuation of the unilateral breach of the peace agreement by settlement building. It is a matter of regret that during the interregnum before the new Government take over, some are taking advantage by continuing settlement building. I hope that Mr. Barak will stand by his pledge not to be committed to those changes that have taken place without any democratic mandate from the people of Israel.

Indonesia

6. **Mr. Jim Cunningham** (Coventry, South): What plans his Department has to assist progress towards democracy in Indonesia; and if he will make a statement. [86577]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): The United Kingdom Government have contributed more than £2 million in bilateral support for preparations for Indonesia's first genuinely multi-party democratic elections since 1955, in addition to our share of the £5.5 million EU contributions. Our support included voter education, projects by the BBC for local radio and by the Westminster Foundation for Democracy as well as technical assistance for domestic election monitors. We welcome the fact that the elections ran smoothly. We are considering what further opportunities there are to assist in the consolidation of democracy in Indonesia.

Mr. Cunningham: Does my hon. Friend agree that Britain has done a lot more over the previous two years to encourage democracy in Indonesia—and, in particular, to advance human rights and the rights of the people of East Timor—than the Conservative party did during its 18 years of government, when all it could think about was flogging weapons to that country?

Mr. Hoon: I am grateful to my hon. Friend for his observations. We welcome the prospect of consultation in East Timor in August. We hope that that will produce a proper and fair result for the people of that part of the world.

Mr. Crispin Blunt (Reigate): Has the United Kingdom offered troops as part of any possible multinational force to oversee any transfer of sovereignty for East Timor away from Indonesia?

Mr. Hoon: It is important that the consultation should take place before there is any pre-judging of the result.

Federal Republic of Yugoslavia

8. **Mr. Nigel Griffiths** (Edinburgh, South): If he will make a statement on the United Kingdom's relations with the Federal Republic of Yugoslavia. [86580]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): The last Serb tank left Kosovo on Sunday, ahead of the deadline, and 19,000 KFOR troops have now been deployed across the whole of Kosovo, to guarantee its security and to protect against violence all its residents, both Albanian and Serb. The whole House will want to record its deep regret at the loss of life of the two British soldiers who were killed making a school safe for the local people.

A civil administration has been authorised by the United Nations and is tasked with preparing a political settlement on the basis of the Rambouillet accords, which provide for an ambitious degree of democratic self-government, with a review of the future status of Kosovo after an interim period.

We are determined to make the defeat of ethnic cleansing in Kosovo a turning point for the whole region, and have launched a stability pact that offers its countries more open trade and faster integration with Europe. We hope that one day it will be possible for Serbia to join us as a partner in the modern Europe, but first its Government must abandon the policies of ethnic hatred that have brought poverty to the people of Serbia and a decade of violence to their neighbours.

Mr. Griffiths: I am going to Pristina and the surrounding area on Friday with aid workers from the Scottish charities Kosovo appeal. Will my right hon. Friend ensure that the Government of Yugoslavia co-operate fully in the aid effort to rebuild in Kosovo and elsewhere and abandon their disgraceful policy of ethnic cleansing, which has made the state a pariah?

Mr. Cook: I am happy to reassure my hon. Friend that the Government in Belgrade are now in no position either to pursue ethnic cleansing in Kosovo or to hinder the vital work of the relief agencies. Relief has already been supplied to those who were made homeless in Kosovo and the refugees have returned from their camps in very large numbers. That has been made possible only by the deployment of the international military force led by NATO. All hon. Members will have been moved by the pictures of Kosovo Albanians greeting the arrival of the soldiers with flowers and a spontaneous warm welcome that underlines the depth of the horrors from which they have been liberated.

Mr. John Wilkinson (Ruislip-Northwood): I, too, pay tribute to the sacrifice of the two Gurkha soldiers who were so tragically killed.

May I press on the Foreign Secretary the need to move to a civil administration for Kosovo at the earliest possible date, so that the Kosovars themselves may be responsible for their democratic self-government and for the policing of their country, as it would be wrong for us to impose structures and a way of life on the country?

Mr. Cook: I am grateful to the hon. Gentleman for his tribute to the soldiers who gave their lives making Kosovo safe.

We have to be realistic about the civil administration: in the immediate future, the international community must accept an obligation to provide public administration, economic reconstruction and humanitarian relief to Kosovo, but the Security Council resolution clearly states that, over a period of time, that UN administration is expected to transfer its powers to Kosovars of all nationalities—Albanian and Serb alike—and ensure that Kosovo has a democratic Government. That is important for Kosovo and will send a strong message to Serbia, where the people have been denied proper democracy and

freedom of expression; they may find the model of a free society that we can create in Kosovo more attractive than what is offered by President Milosevic.

Mr. Jim Murphy (Eastwood): My right hon. Friend has correctly paid tribute to the Gurkhas who were tragically killed yesterday.

Are the British KFOR troops being encouraged to record what they witness and take statements from victims so that the information can be drawn together? Will he confirm that those records and eyewitness accounts will be admissible in any future war crimes hearings? If that is so, British troops will go down in history not only for securing a peace to protect the innocent but for securing the convictions of the guilty.

Mr. Cook: My hon. Friend touches on an important priority for our troops in Kosovo. As KFOR has moved forward, it has recorded and identified all sites of atrocities and mass graves. It has passed the information to the International War Crimes Tribunal and is fully co-operating with it in the investigation. Britain was the first nation to provide a police team to carry out that investigation. The team has been working for the past three days exhuming corpses from a mass grave at Veluka Krusa, which is a priority site because it is named in the indictment of President Milosevic as one of the atrocities for which he was ultimately responsible.

I spoke at the weekend to Judge Arbour, the special prosecutor for the International War Crimes Tribunal, and I am pleased to report to the House that she much appreciated the assistance that Britain is giving and the full co-operation of KFOR.

Mrs. Cheryl Gillan (Chesham and Amersham): We should like to be associated with the remarks that the Foreign Secretary has made about the two Gurkhas—Royal Engineers—who lost their lives, and would add to the tributes that have already been rightly paid to them. We also wish to send our congratulations to Lieutenant-General Mike Jackson on the signing of the demilitarisation agreement.

Can the Foreign Secretary confirm that the demilitarisation agreement included a pledge by NATO to consider the formation of an army in Kosovo modelled on the US National Guard; that it permits the KLA to continue to wear uniforms and insignia for the next 90 days; and that it did not deny the KLA the right to self-defence, which is a sign of the on-going volatility in Kosovo? Under those circumstances, is the Foreign Secretary confident that the difficulties being caused by armed KLA patrols will cease immediately?

Mr. Cook: It would be a brave person who claimed that all violence in Kosovo will halt immediately, given the enormous disruption and the great violence and high emotions that have been visited on that province in the past three months. That said, we believe that the agreement that has been signed fully meets our objective of demilitarisation of the KLA: indeed, it proposes to do so in a shorter time scale than was envisaged in the Rambouillet accords, which gave the KLA 120 days in which to demilitarise.

The 90 days is not the point at which everything happens: it is the point at which everything is to be completed. For most of the intervening period, the KLA will not be allowed to take weapons outside their designated camps. That is a sensible way forward which has provided for an understanding between both sides. It will also enable NATO to ensure that it knows where the KLA is, and that is helpful. Within the three-month period, the agreement will provide for full demilitarisation. It is our objective to ensure that the ceasefire is observed not just by one side but by both sides, and that the future of Kosovo will be brought about through the ballot box, not the barrel of the gun.

India-Pakistan

9. **Mr. Malcolm Savidge** (Aberdeen, North): What assessment his Department has made of relations between India and Pakistan; and if he will make a statement. [86581]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): We remain deeply concerned by the fighting in the Kargil area of Jammu and Kashmir following armed infiltration across the line of control. We have called on Pakistan and India to respect the line of control. We have urged both countries to calm the situation, reduce tensions between them and ensure that the conflict does not escalate further. We welcomed the talks between the Indian and Pakistani Foreign Ministers on 12 June. We hope that the dialogue will continue and that early progress will be made to end the fighting.

Mr. Savidge: Will the Government exert all possible influence to try to reduce the risks of a nuclear conflict that could devastate the subcontinent and beyond?

Mr. Hoon: That is precisely why we have urged both countries to implement United Nations Security Council resolution 1172 and, in particular, to sign the comprehensive test ban treaty, cease the production of fissile material and refrain from deploying nuclear weapons and delivery systems.

South Africa (Elections)

10. **Mr. Desmond Browne** (Kilmarnock and Loudoun): What discussions he has had with the South African Government about the outcome of the recent elections there. [86582]

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): My right hon. Friend the Prime Minister telephoned Thabo Mbeki on 7 June to congratulate him on the ANC's victory and on the peaceful conduct of the elections. Those elections have been a resounding success. The high voter turn-out and generally efficient conduct of these elections have further strengthened the democratic process in South Africa.

Mr. Browne: I thank my hon. Friend for that reply. Does he agree that the continued success of democracy in South Africa will largely depend on how able its Government are to deal with the monstrous problems they face, including massively increased crime, the spread of AIDS and endemic poverty and unemployment? Will he confirm that this Government have as foreign policy priorities an increase in trade, the continued sharing of

technology, continued private investment and—most importantly—the strengthening of civil society in South Africa?

Mr. Lloyd: My hon. Friend is absolutely right. The priorities that he has set out are those adopted by the South African Government. From the Government's point of view, the increase in bilateral trade and in trade between the European Union and South Africa was fundamental. That is why we were at the forefront of ensuring that the EU moved forward on a free trade agreement with South Africa.

My hon. Friend raised the very important issue of HIV/AIDS. About 3 million South Africans are HIV positive. When he was in South Africa earlier this year, my right hon. Friend the Prime Minister announced an assistance package of £100 million, targeted on that problem. However, in all our dealings with South Africa we shall continue to give support to the democratically elected Government, who are committed to tackling the major priorities involved in improving the economic and social structure for all South Africans. That is a welcome change from previous South African Governments.

Sierra Leone

12. **Mr. David Heath** (Somerton and Frome): What assessment he has made of the current situation in Sierra Leone. [86584]

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): We welcome the recent signing of a ceasefire agreement and the negotiations currently taking place in Lomé. We urge all those involved to seize this opportunity to secure a sustainable peace and to end Sierra Leone's appalling cycle of violence.

Mr. Heath: The Minister might have been forgiven if he had suggested that interest in Sierra Leone had diminished a little in this House since last year, but it remains a very important matter. Has the Minister had any discussions with President Obasanjo of Nigeria to secure assurances that Nigeria will maintain stability over the next crucial few months while the peace process is worked out?

Given the tragic humanitarian disaster that has overtaken Sierra Leone, which has 400,000 refugees and 1 million displaced persons within its borders, will the Minister say whether any further progress has been made on the EU's projected $30 million aid programme?

Mr. Lloyd: The hon. Gentleman is right to say that, sadly, the House's interest in Sierra Leone seems to have diminished, but the tragic reality of the country was never reflected in the rather partisan, party-political debate here in Westminster.

It is important to pay tribute to the role of ECOMOG—and to Nigeria's role within it—in stabilising the situation in Sierra Leone. Nigeria has worked enormously hard, and its nationals have died in the stabilisation struggle. We have worked closely with Nigeria and ECOMOG, and President Obasanjo has maintained his commitment to ensuring that Nigeria will finish the job that it started and that ECOMOG will play its part.

I cannot tell the hon. Gentleman the exact state of progress on the EU's projected aid programme, although I shall respond in due course with that information. However, the Government retain their dual commitment to ensuring that we win in this period of conflict by maintaining progress towards peace, and to ensuring that we win the peace, too. That will involve investment after the conflict has ended.

Mr. Ian Davidson (Glasgow, Pollok): Will the Minister expand on the matter of the humanitarian aid that we are providing to Sierra Leone, and on the aid that we are providing to help rebuild civil society there? It is not enough to provide foodstuffs and materials; civil society must be reconstructed. What are the Government doing in that regard?

Mr. Lloyd: My hon. Friend asks a very important question. A real effort has been put into giving humanitarian aid. We have given some £3.5 million since the beginning of this year, when the most recent rebel incursion into Freetown occurred. Nevertheless, the bulk of the assistance made available—in the order of £20 million—is for different forms of reconstruction assistance. The aim in part is to demobilise those engaged in combat, and also to reconstruct civil society and ensure that there is an economic base on which peace can be founded. That is the most profound and important commitment that we can make.

Mongolia

13. **Mr. John Grogan** (Selby): If he will make a statement concerning the Government's policy towards Mongolia. [86585]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): Britain enjoys a very warm relationship with Mongolia. We have fully supported Mongolia's transition to democracy, and we commend the Mongolian Government's commitment to achieving a market economy. Our educational and cultural links are strong, and bilateral trade, though modest, has real potential to increase. We hope that the relationship will continue to develop in all areas.

Mr. Grogan: Does my hon. Friend recognise the tremendous achievement of the people of Mongolia, whose national hero is, incidentally, Ghengis Khan? The country borders China but has established a flourishing multi-party democracy in under a decade. The Foreign Office is represented at a donor conference taking place in Ulan Bator; but will my hon. Friend do all he can to support bilateral links between the UK and Mongolia and to encourage our European Union partners to support Mongolia?

Mr. Hoon: I know that my hon. Friend is something of an expert on Mongolia, which, unlike me, he has visited. I hope to visit that part of the world as part of my responsibilities. The Government hope to foster and develop the existing good relationship between the UK and Mongolia.

Mr. Ian Bruce (South Dorset): I am sure that the House, which is highly knowledgeable about Mongolia, is aware that the western-oriented Government of Mongolia are not keen to become to close to China—except geographically. When the Minister visits Mongolia, will he attempt to improve our trade and investment links? Given his previous responsibility for the internet, will he explore the ease with which all members of the Mongolian Government can be contacted. It is considerably easier to reach them on the internet than it is to contact UK Foreign Office Ministers.

Mr. Hoon: The hon. Gentleman is certainly right that there is a good relationship between the two countries, not least because the UK was the first western country to establish diplomatic relations with Mongolia, setting up an embassy in 1963. Mongolians have not forgotten that signal of support, and the UK has a consequently advantageous position. I have not recently surfed the internet in an effort to contact my counterparts in Mongolia.

Nigeria

15. **Mr. Bob Blizzard** (Waveney): If he will make a statement on the readmission of Nigeria to the Commonwealth. [86588]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I visited President Obasanjo after his election to congratulate him on Nigeria's return to democracy. I pledged Britain's support for the return of Nigeria to the Commonwealth, and I am delighted that we were able to secure that in time for his inauguration last month.

An immense task remains to be done in repairing the damage done to Nigeria's economy and society in the dark days of General Abacha, a tragic case from which time affects one of my hon. Friend's constituents. However, the new Government have made a good start, and they will have a firm ally in Britain.

Mr. Blizzard: I thank my right hon. Friend for that answer. Does he consider it acceptable that a Commonwealth country should continue to fail to communicate properly with the UK high commission? My constituent was murdered in Nigeria more than a year ago. Despite requests at the highest level for the release of the police report and promises by the Nigerian authorities that that would be done by a certain date, the report, which exists—I saw it on the police commissioner's desk when I visited Nigeria—remains unforthcoming. Will my right hon. Friend make it clear that Nigeria should observe the basic consular decencies expected of a Commonwealth country in this case and in others?

Mr. Cook: I congratulate my hon. Friend on his resolve and determination in pursuing his constituent's case, even to the extent of visiting Nigeria. I do not believe it acceptable that any country should fail to respond, whether or not it is in the Commonwealth. President Obasanjo faces the major task of reforming and modernising the Nigerian police. He has begun by appointing a new inspector-general, on whom our consul called last Wednesday to raise my hon. Friend's constituent's case. I hope that we may soon receive the response that we have been seeking for some time.

Rev. Martin Smyth (Belfast, South): I welcome the Secretary of State's positive endorsement of the new Government in Nigeria. We wish them well because we understand their difficulties. At the same time, I believe that they already have support right across the community, which I trust will develop strongly so as to restore Nigeria to its proper place in the Commonwealth.

Mr. Cook: When I discussed his plans for the future with President Obasanjo, when he was elected but not yet in office, I was impressed by the stress that he placed on reconciliation among the many communities that make up the state of Nigeria. Since then, he has carried that forward, particularly by his work in the Delta region, meeting community leaders and seeking a positive understanding. That is an alternative to the random violence in the Delta, and he will have our full support in his efforts, which will also enable us to welcome Nigeria to its rightful place as a leading African nation in the international community.

Mr. Nicholas Soames (Mid-Sussex): While welcoming the progress in Nigeria, will the Foreign Secretary when he next talks to the Nigerian Government mention our great concern about the amount of financial fraud involving our countries? I have two constituents who have been terribly defrauded—one of them bankrupted—by major Nigerian fraud for which there is no recourse and no possibility of ever recovering the money. Will he ask the Nigerians what they can do to tighten the regulations that allow such fraud to be so commonplace?

Mr. Cook: I am pleased to assure the hon. Gentleman that we have already raised that issue with the Government of Nigeria and will continue to work them. I am well aware of the scale of the problem. It is a striking example of how after a break-down in a country's law and order and a failure to have a functioning central Government, as happened under General Abacha, the ripple effects spread around the international community. We hope that we can work with the new Government at least to reduce, and perhaps eliminate, the problem.

Overseas Territories (Legislation)

17. **Mr. Bob Russell** (Colchester): What action he has taken since the publication of his White Paper on overseas territories to prepare for the introduction of the legislation. [86590]

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): Action to prepare a brief for an overseas territories Bill is under way. It is proposed that the legislation will cover three areas: changes to relevant legislation to reflect the new title of United Kingdom overseas territories; the offer of British citizenship to British dependent territories citizens; and minor constitutional changes. We intend to place legislation before Parliament at the earliest opportunity possible.

Mr. Russell: So far, so good. Does the Minister accept that the sense of betrayal in the overseas territories is the same today as it was 18 years ago when full British citizenship was withdrawn by the Conservative Government? While I welcome his proposals, he did not mention the time scale. Does he accept that unless the Government introduce early legislation, the sense of betrayal will continue?

Mr. Lloyd: I do not accept that the sense of betrayal is still there. In fact, throughout the overseas territories there has been a warm welcome for the Government's positive tone. I pay tribute to the hon. Gentleman, who has valiantly fought this case over more than a few months. There is no doubt that the people of the overseas territories know that the injustice that they felt is in the process of being lifted. They welcome that, and our commitment is that it will happen.

Mr. Tam Dalyell (Linlithgow): On the British Indian Ocean territory, can something be done to help those wretched people who were shoved off their archipelago to make way on Diego Garcia for the biggest American base outside the continental United States? With the welcome seminar on reefs to be held at the Foreign Office next week, can something be done to protect their fishing grounds?

Mr. Lloyd: As my hon. Friend knows, there is a long and complex history to the position of the former residents of Diego Garcia. It is not a straightforward question. The issue has been resolved, returned to and re-resolved. While we have considerable sympathy for the plight of individuals, in every case the families of those moved from Diego Garcia received a compensation package. The overwhelming majority are citizens of Mauritius and are therefore not in the same position as residents of the overseas territories, who will now benefit by being given full British citizenship.

Mr. Nicholas Winterton (Macclesfield): As I am chairman of the Falkland Islands group and an active member of the Gibraltar group, the Minister will appreciate my interest in the answer that he gave the hon. Member for Colchester (Mr. Russell). Will he assure me and the House that the people of the Falklands, Gibraltar and the other overseas territories will be treated fairly? Will the Minister assure me that the people of Gibraltar will be given the same rights as the people of the overseas territories of France, who are able to vote in the European elections?

Mr. Lloyd: The fundamental guarantee that the people of Gibraltar, the Falklands and all the overseas territories seek and have received is that sovereignty will not be transferred without their express and declared approval. The hon. Gentleman raises the question of the right of the citizens of Gibraltar to take part in the European elections. I think he knows that the British Government have worked and will continue to work hard to guarantee that they obtain precisely that right.

European Union (Reform)

18. **Ms Gisela Stuart** (Birmingham, Edgbaston): If he will make a statement on the plans to reform the decision-making process of the European Union. [86591]

The Minister of State, Foreign and Commonwealth Office (Ms Joyce Quin): The Cologne European Council decided that an intergovernmental conference should begin early next year to prepare the Union's institutions for enlargement.

The conference will cover three main subjects—the size and composition of the Commission, the weighting of votes in the Council and the possible extension of qualified majority voting. The Government welcome this timetable. We want European institutions that are effective, efficient and able to face up to the challenges that enlargement will bring.

Ms Stuart: I thank the Minister for that answer. We should never forget that it was the previous Government who allowed the culture of mismanagement to fester in the European Commission. I welcome this Government's commitment to reform it. May I urge the Minister to focus not only on a clear agenda but on the speed of its implementation, which is equally vital in view of the imminent enlargement?

Ms Quin: I agree with my hon. Friend that speed is important in this exercise and that we must apply ourselves to it assiduously. It is 10 years now since the Berlin wall came down and countries in central and eastern Europe have made a great deal of progress. We want to be able to welcome them into membership or closer association with the European Union. It is very important to us to keep that role firmly in mind.

Mr. Archie Norman (Tunbridge Wells) *rose—*

Hon. Members: Hear, hear.

Mr. Norman: Thank you, Madam Speaker. Does the Minister agree that the principle of subsidiarity in European decision making can be safeguarded only if national Parliaments have adequate time to scrutinise legislation? Is she aware of the real disquiet around the fact that in the past year on no fewer than 23 occasions the six-week time window agreed under the Amsterdam treaty for scrutiny of legislation has not been observed to the full? Will she undertake with her European counterparts to ensure that in future the time window is more precisely defined and that it is properly observed for all European legislation?

Ms Quin: I congratulate the hon. Gentleman on his appointment. Like me, he was perhaps wondering whether he would be able to get to the Dispatch Box this afternoon. We are pleased with the arrangements that we have introduced for scrutiny, which are recent. We hope and expect that they will work well. We know that sometimes the pace of European business means that decisions get speeded up, but the Government have in all cases provided full explanation. Far from being aware of disquiet, I am very much aware of the widespread welcome in both Houses for the way the Government are approaching the issue.

MOX Shipments

19. **Mr. David Chaytor** (Bury, North): What representations have been made to him by Caribbean states over the proposed shipment of MOX fuel to Japan. [86592]

The Minister of State, Foreign and Commonwealth Office (Mr. Geoffrey Hoon): I am aware of the interest of the Caribbean states in this issue. While no specific representations have been made to me by Caribbean states over the proposed shipment of MOX fuel to Japan, I have received a letter from the high commissioner of the Bahamas on behalf of his Commonwealth Caribbean colleagues requesting a meeting to discuss the more general issue of the movement of nuclear material through the Caribbean sea. Arrangements are in hand to hold such a meeting.

Mr. Chaytor: I thank my hon. Friend for that reply. Does he accept that there is continuing concern about the safety, security and proliferation implications of the international transport of MOX fuel? Does he accept that that is partly because for many years the nuclear industry insisted that MOX fuel could not be chemically separated into its constituent element of uranium and plutonium, whereas many scientists challenged that view and pointed out that it was a fairly routine scientific process for any terrorist group that had access to a university chemistry laboratory?

Is my hon. Friend aware that in documents published within the past few days by the Department of the Environment, Transport and the Regions and relating to the Department's latest round of consultation on the Sellafield MOX plant, the possibility of separating plutonium from MOX fuel has been confirmed? Will he assure the House that he will keep the safety, security and proliferation aspects of the transport of MOX fuel under the closest scrutiny?

Mr. Hoon: I can give my hon. Friend that assurance. I realise that there is concern about safety. I assure him that the solid nature of MOX itself, the integrity of the cask in which it is transported and the safety features of the ships mean that there is no credible accident scenario in which radioactivity could be released. With the benefit of my general science grade 5 O-level, I shall not argue with him as to the technicalities of the extraction of plutonium. I accept that that is theoretically possible, but I assure him that I am instructed that it would require a complex and highly specialised piece of equipment, and plant and skills, to achieve it. A considerable degree of nuclear sophistication would need to be available before what my hon. Friend describes could happen.

Points of Order

3.31 pm

Mr. John Bercow (Buckingham): On a point of order, Madam Speaker. Have you, with your beady eye, noticed—as I did—that during much of Question Time today, including its start, our faithful friend, the clock, has been running one minute ahead of the time on the Annunciator screen? The effect of that was to lead me and several of my hon. Friends, quite wrongly, to believe that we were starting Question Time a minute late. I am glad that I was corrected by my faithful and hon. Friend the Member for New Forest, East (Dr. Lewis). Can the matter be speedily rectified?

Madam Speaker: I shall look into the matter; my beady eye had not noticed it.

Mr. Ian Bruce (South Dorset): On a point of order, Madam Speaker. Some of my constituents took a great deal of time and trouble to put a petition to the House on the banning of hunting with hounds. I am sure that you realise, Madam Speaker, that I am not in favour of that petition, but, like any representative Member, I submitted it on behalf of my constituents. Some weeks later, I was somewhat surprised to receive a note from the Clerk who deals with petitions, stating that the Home Office had been notified of the petition, but had decided not to make any comment. Surely it is strange, when our constituents submit a petition on an issue that concerns them and that is the responsibility of the Government, for the Minister and the Department responsible to say that they have no comment. It is an abuse of our system if we cannot have answers from the Executive on matters of concern to our constituents.

Madam Speaker: The correct procedure has been followed; not all petitions are responded to. I can assure the hon. Gentleman that the procedure has been carried out. If he does not approve of it, he has an opportunity to try to change it through the Procedure Committee. The procedure that he has reported to me is absolutely correct.

Parliamentary Control of the Executive

3.33 pm

Mr. David Davis (Haltemprice and Howden): I beg to move,

That leave be given to bring in a Bill to make the exercise of certain powers of Ministers of the Crown subject to control by the House of Commons.

In 1977, the Procedure Committee concluded that:

"The balance of advantage between Parliament and Government is so weighted in favour of Government that it is inimical to the proper working of our parliamentary democracy."

About 20 years later, an NOP survey of Members of Parliament showed that three quarters of them believed that that was still the case; a number of Members thought that it had become worse. It is a truth that has become sharper in every passing decade since the 1930s.

In the 1940s, the massive increase in the size of the Government as a result of the second world war dramatically shifted the balance of power between Whitehall and Westminster to the huge advantage of Whitehall. Over the years, that imbalance in Whitehall's favour has got worse. Even action taken with good intentions—such as improving public services through the creation of Government agencies—has had the perverse effect of making much of the Government less accountable to Parliament and reducing Parliament's access and power.

In the ensuing decades, many changes worsened that imbalance. The starkest was the effect of the growing power of the European Union. More and more of Britain's legislation is negotiated in Brussels, often out of sight, in technical Committees or at the meeting of ambassadors known as COREPER, at which the details of important legislation are negotiated without the presence of a single elected representative. The final result—which is often unamendable—is presented for Parliament's rubber stamp.

Similarly, in Britain today, one of the most important levers of economic policy—the decision on interest rates—is made out of sight and largely out of reach of Parliament by members of the Monetary Policy Committee. Those are just a few examples of areas where Parliament has lost control of policy matters that are enormously important to our citizens.

There are three primary aspects of government where parliamentary scrutiny and control are either absent or inadequate. They are: first, the exercise of unfettered Executive power, largely under Crown prerogative; secondly, the control of information that should often be available to the public, and which should certainly be available to Select Committees of the House; and, finally, the prioritisation and control of expenditure within Departments.

I shall deal first with the powers largely exercised under Crown prerogative. I am agnostic about the virtues of European central bank independence and even about some of the mechanisms of European Union decision making. However, it strikes me as extraordinary that Parliament has no say not only in the decisions, but in who makes them. Of course, the appointment of people such as the European Commissioners, ambassadors to international organisations and members of powerful bodies such as the Monetary Policy Committee is a part of the patronage that any Executive guard jealously. That is wrong. The fact that such people are appointed solely by Government

[Mr. David Davis]

without any parliamentary oversight is bad for democracy. Power corrupts, but patronage corrodes—corrodes democracy, public trust and confidence, and the mechanism of government itself. That is one of the things that the Bill sets out to correct.

Executive decisions by the Government should be subject to the scrutiny and approval of Parliament in many other areas. Much of them arise under Crown prerogative—which, in truth, in modern Britain is a euphemism for the prerogative of the Prime Minister. The Bill sets out to curb that and to make it subject to parliamentary approval, giving Parliament the right of approval over all Executive powers not conferred by statute—from the ratification of treaties to the approval of Orders in Council, and from the appointment of European Commissioners, some ambassadors, members of the Bank of England's Monetary Policy Committee and other senior public posts to the dissolution of Parliament. There is no serious reason why the Executive should have the monopoly of control of these issues—they do not have that power in most other modern democracies.

However, that proposal is not enough. The exercise of unchecked governmental power is not the only serious problem with our democracy—even with a Government with a huge majority. Parliament must concern itself with two other elements: the control of information and the control of money. Governments protect their monopoly over those two areas almost as fiercely as they defend their monopoly on Executive power.

The Government's proposed Freedom of Information Bill will improve only slightly the position regarding Parliament's access to information. My Bill creates the post of parliamentary investigating officer who, like Parliament's Comptroller and Auditor General, would be cleared to have access to all levels of Government information, whether secret or not. Such an officer would serve the House and its Select Committees. When we next have an inquiry such as the Sierra Leone inquiry, it could be conducted by Parliament's own official and Parliament would not have to swallow the Government's protestations about the "independence" of an inquiry run by a civil servant.

Like the Comptroller and Auditor General, the investigating officer would be able to test on behalf of Parliament the Government's claims within the veil of Whitehall secrecy, and would also be able to make an independent judgment about whether that secrecy was necessary. By this simple mechanism, Parliament would penetrate the veil of secrecy without jeopardising the real concerns of national security, commercial confidentiality or personal privacy.

Finally, the control of money—or supply—was the original function of the House. Unfortunately, in the second half of this century, the so-called estimates procedure has become a disgraceful charade. The documents are opaque, the procedure is arcane and the outcome is irrelevant.

My Bill will require the approval of the relevant departmental Select Committee before a departmental estimate is approved. It will specifically allow the Select Committee to lay an amendment before the House altering the allocation of money within a Department, but not increasing the total for the Department. That will allow Parliament to challenge and debate spending priorities, without undermining the ability of the Government to manage the economy.

That apparently small change will transform the relationship between Parliament and the Government—and, incidentally, will transform the relationship between Ministers and civil servants on matters of financial priority—and it will, for the first time, introduce real accountability into the financial priorities of modern politics.

If enacted, this small Bill will irrevocably alter the relationship between Parliament and the Executive, and in doing so, will at least check the trend from representative democracy to presidential oligarchy, which is so sadly undermining this great institution.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Davis, Mr. Robert Maclennan, Mr. David Maclean, Mr. Tony Benn, Mr. Derek Foster, Mr. Douglas Hogg and Mr. Eric Forth.

Parliamentary Control of the Executive

Mr. David Davis accordingly presented a Bill to make the exercise of certain powers of Ministers of the Crown subject to control by the House of Commons: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 123].

Orders of the Day

TAX CREDITS BILL AND ACCESS TO JUSTICE BILL *[Lords]* (PROGRAMME)

Ordered,

That the following provisions shall apply to—

(a) proceedings on consideration of Lords Amendments to the Tax Credits Bill,

(b) proceedings on the Motion in the name of Mrs. Barbara Roche relating to Access to Justice Bill *[Lords]* [Ways and Means], and

(c) Consideration and Third Reading of the Access to Justice Bill *[Lords]*.

1.—(1) The proceedings to which this Order applies shall be taken in the order specified in the Table.

(2) Each part of the proceedings to which this Order applies shall, if not previously concluded, be concluded today at the times shown in the Table.

Table

Proceedings	*Conclusion*
Tax Credits Bill: Consideration of Lords Amendments	
Amendment 1	5.30 p.m.
Amendment 2	6.30 p.m.
Remaining Amendments	7.00 p.m.
Motion on Access to Justice Bill *[Lords]*[Ways and Means]	7.15 p.m.
Access to Justice Bill *[Lords]*: Consideration and Third Reading	
New Clauses and amendments relating to Part I	8.45 p.m.
Government new Clauses and new Schedule	10.15 p.m.
Remaining new Clauses	11.00 p.m.
Remaining amendments and Motions, and Third Reading	Midnight

Conclusion of proceedings on Tax Credits Bill

2.—(1) This paragraph applies for the purpose of concluding any proceedings on consideration of Lords Amendments to the Tax Credits Bill in accordance with paragraph 1.

(2) The Speaker shall first put forthwith any Question already proposed from the Chair and not yet decided.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) the Question on any further amendment of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) the Question on any Amendment moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed to a Lords Amendment, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a separate Question on any other Amendment which is moved by a Minister of the Crown and relevant to the Lords Amendment.

(8) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

(9) A Committee appointed to draw up Reasons shall report before the conclusion of this day's sitting.

Conclusion of proceedings on Access to Justice Bill [Lords]

3.—(1) This paragraph applies for the purpose of concluding any proceedings on the Access to Justice Bill *[Lords]* in accordance with paragraph 1.

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown; and

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or a new Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Common provisions

4.—In the case of any proceedings to which this Order applies—

(a) Standing Order No. 15(1) (Exempted business) shall apply;

(b) Standing Order No. 82 (Business Committee) shall not apply;

(c) the proceedings shall not be interrupted under any Standing Order relating to the sittings of the House;

(d) no dilatory Motion with respect to, or in the course of, the proceedings shall be made except by a Minister of the Crown (in which case the Question on the Motion shall be put forthwith);

(e) if the proceedings are interrupted by a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) a period equal to the duration of the proceedings on the Motion shall be added to the period allowed for the interrupted proceedings; and

(f) if the House is adjourned, or the sitting is suspended, before the proceedings are concluded no notice shall be required of a Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order.—[*Jane Kennedy.*]

Tax Credits Bill

Lords amendments considered.

Madam Speaker: I draw the House's attention to the fact that privilege is involved in Lords amendment No. 4. If the House agrees with that Lords amendment, I shall ensure that the appropriate entry is made in the Journal.

Clause 6

PAYMENT OF TAX CREDIT BY EMPLOYERS ETC

Lords amendment: No. 1, in page 3, line 31, at beginning insert ("Subject to subsection (1A),")

3.43 pm

The Paymaster General (Dawn Primarolo): I beg to move, That this House disagrees with the Lords in the said amendment.

Madam Speaker: With this, it will be convenient to discuss Lords amendment No. 3.

Dawn Primarolo: The amendments together would allow employers with fewer than 10 employees to elect that any tax credit payable to their employees should be paid by the Inland Revenue board. The amendments would also enable regulations to be made governing the making and revoking of such elections.

The amendments were introduced in Committee in another place. This House has, of course, debated and firmly rejected similar amendments seeking to exempt various categories of employers from paying tax credits through the payroll to their employees. I shall ask the House to reject amendments Nos. 1 and 3, because they are ill thought out, would be disastrous for the tax credit policy as a whole and would be an administrative nightmare.

There are two important points to make on the policy implications of the amendments. First, as their lordships are well aware, payment via the employer is central to our tax credit policy. It will be vital in showing unambiguously that work really does pay. Not only will the tax credits be much more generous than the benefits that they replace, but they will also be inextricably linked to the rewards of work because they will be shown on the employee's pay slip as an addition to the net take-home pay. Embedding the tax credits in the tax system will help to break the perceived link with benefits and will reduce the stigma which is often attached to claiming in-work support.

For those reasons, we should not be looking for ways of taking large numbers of employers out of the scheme, thereby depriving many thousands of employees of their right to receive their tax credit through the payroll. Payment through the pay packet will be the predominant method of payment from April 2000, and we want that to apply in every case where it is appropriate and practical.

Mr. Steve Webb (Northavon): How many employees, not firms, would be taken out of payment through the pay packet by the amendments?

Dawn Primarolo: I shall answer the hon. Gentleman's point when I explain why I am asking the House to reject the amendments.

The second, more general, point of policy is that amendments Nos. 1 and 3 would give employers the right—

Mr. Eric Pickles (Brentwood and Ongar): Will the hon. Lady give way?

Dawn Primarolo: I am happy to give way, but will the hon. Gentleman confirm that the Opposition's policy is still as stated by the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith)—that a Conservative Government would abolish the working families tax credit and deprive millions of children of the benefits of that?

Mr. Pickles: The hon. Lady is most courteous, but I seek only to help her out. Can she confirm that the amendments would take out only 13 per cent. of people, and that 87 per cent. would still be able to receive the working families tax credit through the wage packet?

Dawn Primarolo: I am coming to my second point which deals specifically with the hon. Gentleman's question, and with the removal of so many employers from their responsibilities within the tax system.

Amendments Nos. 1 and 3 would give employers the right to opt out of their tax obligations. That is a novel idea. If it were a feature of the tax system generally, I wonder how many employers would, for example, voluntarily operate the pay-as-you-earn scheme.

To remove employers in such large numbers from their tax obligations—70 per cent. of all employers—is clearly unacceptable. Tax credits are part of the tax system, and it is completely unacceptable to say that employers can elect not to fulfil their tax administration responsibilities.

By accepting the amendments, the House would give in the region of 825,000 employers—70 per cent. of all employers—the ability to elect not to carry out their duties in relation to tax credits. That is not acceptable.

Mr. Webb: The hon. Lady will know that the Government have said that the smallest firms, those that do not have a PAYE or national insurance liability at present, do not have to deliver the tax credits directly through the payroll, and that they can be paid directly to the recipient. Those small firms are not giving up on their duties—rather, the Government have recognised that they are a burden on them, so why is the argument different?

Dawn Primarolo: If the hon. Gentleman will be a little more patient, I shall address those points, which were a feature of our debates in this House and in the other place.

I was making the point about the number of employers who would be removed from the scheme. In his first intervention, the hon. Gentleman asked about the number of employees involved. The figure is in the region of 100,000, which is a substantial number to remove from the scheme. His second intervention was about employer burdens and what will happen to those employers who are not required to be in the PAYE scheme. If I may go on to the next section of my remarks, I shall be able to deal with that point.

The main criticism of employer payment of the tax credit concerns the method of payment imposed and unacceptable burdens, although I note that today's Confederation of British Industry press release welcomes and

"supports the Working Families Tax Credit which should play a key role in raising incentives to work by targeting additional resources on those people who are most likely to suffer from the poverty and unemployment traps".

I am sure that we all have a copy of the press release, which points out that

"the CBI welcomes the government's recognition"

of the issues in respect of the cost of compliance and

"looks forward to working with the government to develop proposals to meet the needs of smaller firms."

I should say that I will deal with that point during my speech, in case any hon. Members think that I might miss it out.

Mr. Pickles *rose—*

Dawn Primarolo: I am always pleased to give way to the hon. Gentleman, but I should be grateful if, in return, he would answer my question: does his party support the working families tax credit—yes or no?

Mr. Pickles: I am sure that it was for the sake of brevity that the hon. Lady missed out the paragraph of the CBI press release that states:

"We would have preferred smaller firms to have been exempt from administering the credit".

Does she believe that Lord Haskins, who has been asked to look into this matter by the Prime Minister, is wrong when he says that the Government have underestimated the impact of the working families tax credit on small businesses?

Dawn Primarolo: Shall I take the hon. Gentleman's answer as yes—his party intends to repeal the working families tax credit, denying millions of children and families the support that it gives? He is quite right; I do not deny that the CBI would have preferred different action, but it is saying that, despite its concerns about employer compliance, it accepts that the Government recognise that something will need to be done in that area and that we will respond. It is not opposing the Bill; it welcomes the Bill. If employer compliance is such an overwhelming problem, one would have expected the CBI to feel unable to support the Bill.

Mr. John Bercow (Buckingham): Will the hon. Lady give way?

Dawn Primarolo: As always, I am happy to give way to the hon. Gentleman, but then I must try to make progress, if he will permit me.

Mr. Bercow: I am exceptionally grateful to the Paymaster General for giving way. On the subject of opponents of Government policy in this area, is she aware that the National Farmers Union is resolutely opposed to the current position because the great majority of agricultural businesses would be adversely affected? Given that she is flagging up her willingness to consider means by which to alleviate the burden on small businesses, is she prepared sympathetically to consider the NFU request that the new measure should be delayed for two years to allow agricultural businesses adequately to prepare themselves for it?

Dawn Primarolo: The Government are not prepared to delay the implementation of that policy because we are not prepared to stand by and watch as millions of children who could be assisted by the measure continue to be trapped in poverty. We have made it clear—and the CBI recognises this—that tackling compliance cost is being addressed; on that basis, it supports and welcomes the Bill.

The Government have recognised from the outset that employers will incur some extra costs in paying tax credits through the payroll, and we are doing everything possible to keep those extra costs to a minimum. Since May 1998, we have been consulting representatives of employers and payroll software suppliers on the details of the scheme, and significant changes have been made to meet their concerns.

We have also recognised that, whatever the advantages of employer payment of tax credits, that method of delivery may not be appropriate in all cases. As the hon. Member for Northavon (Mr. Webb) pointed out, some employers are so small that they are not required to comply with PAYE arrangements. We have already announced an exemption for certain very small employers, in whose case the advantages to employees of receiving their tax credit with pay would clearly be outweighed by the practical difficulties. A line must be drawn somewhere, and the Government have drawn it at that point, given that those employers will not be participating in the PAYE scheme.

Employers will normally offset tax credit payments against PAYE tax payments, national insurance contributions and student loan repayments that they are due to make to the Inland Revenue. If their liability to the Revenue is not enough to cover the tax credit payments that they are required to make, they will be able to apply to the Revenue in advance for funding. That was discussed extensively during earlier stages of the Bill's passage.

What are we to do about employers who do not operate a PAYE scheme, because they do not have to deduct tax or national insurance contributions from the pay of their employees? Employers in that category would include people who employ a cleaner or gardener for a few hours a week. They currently have no dealings with the Revenue in their role as employers. For those employers, the burden of paying tax credits with pay would be disproportionate, because they would be brought on to the Revenue's employer database simply through once having had tax credit recipients on their payroll. They would have to apply to the Revenue for funds on that basis, because they would not be able to make deductions from the payments that they were collecting on behalf of the Revenue.

In Committee, we announced that we had decided to exempt employers from paying tax credits through the payroll if they did not operate a PAYE scheme. That was an entirely reasonable move, and was welcomed as such. It is a targeted exemption, which will take about 80,000 employers out of the scheme. I am anticipating a possible further intervention from the hon. Member for

[Dawn Primarolo]

Northavon. The exemption will be relatively easy to operate, because the Revenue's PAYE database will quickly confirm whether a particular employer qualifies for it. In the vast majority of cases, employers will not need to be troubled in the first place.

Let me now deal with the practical implications of Lords amendments Nos. 1 and 3, which, by contrast, would be anything but easy to operate. As I said earlier, they would be an administrative nightmare. The central practical problem is how the Revenue will know which employers qualify for the opt-out. Inland Revenue information about the number of people employed by a particular employer is based on employers' end-of-year returns, so it could be up to a year out of date. A possible source of information could be the employees themselves, but employees filling in their tax credit application forms will, in many cases, not know how many other employees work for the same employer. They may send in the form without the information, make a guess, which may or may not be correct, or ask the employer for the information—thus adding a further element of employer involvement and possible delay in the application. Moreover, in all cases of doubt, the Revenue would have to investigate. The proposals would, therefore, increase compliance burdens on employers, to establish whether they should be able to opt out. The Government think that such a proposition is ridiculous.

Further problems would arise with employers who have about 10 employees, as they might be eligible to elect to opt out in one year, but not be eligible to do so the next. Some employers could move from the exempt to the non-exempt category several times in one year. Do hon. Members really think that employers should be relied on to opt back into the employer payment scheme if they take on additional staff? Again, the proposal would only add another unnecessary complication to the system.

4 pm

I think that it will be clear to the House that the type of arrangements needed to make an employer opt-out work cannot possibly be in the best interests of employees entitled to tax credits. The award of tax credits could not be finalised until the Revenue and the employer had agreed who would make the payments. Therefore, needy families would be kept waiting for vital income to which they were entitled—and that would not be acceptable to the Government. Employees of employers who move in and out of the fewer-than-10-employees category would be thoroughly confused and would not know where they were from one award to the next.

I am sure that the Lords amendments were prompted by a concern to protect small businesses from damaging administrative burdens. However, the Opposition are not alone in wanting small businesses to flourish. The Government are committed to creating a climate in which small and medium-sized enterprises are able to thrive, and we are proud of the measures that we have introduced in the past two years to make that happen.

Since March 1997, we have lowered the small companies tax rate twice: the rate is now 20 per cent. Moreover, as the Chancellor announced in his March Budget, from April 2000, there will be a new 10p rate—which is the lowest rate of corporation tax for small companies among major industrialised countries. The new small business service, which was also announced in the Budget, will provide better and more targeted support and assistance to small businesses. There will also be a new business guide, business tax starter pack and guidance for new employers, and a new helpline service for new employers, offering fast-track support. The Government are committed to assisting small employers and to ensuring that their compliance costs are reduced.

The Budget also raised the threshold for quarterly payment of PAYE tax from £600 to £1,000 per month, thus extending the quarterly scheme to an additional 130,000 employers—who could each save up to £100 annually. Since 1997, we have abolished advance corporation tax, bringing a £1 billion cash-flow advantage to business and benefiting many small businesses. We have also enhanced capital allowances for small companies, which have been in place since July 1997.

As part of the service for all new small businesses, we shall, from April 2000, be providing assistance with their payroll operation. The Department of Trade and Industry is consulting on the method of delivery of that service. We intend that the service should be delivered by means of a voucher scheme, whereby all eligible businesses will be able to redeem a voucher with any commercial provider on a list held by the small business service. The scheme should do much to ease the burdens on small businesses of running their payroll.

Specifically, in the coming months, and after April 2000, all employers will be given guidance to enable them to pay tax credits smoothly and with the least possible extra work. There will be a targeted publicity campaign involving all the media and there will be seminars across the country which will be of particular interest to small businesses.

Small employers have nothing to fear from paying tax credits through the payroll. Many of them will gain from the more satisfied and motivated work force who will result.

Miss Julie Kirkbride (Bromsgrove): I have listened with interest to the hon. Lady's explanation of why she does not believe that the Government's proposals would be unfair on small businesses, but she knows that the working families tax credit cannot be paid through the tax code because of the distortions that would ensue. It will have to be a separate item, which means that the benefits that she is claiming for small businesses will not be so great. If she is serious about helping small businesses, why not compensate them for the administration of the scheme in line with the existing precedent of the payment of statutory maternity pay? That would be a welcome way forward for small businesses.

Dawn Primarolo: The hon. Lady cannot have been listening to the points that I have just made about the DTI's consultation on the voucher scheme and our services to small business. That point is addressed by the proposals. I do not intend to go back over the debate on tax credits that we have had in this and another House. If the hon. Lady informs herself, she will see that the requirements on business are no more onerous than under the family credit system.

Mr. Geraint Davies (Croydon, Central): Does my hon. Friend agree that the amendments are not sincere,

but are wrecking amendments? There is no logic to choosing 10 employees as a threshold. Companies will vary between nine, 10 and 11 employees during a year. There is no linkage with turnover. The amendments are an incentive to small companies not to grow larger than 10 employees. The Opposition are using the amendments to hide the fact that they want to scrap the working families tax credit and give away the billions of pounds that they have been promising willy-nilly to smokers and others in debates on the Finance Bill.

Dawn Primarolo: I have made it clear that the amendments are wrecking amendments which would break the tax credits principle. The arrangements that the Government have made across many areas to support small businesses show that we are determined to deal with compliance costs while assisting small businesses to discharge their obligations in the tax system. The hon. Member for Chingford and Woodford Green made it clear when he was Opposition spokesman on social security that the Conservatives opposed the introduction of the working families tax credit. They are trying to use the issue of employers to conceal that opposition, which would be rejected by the electorate. The millions of families who will benefit will be horrified to hear that, for all the Conservatives' words about supporting families, they oppose a policy that will help families in poverty.

I hope that I have convinced the House that the amendments would involve red tape which would not be in the interests of tax credit recipients. The system would be time consuming and costly. Conservative Members claim to be concerned about compliance costs for small business, but the amendments would impose more compliance costs and burdens. The Government are already addressing the needs and concerns of all employers, large and small, through consultation on the detailed schemes that I have set out. The CBI has made clear its welcome for our policy. I urge the House to reject the amendments and support the Government's policy on the introduction of tax credits.

Mr. Pickles: I am most grateful to the hon. Lady. The Opposition will long remember her closing remark—that the CBI agrees with the measure so we must support it. I am not entirely sure what Mr. Monks and Lord Hattersley would have to say about that, but at least we know that, in the great debate within the Labour party, the hon. Lady is on the side of the toffs.

Dawn Primarolo: I hate to spoil the development of the hon. Gentleman's speech as he warms to his theme, but I am sure that he does not need reminding that the TUC also supports our policy, as do a large number of organisations, including the National Council for One Parent Families. Perhaps the hon. Gentleman could broaden his theme somewhat.

Mr. Pickles: At the moment I am trying not to broaden myself.

The hon. Lady is quite right, but she chose to refer to what she thought was most important—the praise of the CBI. I recognise that she is a creature of the current Labour party and wish her every success in the forthcoming reshuffle.

Mr. Tony McNulty (Harrow, East): What about the hon. Gentleman?

Mr. Pickles: We have had our reshuffle.

It seems to me that the hon. Lady was attempting to create a paper tiger in order to destroy it. Lords amendment No. 1 is not, by any stretch of the imagination, a wrecking amendment: it is a very narrow amendment that would help the general development of the Bill. The hon. Lady said that it would be disastrous to the Government's policy, as payments through the wage packet were central to the Government's scheme. Payments through the wage packet would remain central to the Government's scheme even if the amendment were accepted. The amendment would not affect that. Essentially, the Government have painted themselves into a corner.

Mr. Derek Twigg (Halton): Will the hon. Gentleman answer the question that the Minister has asked him at least twice? If his party got back into government, would they scrap the working families tax credit and therefore take away money from 5.75 million children—yes or no?

Mr. Pickles: I am grateful for the opportunity to answer the hon. Gentleman, who has not participated in our proceedings so far and therefore cannot be blamed for relying too heavily on the briefing from the Government Whips. However, I am afraid that the Whips have let him down. I shall give the hon. Gentleman a full answer, as he deserves one.

My hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) said that we would not have introduced such a scheme. Frankly, the credit is very similar to family credit and it does not improve on it. As the right hon. Member for Birkenhead (Mr. Field) said, the working families tax credit will take money away from children. It will effectively transfer money from men to women. It will increase stigma. It will do little to help people at the lower end of the income scale—and it will significantly increase fraud.

My hon. Friend the Member for Chingford and Woodford Green said that we will probably have to follow Canada's example. Canada introduced a similar system a number of years ago and has effectively had to reverse it. If the hon. Member for Halton (Mr. Twigg) thinks that the party that introduced family credit would not provide some in-work benefit, I have to disabuse him. There is no question about that. However, the hon. Gentleman supports a more expensive mechanism for delivering in-work benefit. I am sorry to have shot the hon. Gentleman's fox, if he will forgive me the hunting metaphor, but this is a further example of the Government's creating a paper tiger in order to destroy it.

The Government apparently have two contradictory aims: to reduce the burden on business and to change people's attitude to in-work benefit. However, their chosen method in respect of the latter involves imposing burdens on business. The amendment seeks to square the circle that the Government have created.

4.15 pm

If only the Government—who are desperate to appear tough on this measure after their battering by recent rebellions and their drubbings at the polls—would see reason. However, to give ground here might be portrayed as a U-turn, or as giving way to the middle-class values that the Paymaster General clearly embraces but about which some in her party have doubts. If the Government

[Mr. Pickles]

gave way today, they might make this dreadful Bill work. The amendment would not only exempt those small firms who so elected but ensure that the overwhelming majority of workers were still paid the working families tax credit through their pay packets.

Mr. Geraint Davies: Is not the real reason why the Tories want to scrap the working families tax credit that they want to take billions of pounds from young children to pay for the promises made by Opposition Members in Committee; for instance, not to increase tax on cigarettes and fuel and not to abolish the married couples allowance for older people? Is not the Conservatives' policy to take money and food from poor children to subsidise cigarette smokers? Is that the basic strategy of the Opposition?

Mr. Pickles: The short answer to that is no.

The Government's own advisers have doubts about the working families tax credit. The Paymaster General was most careful not to answer my question about Lord Haskins. I know that Lord Haskins is on the Euro-enthusiast wing of the Labour party and that the hon. Lady may wish to distance herself from him. However, she will recall that Lord Haskins is the chairman of the better regulation task force, which was set up by the Prime Minister to cut red tape on business. It may be an embarrassment to the Government that the first thing that the noble Lord has picked on has been the Tax Credits Bill.

We know that the noble Lord has received a number of complaints about the Bill. The *Financial Times* on 29 May reported that the Treasury had seriously underestimated the burden that the working families tax credit would impose on small businesses. If the noble Lord has been seen to be kicking over the traces a little, he is in good company. The Minister of Agriculture, Fisheries and Food and the Secretary of State for Trade and Industry—as reported in *The Sunday Telegraph* on 25 February—have expressed worries about the effect of the policy on small businesses, and particularly on agriculture.

According to the same article, the Prime Minister is worried about the effect on middle England—again, something that the Paymaster General has embraced: she is clearly in favour of warm beer, and matrons cycling happily through the countryside. Were it not for the European elections, the Government might have accepted our proposals. Perhaps our victory has had the detrimental effect of preventing this sensible measure from proceeding.

Maria Eagle (Liverpool, Garston): I have been trying to follow the hon. Gentleman's argument. Why does his party always seem to be against alleviating poverty? The Bill, along with the national minimum wage and certain other reforms, will lift 1.25 million people out of poverty, including 700,000 children. Why does his party oppose those measures?

Mr. Pickles: I cannot take credit for this point, because the hon. Member for Northavon (Mr. Webb) made it both on Second Reading and in Committee, but the working families tax credit does absolutely nothing for those in the lower income deciles: it only helps people at the other extreme, earning up to £38,000. I am sure that it will come as a great surprise and disappointment to the hon. Lady. But the Government are not giving a penny piece extra to those on lower incomes but are supporting those higher up the income scale. She is clearly mystified and I am sure that she feels badly let down by the Government.

Mr. Geraint Davies: Will the hon. Gentleman give way?

Mr. Pickles: First I must make a little progress, as I do not feel that I have done full justice to Lord Haskins and his views.

Mr. James Cran (Beverley and Holderness): We want to hear more.

Mr. Pickles: I am here to please the Whips, and if they want to hear more about Lord Haskins, they will. I know how the system works.

Lord Haskins is understood to have concluded that payroll issues are one of the main regulatory problems facing small businesses. In reporting to the Treasury on competitiveness—I understand that the report is on the Chancellor's desk as we speak and will be published in July—he concluded that, in respect of companies employing fewer than 10 people, the working families tax credit should be processed by the Inland Revenue for at least two years. That is the very point that the Paymaster General has just rejected. Companies need time to prepare and, according to Lord Haskins, owner-managers may require Government help if they are not to be swamped by the regulatory burden.

What is the regulatory burden? The Paymaster General said that it was no different from that arising from family credit, but family credit claimants only have to produce a certificate of work, after which they can rely on the pay slip. The conduit for small businesses is not as simple as the Government seek to suggest. The overworked, over-stressed small businesses have to complete a series of steps.

First, the employer must calculate the amount of WFTC or disabled persons tax credit to be paid by multiplying the specified daily rate—to be supplied by the Inland Revenue—by the number of days in the payment period. Then the employee's net pay after the deduction of PAYE and national insurance must be added. Then the employer must enter the figure on the employee's pay slip and record it as an item entitled "tax credit".

Then the total must be calculated and a separate tax credit figure recorded on another form. Total tax credits must be recorded on Inland Revenue forms P14 and P60. At the end of the year, a further form, the P35, is needed for each employee, including the total amount of any Inland Revenue funding for the year. Employers must also produce certificates of payment for leavers. That strikes me as reasonably onerous.

In Committee, the Financial Secretary, whom we all respect for her fairness and honesty, characteristically admitted that there would be some extra costs. In characteristic fashion, she said:

"I do not deny that employers will face some extra work in connection with paying tax credits through the pay packet, and of course that will involve some costs." [*Official Report, Standing Committee D*, 9 February 1999; c. 136.]

Dawn Primarolo: Will the hon. Gentleman accept that on application the requirements are no more onerous for

the employer? Does he accept what I have said this afternoon about all the measures that the Government have taken to reduce compliance costs for small businesses? I explicitly recognised the increased requirements in the operation of the working families tax credit and pointed out that the consultation that the DTI is now undertaking, in particular on the voucher scheme, would also address the issue. The hon. Gentleman's argument that we have not recognised and are not dealing with the increase in costs is simply not accurate.

Mr. Pickles: The hon. Lady has recognised the problem but she is not doing anything about it. It does not help that the regulatory assessment is so woefully inadequate. The hon. Lady will recall that, on Report, my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) referred to the work of Mr. Roger Cockfield, Reader in taxation at De Montfort university, in which he demonstrated that the yearly impact on employers with fewer than five employees was not £35, as the Government suggest, but £342. The hon. Lady, who will have read the report of proceedings in the other place, will have seen that that issue was further explored by their lordships, who arrived at a similar figure. Neither the hon. Lady nor her hon. Friends have been able to knock down Mr. Cockfield's figures.

The burden will fall disproportionately on small businesses. It will affect their cash flow. The Social Security Committee recommended that, to ease the problem, advance payments should be made to employers with cash flow problems and that reimbursements of administrative costs should be paid to smaller firms. The Government have rejected both suggestions.

Dawn Primarolo: With regard to the question of reimbursement of employers, I made it clear that, if employers could not meet the costs of paying the tax credit because they could not deduct it from PAYE or NICs that they had collected on our behalf, they could apply for a grant from the Inland Revenue to cover those costs. That point has been specifically dealt with, and now that I have jogged the hon. Gentleman's memory, I am sure that he will acknowledge that.

Mr. Pickles: Of course I acknowledge the point. I would not wish to accuse the hon. Lady of feeling smug, but before she starts feeling too happy with herself she should bear in mind the views of the National Farmers Union, which said:

"We are also fearful that in a significant number of cases involving agricultural workers, tax credits are likely to exceed liabilities for PAYE and National Insurance Contributions which could cause cash flow problems for employers."

The Minister in the other place put that point more simply when he said:

"There will be a reduction in the positive cash flow benefits of the employer's relationship with the Inland Revenue." [*Official Report, House of Lords*, 26 April 1999; Vol. 600, c. 126.]

The Government expect small firms not only to be their agent for paying benefits but to pay for the privilege. It is therefore surprising that the only help that the Minister in the other place offered was a potential reduction in software costs which might help to ease the burden on small employers. The Government want to change employees' attitude to in-work payments, but not the attitude of employers.

4.30 pm

At present, there are 1.17 million employers, of whom 825,000 are covered by the amendment. There are potentially 730,000 claimants of working families tax credit, of whom—according to the Minister's figures—100,000 are covered by the amendment. The amendment would thus affect 70 per cent. of firms, but 87 per cent. of those entitled to receive working families tax credit would continue to do so through their wage packet.

The amendment would preserve the principle of payment through the pay packet, and ensure that small firms did not have to go through an elaborate opt-out mechanism, as they could elect to opt out. I do not believe that payment directly from the Inland Revenue would in any way exclude the change of culture that the Government seek to achieve.

Today's CBI press release has been much quoted. It is only fair for me to refer to the only sentence that neither I nor the Minister have yet read out. It states that

"direct payment by the Revenue would reinforce the new status of the tax credit. Direct payment by the Revenue would not involve a significant additional burden on the Revenue as it will already be making direct payments to some employees."

The Government can retain the principle behind the Bill while still exempting small businesses. We are in a strange position, in that the Opposition want to strengthen the Bill, while the Government seek to weaken it. This is a modest amendment, and deserves consideration.

Mr. Webb: It is a pleasure to follow the hon. Member for Brentwood and Ongar (Mr. Pickles), as I have done on a number of occasions. Our styles are rather different, but we are of one mind about the amendments, which were tabled by my noble Friend Lord Goodhart in another place and which received the support of Conservative peers.

I listened with interest to the Minister. I started with a blank sheet of paper as I tried to list the possible arguments against the amendments. I made notes about the defences that she presented, and shall take this opportunity to reflect on them.

The Minister argued that payment through the pay packet would reduce stigma, and that allowing small employers to opt out and their employees to receive payment from the Inland Revenue would somehow be a stigmatising experience. My noble Friend Earl Russell in another place said:

"From time to time, I have the pleasure of receiving refunds from the Inland Revenue. They have been known to come direct to me and not through my pay packet. When those refunds reach me, I do not suppose that they are social security benefits." [*Official Report, House of Lords*, 4 May 1999; Vol. 600, c. 586.]

In other words, people can distinguish between benefit payments and tax refunds. The difference is clear, regardless of whether such payments come through the pay packet or the post. The Government are patronising the prospective recipients of the tax credits. They assume that people cannot tell the difference between a social security payment and a tax credit, and that they cannot add up two numbers—the amount in the pay packet and the tax credit amount—if the tax credit is paid direct to their bank accounts. I do not feel able to support such patronising arguments.

The Minister said that we cannot have a system in which small firms opt out of their tax administration responsibilities, as though that were some grand,

[Mr. Webb]

sweeping point of principle, then listed the exceptions. She said that the very smallest firms with no PAYE employees will not be so burdened. However, she noted that a line has to be drawn somewhere, which suggests that it is a matter of pragmatism rather than principle.

The Minister explained that the smallest firms would be exempted from the requirement because, on the balance of benefits, it was more beneficial to allow them to opt out. The reason that she gave was that the burden would be so great that it would outweigh the benefit gained by getting the money to the employee through the pay packet. On the balance of arguments about costs and benefits, it was accepted that certain categories of firm should be exempted. The amendments merely seek to exempt a broader category.

In contrast to similar amendments that we have considered, the present amendments do not exempt all small firms—merely those that opt for exemption because they would find compliance particularly burdensome. Those with sophisticated payroll systems or who are at home with personal computers are not forced to opt out. The Minister mentioned 100,000 employees—one in seven of those covered by the tax credit—but that figure is a maximum. Many small firms that do not find the change a burden might not opt out, making the number of employees withdrawn even smaller. It is almost impossible to argue that amendment No. 1 is a wrecking amendment as it would remove from the scheme only a fraction of those covered by it.

The Minister said that the amendments would cause an administrative problem because information on the size of firms might be a year out of date. That is no great problem. Most small firms clearly and consistently fall within the threshold employing fewer than 10 people. Off the top of my head, I believe that more than 90 per cent. of small firms are always small, perhaps with one or two employees, and it is irrelevant that information on them is a year old.

Of course, some firms will move above and below the threshold, and that would create problems. The Minister said that the smallest firms—those without pay-as-you-earn liability—would be exempted, but the same problems would apply if such a firm went over the line one year and back under it the next. The Minister seems to believe that the problem can be satisfactorily resolved for those firms, so why is the same not true of firms with fewer than 10 employees? Discrimination and workplace legislation applies only to firms with specified numbers of employees; if that legislation can be implemented, why cannot the amendments?

The Minister said that recipients would face uncertainty about whether the employer would deliver the tax credit. There might be delays in payment. But the tax credit is paid directly to the employee, and the money will reach the employee while the question of who pays is being resolved. There will be no delay. Even under the Government's proposals, the money will be paid direct at the beginning of a claim and employers will not be involved at that stage.

The problems that the Minister raised are fig leaves intended to cover the fact that the Government are taking an ideological position. Many of their arguments about practicality simply do not stand up. The Minister reassured us that employers would be able to attend seminars. Is she saying that hard-pressed business people, possibly sole traders with one employee, will be able to spend an afternoon at the local Inland Revenue office learning how to administer the system. The Minister cannot say that that is no burden on business. Small businesses should not have that obligation imposed on them.

The hon. Member for Brentwood and Ongar referred to the Minister's throwaway suggestion that the Bill's proposals are no more onerous than family credit. She may wish to set the record straight if that was not what she meant. It is certainly what we heard her say.

Dawn Primarolo: I am grateful to the hon. Gentleman for his seeking to assist me, but if he reads the record he will find that I said specifically that the proposals would be no more onerous at the point at which an application is made. I referred clearly to compliance requirements on business, and I set out all the Government's points. The hon. Gentleman suggests—as did the hon. Member for Brentwood and Ongar (Mr. Pickles)—that we do not recognise the burdens. Let me remind him of one item in the Budget. We moved quarterly PAYE payments from 600 to 1,000—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The Minister is making an intervention, which should be brief.

Mr. Webb: Thank you, Mr. Deputy Speaker. I am happy to accept the Minister's clarification. If she was merely making the point that earnings information must be verified in both cases, I am happy to accept that that is so. However, the regulatory impact assessment makes it clear that business will face costs of an aggregate £100 million or more, recurring every year. The Minister has failed to convince me that will not be onerous for small firms.

Mr. David Willetts (Havant): Will the hon. Gentleman confirm that what the Minister has just said appears to admit that the method of paying the new working families tax credit is more onerous than the old method of family credit? Her defence was that she was referring only to the method of calculating entitlement to the benefit.

Mr. Webb: The hon. Gentleman is right that the regulatory impact assessment shows that the additional cost of more than £100 million relates to the cost of delivering the benefit, which does not feature in family credit.

There has been some discussion of what the burden of the tax credit on a small firm will be. Figures of £37 and £342 have been cited, but I suspect that the Minister would accept the figures advanced by Baroness Hollis in another place. In response to my noble Friend Lord Goodhart, she gave a figure for small firms and said:

"Where a small employer has a WFTC member of staff . . . it will typically cost £135 per year for an employer with up to five staff".—[*Official Report, House of Lords*, 4 May 1999; Vol. 600, c. 560.]

Those are Government figures. The hon. Member for Brentwood and Ongar gave some larger figures, which may or may not be correct, but even the Government admit to £135 every year for a small firm. The Minister

calls it the worst case scenario: £135 a year for a small business with one WFTC employee, using a manual payroll system, as must be the case with most such small firms. While £135 may not be much to the Minister, it is to small firms struggling to get by.

There is an inconsistency in the Government's approach. They argue that the burden on business and small business is so negligible that we should not allow small firms to opt out. However, schedule 3 provides protection for jobseekers turned down by employers who do not want to take on potential recipients of the WFTC. The Bill anticipates that employers may want to discriminate against such people. Why could that possibly be? It is because of the burden of administering their payroll.

The Lords amendments would reduce bureaucracy because one of the key bureaucratic elements of the scheme is that the Inland Revenue will have to pay small firms up-front so that they can pay the tax credit. The Minister would accept that it is small firms that will need to avail themselves of the facility. If the smallest firms could opt out, that central category of firms would no longer need to claim the money up-front, so a whole bureaucracy of advance payment to allow firms to pass the money on to their employees and reconcile the figures at the end would be done away with. All the difficult firms would be taken out of the system.

These are far from being wrecking amendments. They are helpful and constructive. They would leave 87 per cent. of employees in the existing regime but take the problem cases out of it. The CBI, in the full, unexpurgated version of its press release, expresses its concern. The Federation of Small Businesses, which includes a greater number of small firms, opposes the Government's proposals.

I disagree with the Conservatives in that I am clear that the principle of the tax credit and the extra resources are welcome, but the Liberal Democrats are concerned about the way in which they are being delivered. We are united in believing that small firms should not have to meet the cost of this piece of Government ideology.

Mr. Michael Fallon (Sevenoaks): The Paymaster General has the House against her on this one, and I am not here to help her. The amendments are modest and, as the hon. Member for Northavon (Mr. Webb) rightly said, apply only to the very smallest businesses, and even they can opt out if they wish. I cannot see more than several thousand businesses taking advantage of that, but they are precisely the ones that the Government should be helping rather than imposing an extra burden on them.

We are dealing with the tiniest businesses in our economy but we are heaping more and more roles upon them and turning them into Government agencies. They are expected to be tax collectors, one-man benefit offices and the fraud squad. The Paymaster General told us of a new role: they are expected to be social engineers and to help the Government reduce stigma. I think she said that they would help advertise and promote the scheme. They are supposed to be part of the Government's public relations machine. That is not the function of a small business in our economy.

4.45 pm

Let me deal briefly with the main arguments that the Paymaster General made in opposing the amendments. First, she said that they would encourage businesses generally to opt out of their responsibilities. That completely misses the point. The amendments would allow the very smallest businesses to opt out of the extra responsibilities that have been placed on them. No one suggests that this is a kind of a thin end of the wedge for a wider attack on PAYE.

Secondly, the Paymaster General suggested that such an exemption would result in an administrative nightmare. She still does not understand that the administrative nightmare is this tax credit itself. It is coming and she ought to look at ways of minimising, not maximising, its impact. Thirdly, she suggested—the hon. Member for Northavon got there before me in pointing this out—that there would be lots of guidance and seminars. No small business man with three or four employees has time to travel across the country to some regional seminar. The Paymaster General ought to understand, from the experience of the working time directive and other regulations that have been introduced in the past two years, that the guidance itself is as much a burden as the original regulations. Will she undertake to make that guidance as simple and effective as possible when she replies to this or later debates?

Fourthly, the Paymaster General suggested that somehow the CBI, the TUC and the National Council for One Parent Families were all in favour of the proposal and would no doubt oppose the amendments. Those organisations do not represent small business. The CBI certainly does not. There cannot be an employer with fewer than 10 employees in the country who can afford to belong to the CBI dinner—[*Laughter.*] I mean the CBI organisation; I was going to say that they cannot afford to attend the CBI dinner. The organisations mentioned are not small business organisations, and for the Paymaster General to pray them in aid does her cause a great disservice.

The Bill is discriminatory. It discriminates against the very businesses that we ought to be helping. I declare an interest as a director of a small business. Such businesses do not have big personnel or human resources departments to sort out all this stuff. The entrepreneur himself or herself will have to take time off to wade through the paperwork.

The Bill discriminates, as the hon. Member for Northavon correctly said, against employees. My fear is that, faced with the choice of employing someone who would qualify for the tax credit and someone who would not, and who therefore would not come with that extra burden of paperwork, small businesses will discriminate against those who come to them and are in receipt of the working families tax credit. That is recognised by the Government themselves elsewhere in the Bill.

In this House, we debate enterprise; we praise small businesses. Then, at the first opportunity, we chuck out an amendment that is designed to help them. The Government talk deregulation, yet here again, faced with a real example of how we might deregulate just for the very smallest of small businesses, they impose more regulation on them. I hope that even at this late hour the Paymaster General will think again.

Question put, That this House disagrees with the Lords in the said amendment:-

The House divided: Ayes 306, Noes 160.

Division No. 213] **[4.48 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart (Middlesbrough)
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dan *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*

Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Clelland and
Mr. Greg Pope.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davis, Cynog
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Greve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Opik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Mr. Stephen Day.

Question accordingly agreed to.

Lords amendment disagreed to.

Lords amendment: No. 2, in page 3, line 35, at end insert—

"( ) The Board shall ensure that any single parent can decide to receive payment of any tax credit direct from the Board rather than from the employer."

Dawn Primarolo: I beg to move, That this House disagrees with the Lords in the said amendment.

The amendment would give one group of applicants—lone parents—a choice not available to other applicants. It would allow them to choose whether to be paid a tax credit by their employer through the pay packet, or to receive it direct from the Revenue.

I make it plain at the start that, whatever the reason for the amendment, accepting it would mean a major policy change. It is not a matter of tinkering at the margins. The Government have said repeatedly that paying tax credits through the wage packet is one of the key elements of our policy on tax credits. It is designed to drive home the message that work pays, and to reinforce the crucial link between tax credits and work.

Single parents are not just a small peripheral part of the 1.4 million households expected to get the working families tax credit. They make up half of the family credit case load now, and we expect that to be roughly the same for the working families tax credit. Lone parents are precisely the families who should be able to benefit from the help that the working families tax credit can give, so that they can go back to work if they want to do so.

Our policy is to provide families with extra help and to do it through the wage packet if they are employed. Tax credits send the clearest message to those families that what they get is not a handout but an extra reward for work. That has been discussed at length in both Houses during consideration of the Bill. It allows families who would otherwise be better off on benefit the opportunity to re-enter the labour market and properly see the rewards of working. Against that background, I am not at all sure why single parents should be singled out for this special extra choice of payment method.

One argument is that, in practice, couples have a choice because they can choose which of them receives the tax credit; but the choice is not how it is paid, but who should

[Dawn Primarolo]

receive it. That choice exists in order to avoid involuntary transfer from the woman's purse to the man's wallet, and it has been widely welcomed by those who had concerns about that in the early stages of the design of the working families tax credit. If both parents work, the choice is not whether the parents receive it through the wage packet, but which parent receives it. If there is only one parent, there is only one person to whom the tax credit can be paid.

Therefore, the argument does not run. Lone parents are not being denied something that couples have been given. I hope that it is now crystal clear that couples have a choice about which one of them is to receive the credit because there are two in the family, and that, by definition, cannot apply to a lone parent.

Other arguments in support of the amendment are that it would protect lone parents from having to disclose their circumstances in some way to an employer, or that it would allow them to compete on an equal footing with other parents when looking for work.

Any fears about breaching confidentiality are unfounded. Single parents may need to ask an employer to certify likely wages, as happens now with family credit, once they have a job. That operates in the same way for couples. Single parents are treated no differently from anyone else. The form simply gathers information; it contains no clues about the employee's circumstances. Employers will just be told the amount to pay and will in no way be involved in computing the amount, as was recognised in the previous debate, when going through the steps they will be required to take in order to pay the tax credit.

Mr. Webb *rose—*

Dawn Primarolo: In the previous debate, the hon. Gentleman repeatedly intervened, anticipating my speech. If he will allow me, I shall make my speech and, if necessary, I shall be more than happy to return to particular points.

There were concerns that an employee's circumstances could be inferred from the amount notified to the employer. I can assure hon. Members that, because of the number of separate elements, such as the effect of the taper and the child care tax credit, it will be almost impossible to relate the amount of tax credit directly to the elements upon which the award is based, and say that, because someone is receiving X in tax credits, they must have Y children or two other jobs. No doubt payment through the wage packet will mean that employers are aware of employees' eligibility for one of the two tax credits—the working families tax credit or the disabled persons tax credit, which is also part of this—but that is all.

Another concern expressed in this House and in the other place was that employers would be able to discriminate against groups of employees who might cause them administrative hassle by claiming tax credits. The Opposition spokesman was a little confused in the previous debate, on the one hand arguing that discrimination would occur, and on the other saying that the anti-discrimination clauses should not be in the Bill. It is useful to remember—

Mr. Webb *rose—*

Dawn Primarolo: I was not referring to the hon. Gentleman, but I am happy to give way on that point if he insists.

Mr. Deputy Speaker: Order. We will of course remember that we must not go over the arguments about the previous amendment, which has been disposed of.

Dawn Primarolo: The hon. Gentleman has decided not to intervene, but I look forward to hearing his comments.

It is useful to remember that employers are unlikely to know about a person when they take him on and will be unable to make an accurate judgment of whether he is likely to qualify for a tax credit. However, once the credit has been claimed and awarded, and if the employer administers the payment through the wage packet, it will of course become clear that the employee is receiving that credit. We included the relevant provisions in clause 7 because of the possibility of discrimination at that point, but I stress that we are absolutely confident that the overwhelming majority of employers are law abiding, that they will not discriminate in such a way against their employees and that they will recognise the benefits of the tax credit to their work force.

Giving single parents alone a choice of payment method would give employers who wanted to avoid their responsibilities under the tax credits legislation a new incentive to find out about lone parents so that they could persuade or pressure them into asking to receive the tax credit directly; perhaps on renewal. That option would identify lone parents.

If hon. Members are concerned that lone parents should not be identified, and certainly should not be identified as recipients of the tax credit payment, they should not support the amendment. There is no serious mileage in the argument that lone parents are somehow being discriminated against or being denied a right that is provided for other parents. Although the amendment may be an attempt to help lone parents, I do not think that it will do anything of the sort. I ask the House to reject the amendment.

Mr. Willetts: I apologise to the House for turning up rather late for proceedings on the Bill, which is about as far through its parliamentary process as one could imagine. I thank and congratulate my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles), who so powerfully led for us in Committee. I also thank several of my hon. Friends who are in the Chamber and who served on the Committee, making telling criticisms of this profoundly misguided measure.

Perhaps I may reflect for a moment on the history that has brought us to this point. A keen young policy wonk thought that the way forward was to copy the American earned income tax credit. He got the ear of Ministers and the legislation was introduced. It passed through its stages in the House of Commons, but then it hit opposition in the House of Lords on two points: burdens on business, and whether the payment should be made through the benefits system—or directly to the claimant—or through the pay packet.

That is the point at which the history of the efforts made by a previous Government in 1986, to whom I was proud to be an adviser, and the recent history of this Bill, took rather divergent paths. The Government of Margaret Thatcher—who had had objections put to them in the House of Lords on behalf of businesses worried about the burdens on them, and on the so-called wallet-purse argument and whether groups such as single parents should be paid direct—concluded that the right thing to do was to listen to those objections.

5.15 pm

All we are asking the Government to do—having gone through exactly the same process at exactly the same stage—is listen to the same arguments in the same way as the last Government did. What we hear, however, is what has rightly been described as pure ideology: the empty assertion that it is somehow better for working families tax credit to be paid through the pay packet, with absolutely no evidence to back it up.

In fact, it is worse than that. Not only have the Government no evidence to back up their assertion; every criticism that they made in opposition of what was then family credit applies in spades to the scheme that they are now introducing. In opposition, those who are now Ministers used to talk about something called benefit abuse. They claimed that employers were exploiting family credit, and using their knowledge of which people would receive it to hold down wages. I wonder whether the Paymaster General has compared notes with her colleagues in the Department of Trade and Industry, who still use that argument in defence of the minimum wage. They say that one of the reasons why the minimum wage is needed is the need to deal with the behaviour that they claim to have identified on the part of employers.

Now the Government are suddenly introducing a measure that is much more open to that line of criticism than family credit was. There is much more employer involvement in their proposal than there was in family credit. The boot is now firmly on the other foot. Suddenly Ministers are telling us not to worry, and saying that there is no reason for any concern about employers' knowing what is going on.

Leading for the Opposition when the Bill that we introduced years ago was in Committee, the current Leader of the House said:

"unfortunately, there are instances in which employers deliberately manipulate the system and withhold the benefits to which their employees are entitled. All Committee members would regret and oppose that, but we must recognise that it happens. For the Government to propose putting the whole weight of payments that are an important part of a family income on to a system which gives employers that freedom is a substantial risk to take."—[*Official Report, Standing Committee B*, 18 March 1986; c. 943.]

We know that the charge made against family credit was entirely invalid. We know that because an independent body, the Institute for Employment Studies, conducted objective research into what employers knew about people who were receiving family credit. Research study No. 32 from the Department of Social Security states:

"Employers did not have adequate knowledge of Family Credit or sufficient information about potential recruits to adopt such practices"—

that is, exploiting the benefit to hold down wages. The research established that

"only 9 per cent. of employers agreed that the availability of Family Credit affected the wages they pay."

The risk that the Opposition went on and on about when attacking family credit is now the basis for one of the charges that we make against working families tax credit. We regard it as a serious mistake. It takes the policy of helping people who are receiving low earnings in entirely the wrong direction. It is cumbersome, it is badly targeted, and it increases marginal rates for many families. It imposes a new burden on employers, and it poses the risk about which the Government, when in opposition, claimed to be worried in relation to family credit—the risk of benefit abuse by employers.

In supporting the Lords amendment and opposing the Government's attempt to reverse it, we are concentrating on one small aspect of the system. We want single parents receiving this benefit to have the option of receiving it directly, rather than through the pay packet.

The Paymaster General advanced a series of arguments in defence of the Government's position. She advanced them briefly just now, and she advanced them in Committee. One of the arguments is that there is a problem of stigma. We are told that it is important for people to be forced to receive the benefit through the pay packet, because otherwise it will be stigmatised and they will be reluctant to claim it.

If family credit suffers so badly from stigma, why is it that approximately 90 per cent. of single parents who are entitled to it are claiming it? If we are to be told that there is that problem of stigma, what evidence from the real world is the Minister able to offer that it exists as a problem? On the contrary: the evidence is that, if 90 per cent. of single parents are collecting family credit, there is no problem of stigma.

Dawn Primarolo: I congratulate the hon. Gentleman on his promotion to the Opposition Front Bench, and appreciate that he is formidable in his speeches. However, does he accept that families who are desperate for an income will take the money regardless of whether they are stigmatised by so doing, and that stigma will not therefore affect take-up? He is talking about two separate issues: the need to receive the money; and an attitude to how it is paid.

Mr. Willetts: I understand the point that the Minister is making, and had planned to deal with it later in my speech. Nevertheless, my response to the argument is that the best way of judging whether there is stigma—in the sense in which the Minister refers to it—is to give people the choice. If they are concerned in the way in which she describes, they will opt to be paid through the pay packet, as there would be absolutely nothing to stop them from doing so. Alternatively, they could be paid direct.

My hon. Friend the Member for Gainsborough (Mr. Leigh) is in the Chamber. I hope that he will not mind if I say that, on this occasion, the great advantage of our proposal is that it is a permissive measure: all it

[Mr. Willetts]

would do is give people the option. It is the Government who are trying to force people to take one route rather than the other.

All we are saying is that we do not know what concerns people more. They may prefer to receive money through the pay packet, in which case they could choose that route; or they may prefer to receive the money direct, in which case they could choose that route. The onus is on the Minister to explain why she wants to compel them to take the money one way rather than the other.

Dawn Primarolo: As the hon. Gentleman said, we are reaching the end of our consideration of the Bill. Does he accept that the purpose of the tax credit is to provide a work incentive and to reinforce the rewards of work, and that, throughout our consideration of the Bill, that has been our central argument in support of the Bill?

Mr. Willetts: The argument that we have to boost in-work incentives does not mean that we have to compel people to receive the payment in a specific way. We could perfectly well create work incentives without simultaneously imposing on people the requirement that they must be paid the benefit in one way rather than another.

If the Government care so much about work incentives, it is a pity that they are increasing marginal rates by so much for so many families—as that could well have the perverse effect of reducing incentives to work among precisely the group whom Ministers are claiming they want to help: middle-income families.

The Opposition believe that the minimum the Government should do is give people the choice. If the Minister believes in what she is saying, she should have no problem with Lords amendment No. 2. If the Government were to accept it, they might find that, miraculously, everyone is perfectly happy to be paid through the Government's preferred route of the pay packet. However, if by any chance some single parents are not happy with that route, why not give them the option of being paid direct? That is all the amendment proposes allowing.

I should perhaps briefly comment on another point made by the Minister—that, in the amendment, we are making a special proposal for single parents, and that there are no proposals on how the benefit should be paid to couples that would provide any type of precedent. I felt that, on that, her argument was disingenuous. When a married couple decide whether payment should be made to the working partner or to the non-working partner, they are essentially also deciding whether the payment should be made through the pay packet or direct, as that will be one of the consequences of their decision.

Dawn Primarolo: The hon. Gentleman misunderstood the point that I was making. Lone parents—who are the only parent in the family and, by definition, the only working parent—should be compared with a family with two working parents. If both parents are working, either can receive the money through the wage packet. The only choice is which of them receives it. That choice is not necessary for lone parents. I am happy to send the hon. Gentleman the references from the Rowntree research, which has been quoted on the record before, that identify the problem of stigma.

Mr. Willetts: For married couples with only one partner working, the choice of who receives the payment of the working families tax credit will effectively be a choice between the payment going through the pay packet or directly to the non-working partner. Although some two-earner couples will qualify as the working families tax credit is extended, most people receiving family credit or the working families tax credit are one-earner couples or single parents. There will not be many two-earner couples.

All we are asking for single parents is an option that is available to the other large category of recipients of the working families tax credit: the choice of whether it should be paid through the pay packet or not. The Paymaster General says that it is simply a decision between the working or the non-working partner, but in practice it is a decision on how the payment should be made. We are simply asking for single parents to have the same provision as—thanks to the effective parliamentary scrutiny of the Bill—already exists for couples where one partner is not working.

The Paymaster General has not explained why her preferred method of payment has to be compulsory. She has not explained why she wants to force people down one route rather than giving them the choice of two different routes. I am afraid that the explanation is simple. There are some pig-headed people in the Treasury who believe that they should impose what they think is the earned income tax credit model on Britain regardless of the practical evidence of the success of family credit and widespread concerns about the implications of the working families tax credit.

There are concerns about the marginal rate, burdens on businesses and the issue of wallet versus purse. It is deeply disappointing that the Government have not listened in the way we did when we introduced our measures. The Paymaster General will come to regret her refusal to consider our valid, pragmatic and sensible proposals to improve the current muddled policy.

Miss Kirkbride: It gives me great pleasure to follow my hon. Friend the Member for Havant (Mr. Willetts). I add my congratulations on his promotion to shadow Secretary of State for Social Security. He will offer great wisdom on the issues, following other honourable and wise contributions in the past.

I sat for many hours in Committee and throughout the Bill's proceedings in the House. The Government still have not explained why they believe that the working families tax credit will be an incentive to work. When the Select Committee on Social Security considered the issues, we took evidence from Martin Taylor, the architect of the Government's proposal and then chairman of Barclays bank. We closely cross-examined him on whether there would be added incentives to work if we transferred from the very successful family credit system that tops up low wages to a working families tax credit. He offered nothing more than his prejudices that there would be. The Government have offered no evidence on why a tax credit rather than a benefit will be an incentive to take a job. That of course is predicated on the idea that

single parents should be paid family credit by the Post Office instead of being forced to claim working families tax credit, which is paid through the wage packet.

5.30 pm

There is a flaw in the argument which has not been addressed by the Minister or her colleagues. We are facing a fundamental reform of our tax and benefits system that is based on the prejudices of those who are introducing it, not on the serious empirical evidence that it will have a major impact on the low-paid sector.

As my hon. Friend the Member for Havant said, there is stigma on both sides. A huge number of people claim family credit. If the object of introducing a benefit is that people should take it up as it will improve their lives, family credit is extremely successful, as it has the highest take-up rate in the entire benefits system. I take issue with the Minister when she says that that does not mean that there is no stigma attached to it. The take-up rate would suggest otherwise.

My hon. Friend made a valid point when he was challenged on the matter. He said that introducing choice to the system would establish once and for all whether there was a stigma attached to family credit. The only pure experiment would be to give single parents the choice, as married couples may have a different incentive to take a benefit rather than a tax credit—involving wallet-versus-purse issues. We should give single parents the choice between family credit and working families tax credit and find out whether there is a stigma attached to family credit.

The reverse may also be true. Those claiming working families tax credit could suffer the stigma of being on benefit. At present, other employees in the workplace are unaware that someone is claiming family credit. In many instances, employers are similarly unaware, although some may need to be informed of a claim. If people are to be exposed in the workplace as being on benefit because of the method of payment of the working families tax credit, that would increase the possibility of stigma rather than detract from it.

Mr. Pickles: Does my hon. Friend agree that the principal difference between family credit and working families tax credit is that the employer is informed just once that an employee has claimed family credit and thereafter has no idea what the position is? Under working families tax credit, the position will be continually assessed. The amendments would allow single-parent claimants to retain some privacy.

Miss Kirkbride: My hon. Friend is right. The fact that he and I sat through the Committee's discussions on this point means that we are in unison on it. The employer will be aware of a claim for working families tax credit and, given the nature of these things, it is likely that other employees will be made aware of it. The employer will have to be aware of the situation continually, in a way that he or she is not with family credit.

The arguments about stigma are not as one-directional as Treasury Ministers believe. There is a strong argument that stigma will operate in a more profound way as a result of paying the benefit—that is what working families tax credit will always be, whatever language we use—via working families tax credit, rather than family credit.

There is also a question of fairness. If couples want to choose how the benefit is paid, that should not become a form of discrimination against single parents, whose options—by definition—are more limited in terms of their ability to operate their lives, their business and their finances. The measure is open to couples for reasons concerning wallet-versus-purse issues—an option that the Government do not like having to offer. Some Labour Back Benchers might have been upset had the wallet-versus-purse issues not been addressed by creating the opportunity for choice.

Dawn Primarolo: I am following the hon. Lady's argument closely. She appears to accept that there is not a transfer from purse to wallet, and that the Bill has dealt with the issue. Does she therefore disagree with her Front-Bench colleagues?

Miss Kirkbride: The short answer to that is no.

Another worry is that people may fear that they are less likely to get jobs or to be offered employment if they are likely to be beneficiaries of working families tax credit. Most employers will be capable of working out who among those applying for a job are likely to be recipients of family credit or working families tax credit. There are circumstances where, because of the administrative burden, some employers might prefer to take someone on who is less likely to become a recipient of working families tax credit.

If there is a choice of potential employees, that will become a form of discrimination against single parents, who do not have the option of taking up the benefit in the form of family credit paid by the Post Office, and are forced to take it as working families tax credit, paid via the employer. It would be difficult to prove a case of discrimination in circumstances where there had been, to all intents and purposes, a perfectly reasonable selection of candidates, but where those who were not likely to be recipients of working families tax credit—or who had the option of not being a recipient—were actually taken on.

We must remember that not all employers are model employers. There will be some who find it difficult to operate the scheme—they may wilfully find it difficult to operate. Some may even see fit to run off with the money that the Treasury gives them as a float to pay the working families tax credit.

Vulnerable people who are eligible for top-up on their wages, and who used to be able to rely on payments from the Post Office every week, will be completely reliant on their employer, so when there is uncertainty about the employer's probity or competence there could be a disincentive to work, through the fear of being left with nothing at the end of the week.

The Government are keen to get single parents out to work, and giving them the option of saying that they want their family credit to be paid as it has always been paid, so that they can rely on its being there when they need it and they will not be left vulnerable at the end of the week or month, would be a great service to them. It would keep them in the driving seat and leave open all the options available to them, by contrast with the rather patronising view of the Government, which forces them to go in one direction.

Mr. Webb: It is a pleasure to follow the hon. Member for Bromsgrove (Miss Kirkbride), who made an important

[Mr. Webb]

contribution to our scrutiny of this matter in the Social Security Committee, and the distinguished hon. Member for Havant (Mr. Willetts). Our paths have crossed in the sheltered world of academia, and I look forward to their crossing many more times. His first contribution in his new role showed clearly why he has such an enviable reputation.

The Minister has propounded a strange doctrine: that it is in lone parents' interest to be denied a choice, presumably because they might make the wrong choice and choose to have their money paid direct to them rather than being mediated through the employer. It is almost impossible to imagine any model of human behaviour in which that is true, other than when the individual concerned is stupid. Only in that case should the Government step in and insist that one option be taken rather than another.

I am sure that, in a different setting, the Minister would tell us that lone parents are far from stupid, that their role is often challenging and demanding as they juggle work and family responsibilities, and that many of them make a superb job of it. That being so, why cannot those able people be trusted to make the simple choice about how to get their money?

The Minister said that the point was to drive home the message about making work pay. That goes back to people being stupid, because if they want to they can have their family credit paid direct into their bank account, just as they can have their salary paid direct, and every month they will get a bank statement showing two elements that will not appear if they do not work: the pay and the tax credit. Unless they are as thick as two short planks they will notice that both appear when they work, and neither when they do not.

Forcing the two elements to appear as one figure on the bank statement does not in any sense demonstrate that work pays. Indeed, given that people may not scrutinise their pay slip as well as they scrutinise their bank statement, the presence of two separate entries on the bank statement might spell it out more clearly that the credit is a benefit of working.

The Minister gave two reasons why the argument for choice for lone parents should fall. She said that there was no issue of confidentiality involved in payment through the pay packet. We are dealing with lone parents, many of whom do not remain lone parents. Some of them, to use the jargon, re-partner; they do not necessarily marry, but become part of a new partnership. The new partner's income would have a bearing on the lone parent's family credit entitlement, so the employer would get a letter from the Inland Revenue saying that the amount payable had changed. The employer would know that the lone parent's income had not changed and the employer would also know—because they had not paid any maternity pay—that she had not had a child; so the employer would know that the she had experienced some other change, such as re-partnering.

What business is that of the employer? If family credit was being paid, the employer would not know, and if the lone parent could opt to have the tax credit paid direct, the employer would not know. It is only because payment has to be made in this doctrinaire way that employers will be aware of any change.

5.45 pm

The Minister also said that an employer could not work out from the amount of tax credit payable what the family circumstances of the lone parent were. The Minister will correct me if I am wrong, but I understand that in about a third of tax credit cases the maximum credit is paid. The Minister also mentioned tapers, but they would be irrelevant. She also mentioned child care costs, but she cannot have it both ways. Most of the time she tells us that the child care tax credit will not cost a fortune because not many people will take it up, but if lots of people do take it up, the cost will be much greater than the Government have budgeted for.

Dawn Primarolo: The hon. Gentleman is being unusually imprecise in his argument. I have every sympathy with lone parents and I was a lone parent myself for some time so I do not need the hon. Gentleman to instruct me on that issue. He knows that work incentives are at the heart of the Bill and are its purpose. It is thus entirely appropriate that the Government should ensure that that policy is delivered.

On the issue of choice, lone parents are capable of seeing exactly what their income is on their wage slip as easily as on their bank statement.

Mr. Webb: We should let those last words hang in the air for a moment. In other words, lone parents do not need to have the tax credit paid to them through their pay packets to demonstrate to them the benefits of working. In a fulsome intervention—which I hope presages a response to the debate, instead of nodding it through—the Minister said that she was a lone parent. I put a rhetorical question to her: when she was a lone parent, would she have needed the state to force her to take the tax credit through the pay packet to demonstrate to her the benefits of work? I put it to the House that she would not. As an intelligent woman, she would not have needed that, so why does she insist in forcing it on other lone parents?

My final point concerns discrimination by employers and whether lone parents, with no choice about how the tax credit is paid, might find themselves discriminated against as tax credit recipients. The Minister said that the majority of employers are good employers, and I am sure that that is true, but that does not mean that the Government will not create problems for lone parents who work for the minority of poor employers.

If a lone parent works for a poor employer or applies for a job with one, why should she not be able to exercise the choice? My noble Friend Lord Goodhart put that point well in the other place:

> "Faced with the choice between two more or less equal potential employees, the employer will go for the one who will not cost the extra £370, or more time with a wet towel at the kitchen table."—[*Official Report, House of Lords*, 4 May 1999; Vol. 600, c. 553.]

That resonates with an earlier debate, and so does the reference to the kitchen table—for the Conservatives.

The Minister pointed out that a provision had to be built into the Bill to prevent discrimination, so the Government must believe that it is a real threat. Why should lone parents be subject to it? It is pure sophistry to argue that married couples will not exercise a choice between the pay packet and direct payment. It is clear that that is exactly what they will do when they decide who is to get the money. Lone parents should not be denied that choice.

They are intelligent people and should be able to make intelligent choices about what is in their own interests. I support the Lords in their amendment.

Mr. Edward Leigh (Gainsborough): I am grateful to my hon. Friend the Member for Havant (Mr. Willetts) for convincing me in his formidable speech that occasionally a permissive society is to be preferred. I also have sympathy for the Minister, who has been given an impossible case to argue by her masters. A good Minister can argue such a case, and the hon. Lady has done her best. It is an impossible task, however, as all we are arguing for is a degree of choice.

There has been much debate about the alleged element of stigma. I need not repeat the cogent arguments that have been made but, as my hon. Friend the Member for Bromsgrove (Miss Kirkbride) said, Martin Taylor, one the scheme's architects, was unable to produce any evidence to the Select Committee on Social Security that stigma was a factor militating against the take-up of child benefit. He told the Committee that hard-and-fast evidence in non-financial and psychological matters such as stigma was difficult to come by.

That is a very honest statement and cannot be bettered. No one knows how much stigma is involved in take-up of family credit. However, we know that those who are entitled to take it up are not put off by considerations of stigma.

The Minister has said that desperate people have no choice but to take up the benefit as it is currently paid, but my hon. Friend the Member for Havant responded that they should have a choice, and my hon. Friend the Member for Bromsgrove said that the market should decide. The reality is that the Government are imposing this method of take-up as part of a wider political agenda. They want to move towards some type of negative income tax system, in which no one receives benefits.

The stigma does not apply to people who take up benefits under the current system, but to the Government. They are stigmatised by political observers, who see that an ever-increasing proportion of the population receives benefits. The Government's response to that undoubted social and economic problem is to say, "We will ensure that people receive the same money, but not as a benefit. It will now be paid as a tax credit. We have solved the problem of poverty. We have ensured that the many millions of people who have come off the unemployment or poverty registers have been encouraged to take low-paid or part-time work and receive their benefit through the pay packet."

I understand why that is good for the Government's reputation, but I am not convinced that it is good for the people receiving the benefit, who include some of the most vulnerable in society. As we know, 79 per cent. of lone parents take up family credit.

My secondary point has not been addressed by the Government, and has to do with the position of very small employers. The measure will present no problem for large companies, but many lone parents' work is part time or variable. Their circumstances change and they often work for very small employers. I understand the Government's argument that people in regular employment whose circumstances do not change—or people working for a large employer who knows nothing about their circumstances—present a problem for employers, in that it may be impossible to work out the details of their life styles from the tax code. However, people's circumstances often change, and very small employers may be very familiar with aspects of their employees' lives.

I once stood behind a clerk handing out family credit in a social security office. We know that people, in order to receive family credit, already underclaim deliberately or pretend to be getting less money than is in fact the case. The worry is that there will be more collusion between employees and employers.

That collusion is evident in the rag trade in the east midlands. A case with which I am familiar provides a good example. A person with a large number of children filled in a benefit application form. Although that person worked 40 or 50 hours a week, the figure given for earnings seemed absurdly low. Such collusion already goes on to a large extent, but it would be made worse if lone parents are to be enmeshed ever tighter in the grip of employers.

So it is not a question merely of the stigma or unfairness suffered by the employee, but of the society that the Government want to create. There is one way out of the impossible position in which they have placed themselves—they should accept the amendments.

Mr. Tim Collins (Westmorland and Lonsdale): I welcome the chance to contribute to what has been an excellent debate. One of the most pleasant features has been the gentle way in which the Minister has sought to engage in the argument and to respond to points made in interventions. I pay tribute to her and look forward to what she has to say later. If her response is made in the same spirit as her earlier contributions, I hope that we shall get a more genuine reply than has been the case with other Ministers and other debates that I have witnessed in the past year or so.

However, I very much regret three things about this debate. The first is that we are having it at all, as my hon. Friend the Member for Gainsborough (Mr. Leigh) noted. The amendment is quite justified, and the Government should have accepted that it represented an opportunity to think again and to accept that the revising Chamber had improved the Bill. There would then have been no need for this debate.

The second cause for regret is that there has been no contribution from Government Back-Bench Members, even though the Government have said consistently that this was a flagship Bill. It was announced last autumn, and was said to be the centrepiece of the Queen's Speech and the Budget. As I speak, there are four times as many hon. Members on the Conservative Back Benches than there are on the Government Back Benches. That is an odd way to launch a flagship. Perhaps the Mary Rose was launched in that way, but the Paymaster General will recall what happened to that vessel. I hope that archaeologists 500 years in the future will not be salvaging the record of this flagship.

Miss Kirkbride: Given what he has just said, my hon. Friend may be interested to know that, although the Whip ensured that Labour Members physically attended the Committee deliberations, their audible presence was non-existent. I do not recall any of them contributing to our deliberations.

Mr. Collins: I am grateful to my hon. Friend, whose contribution to the Committee's proceedings was as

[Mr. Collins]

distinguished as her contribution this afternoon. I was the Whip on that Committee. I employed the gentle, laissez-faire touch that is typical of the Conservative party and its Whips Office, and it is with great pleasure that I can confirm that it was not necessary to gag any Conservative Member. The Government Whip seemed to gag Labour Members, but they may simply have had nothing to say in support of the Bill.

My third regret about the debate is that I find myself in the uncomfortable and unusual position of having to disagree with my hon. Friend the Member for Brentwood and Ongar (Mr. Pickles). That is very sad, and deserves a rapid explanation. I disagree with my hon. Friend because he said that the only real difference between family credit and the working families tax credit was continuous assessment and its affect on stigma. In fact, the principal difference is that family credit is a benefit, which pretends to be nothing else, while the working families tax credit is a benefit pretending to be a tax cut, which it patently is not.

6 pm

WFTC should be administered by the Department of Social Security. We have been graced by the presence of the Paymaster General, to whom I pay tribute, but she should not be here. A Social Security Minister should answer for the Government.

Mr. Deputy Speaker: Order. The amendment is more narrow than the hon. Gentleman's point as it relates to whether the credit should be paid through the wage packet or in some other way. Perhaps the hon. Gentleman would talk about that.

Mr. Collins: I am most grateful, Mr. Deputy Speaker, and shall do as you say.

The Paymaster General said that the amendment should be rejected because employers would not exploit or abuse employees. She engaged seriously in the argument about stigma, but said emphatically that it did not hold water and that there was no likelihood of employers using information gained from the working families tax credit against single parents or other employees.

Dawn Primarolo: I said that the majority of employers were law abiding and would discharge their duties under the Bill. However, the Bill includes provisions to deal with any who do not.

Mr. Collins: I am delighted by that clarification, which gives me yet another opportunity to agree with the Paymaster General. The vast majority of employers are wholly law abiding. Good employers recognise that their prospects are much enhanced if employees are treated well, even if it is odd to hear that said by a member of a Government who are imposing a raft of requirements on employers, such as the minimum wage and the social chapter.

The Financial Times—not exactly the in-house journal of the anti-capitalist league and hardly renowned for its anti-employer sentiments—has opined that the Bill poses the risk that some employers will use information about their employees unscrupulously. I go no further than to say that there is a possibility that that will happen. It follows that some single parents fear that it will, and it would be sensible to give them the option of relieving their fear. Information can never be used against them if it never comes to the attention of their employers.

Mr. Leigh: No one knows for sure whether my hon. Friend is correct, but every CBI survey suggests that up to a third of employees who claim family credit do so without their employers' knowledge. Many employers have no idea that their employees receive family credit, but all of them will know under the new system.

Mr. Collins: My hon. Friend is entirely right, once again displaying his knowledge and commitment on these matters.

There is every reason why the Government should grant the concession contained in the amendment to allow single parents the ability to choose.

Mr. Pickles: I am afraid that my hon. Friend misreported me a few moments ago. When he was a Whip, I thought of nominating him for the Rin Tin Tin award for the quality of his speeches. I did not suggest that continuous assessment was the only difference, but that it was the only difference as far as the employer would be concerned.

My hon. Friend has talked about bad or unscrupulous employers, but honest mistakes can happen regarding benefit. What tension will exist between employers and employees when the wrong amount of benefit is paid or where benefit is withheld? What kind of reaction—

Mr. Deputy Speaker: Order. The hon. Gentleman's intervention is too long.

Mr. Collins: Perhaps Rin Tin Tin might reply to my hon. Friend. My misquotation of his views was entirely unintentional and I appreciate that he was referring only to one of the many reasons why family credit is superior to the working families tax credit. My hon. Friend's point is a good one. Difficulties may arise from disclosure of information by an employer. Honest mistakes may be made, leading to wrong payment, underpayment or overpayment.

It is conceivable that the financial records or circumstances of a business or employer could be inadvertently disclosed to others. Often, a small and growing business, started by a husband and wife, will expand slowly, employing a few people—friends of the family perhaps. Even businesses that employ six to 10 people process financial information on the kitchen table belonging to the principal partner or director, and papers could easily be left lying around to be seen by people who, in a splendid multinational corporation, would not have access to such personal financial information.

The amendments would prevent the possibility—rare, but not impossible—of financial information being seen by someone who goes into the kitchen for a cup of tea or a bacon and egg sandwich at the end of the day. Having spilt his or her coffee over paper work, that person might find financial data that would enable him or her to work

out the financial circumstances of someone who works for the company. The amendments would remove the anxiety that arises from the existence of such a possibility.

Mr. Willetts: My hon. Friend makes valid points about the effect of the Bill on the employer. However, single parents are also affected. A single parent may work for several employers on short-term contracts, and it would be reasonable for that person to ask for direct payment rather than face the hassle of payment through several employers.

Mr. Collins: I agree with my hon. Friend. The circumstances that he described, with a single parent working for several different employers, are precisely those in which single parents could be defensive and worried about having to tell Uncle Tom Cobbleigh and all personal details about their private lives. That would be especially true if they all lived in the same village or small area. There is an important requirement for privacy. The matter may even be covered by the European convention on human rights.

Miss Kirkbride: My hon. Friend raises an interesting point. Could it be a criminal offence to pass on personal information about wages given to employees? It is true in this place, and in every place that I have worked, that some of the more entertaining conversations concern one's colleagues. Their pay and family circumstances might be interesting factors. Would it be improper, or even an offence, for a wife or husband to pass on such personal details?

Mr. Collins: I am grateful to my hon. Friend. As a former Whip, I assure her that there has never been any tittle-tattle in this House. The very suggestion is outrageous. I see that the Government Front Benchers are nodding vigorously. One can only hope that that is noted outside. I am not a lawyer and so cannot tell her whether criminal offences might arise. Most of the single parents affected are unlikely to be lawyers and may not know the legal position. They will be confused and might prefer to have the option that we propose.

It is that option that leads me to my next point. Our society is moving into an era in which the Prime Minister and other senior Ministers have told us that the nature of our economy will mean that more and more things will depend on individuals being able to exercise more and more choice about their personal lives. If the Prime Minister means that, I welcome it. The Conservative party has always believed in choice and that individuals should be treated as adults.

I welcome what the hon. Member for Northavon (Mr. Webb) said about the presumption that seems to lie behind the Government's intentions—that single parents should be treated as incapable of making correct choices about their lives. I prefer to think that this is an oversight by the Prime Minister, like many other things that he has not been able to notice recently, such as the European election campaign. As his attention returns to domestic policy, he will realise that the amendments would give him the opportunity to turn his rhetoric into reality and demonstrate that he is really committed to free choice and individual liberty.

The Paymaster General once again made a delightful contribution but there may be a Government reshuffle, so the Conservatives are seeking to rescue her from what might be a devastating personal mistake in going against the direction in which the Prime Minister says that he wants to lead his party and Government. She is seeking to close options and perhaps she should not be. I give her that free career advice for what it is worth.

6.15 pm

We should move on to discuss some of the other sadnesses reflected in this debate. One that has caused me particular pain is the fact that the Government did not give the minimum commitment that it seems reasonable to ask: that they will review the matter. It is conceivable, I put it no higher, that the Government may have the numbers tonight to prevail. I do not know. If they do, they are not sitting here. They may be elsewhere so when the Division bell rings, they will flood in to give the Government another narrow victory. In the earlier Division, barely 300 Labour Members bothered to turn up. More than 25 per cent. of Labour Members withheld their support for the Government's position. These things snowball. Their majority might slump even further.

Let us presume that the Government will prevail. Why have they not said that they would seek to review the matter after five or 10 years so that we could see whether our arguments or theirs had stood the test of time? It is possible—we should all admit this in politics—that we are wrong. I openly concede it. After 10 years, it is possible that the Government will prove to have been correct and single parents will dance happily around the streets.

Dawn Primarolo: I thank the hon. Gentleman for all his kind comments and advice, of which I take note. I am delighted that he expects the Government to be here for at least 10 years. I am sure that at the end of that time, we will be able to demonstrate that our policy is correct. I look forward to giving him some advice then.

Mr. Collins: That is very sweet of the hon. Lady, but perhaps 25 per cent. of her parliamentary colleagues were not here for the earlier vote because they are desperately going round the constituencies that they lost in the European election.

Mr. Pickles: It was more than 25 per cent.

Mr. Collins: It was, but before you admonish me, Mr. Deputy Speaker, I will not follow the hon. Lady down the seductive path of considering the thumping majority that my party will secure at the next general election. I shall return to the narrow points that we are discussing. If she is so confident about winning the next general election and letting her policies stand the test of time, why will she not say that she is prepared to review the matter?

Miss Kirkbride: I thank my hon. Friend for being so generous in giving way. Another reason why the Government might want to review the matter crossed my mind. The post office network may be in difficulty soon because of the cancellation of the main contract for paying benefits through a computerised system. We all know from representations from our sub-postmasters and others that they are concerned about their future business. The

[Miss Kirkbride]

payment of family credit, when people choose to collect it from local post offices, is one way in which their business could be promoted.

Mr. Collins: My hon. Friend introduces an important dimension into the debate. She is right that if the legislation is passed, the post office network would suffer yet another blow from the Government on top of the many delivered to it since May 1997. As she rightly says, the introduction of the working families tax credit, which will be paid through the wage packet, to replace family credit, which is often paid through the post office, will hit the rural post office network in particular. I represent a very rural constituency in south Cumbria, and my constituents would deeply regret yet another withdrawal of rural services by a Government who, despite their rhetoric, have repeatedly demonstrated that they have little understanding and less sympathy for rural issues and areas.

Mr. Leigh: As a former Whip, will my hon. Friend confirm that there is not the slightest chance of the Minister accepting the excellent arguments that have been adduced this afternoon, not least because—ironically—Labour spent much time in opposition criticising the Government for allegedly massaging the employment figures but is now massaging people off benefits into so-called tax cuts?

Mr. Collins: My hon. Friend is right and brings me to another point. What is the motivation behind the legislation and the Government's determination to resist these very fine Lords amendments? It is simply that they wish to transfer several billion pounds of expenditure from the expenditure side of the column to the tax reduction side. Then they hope that they can claim to be a tax-cutting Government, when all that they are is a spending-shuffling Government. That is the underlying motivation. The reason why they are resisting the attempt by their lordships to improve the legislation is that they do not want any scrutiny of this dodgy piece of work. They want it to sail through with the minimum of publicity and they simply do not want anyone to inquire into the detail.

The Government have demonstrated in the debates on Second Reading, in Committee and at various other stages, including today, that they are not very focused on anything other than the so-called big picture. All that they have really said is, "Well, the Bill is about providing incentives to work. If you are not in favour of the Bill, you are not in favour of incentives to work so therefore you are in favour of unemployment." That, albeit in the most charming of ways, has been the only argument that the Paymaster General or anyone else has advanced in our proceedings. I am afraid that that will not do. Legislation has to be examined in detail.

I come to what is perhaps the clinching argument in favour of the amendments made by the other House. During the debates in this Chamber in the past year we have heard time and again how the other place needed to be reformed because it was out of touch, arrogant and ancient; that it was a Chamber composed of people who had no sympathy for the way in which society was changing; that it was loaded on one side of industry because it was composed of people who sympathised with business rather than with employees. Yet the other place, unreformed as it is up to this time, has made amendments that would strengthen the hand of single parents—that group in society that has evolved and grown in recent years—against that of unscrupulous employers, while this democratic Chamber will be whipped by the Government to vote against single parents and for the opportunity of unscrupulous employers to take information away from them.

This afternoon, the Government have completely, wholly and unapologetically demolished not only their case for the Bill but their case for reform of the House of Lords.

Mr. Pickles: It is a pleasure to see the Financial Secretary here with us, no doubt to defend what she sees as the phantom menace that the proposals represent to her Bill. As my hon. Friend the Member for Westmorland and Lonsdale—and all the nice bits of the lake district (Mr. Collins) said, there is a real irony in the way in which the House of Lords has stood up for amendments Nos. 1 and 2. There were lots of things that could have been sent back to this House, but the Lords were more sparing and more precise. They gave us an opportunity to rethink on business, and we did not do so, to our cost. It is important that we rethink on lone parents because the amendments will give them an opportunity to exercise choice about how they are paid.

We recognise that people in receipt of the working families tax credit, especially those working in small businesses, may be discriminated against because of the additional cost that businesses will have to bear. Lone parents are particularly vulnerable to loss of employment, in the same way as a single-earner couple is vulnerable. When an employer is faced with the prospect of someone in receipt of the working families tax credit or someone who is not, he may plump for the person who is not. That is why in schedule 2—I am sure that you have taken a great interest in schedule 2, Mr. Deputy Speaker—we make it an offence for someone to discriminate against people in receipt of the credit.

The Bill will give employers almost the ownership that 19th century mill-owners had of their work force. Like in the 19th century, they will have a clear view of what is happening in each family. The hon. Member for Northavon (Mr. Webb) made a number of valid points on that, which I will not repeat.

There is another aspect of privacy. Many people, especially those on low incomes, have more than one job. They may have a full-time job and a part-time job. They do not necessarily want their employer to know that they are engaged in a different job in the evening. Under the Bill and the regulations, the employer who pays the largest sum will be responsible for administering the working families tax credit, so employers will know at a glance whether the employee is receiving additional income. That is why the amendment is so important. It would give the lone parent the opportunity to say that they would like to receive the credit directly from the Revenue.

We heard earlier that the CBI—an organisation that the Paymaster General slavishly follows and is pleased to receive help from—considered that the amendment would strengthen the Revenue because the cheque would come from it in the same way as people receive rebates.

The hon. Lady has a number of points to respond to in the few remaining moments of the debate and I look forward to hearing what she has to say.

Dawn Primarolo: I thank the hon. Gentleman for welcoming back my hon. Friend the Financial Secretary to the Treasury, who has been released from the Finance Bill Committee on its completion. It is a bit like "The Return of the Jedi", or should I say, "May the force be with me."

I am sure that the hon. Member for Westmorland and Lonsdale (Mr. Collins) will enjoy reading his speech as much as we enjoyed hearing it, although the direct relevance to the amendment I struggled at times to see. I know that he was always in order, Mr. Deputy Speaker, because otherwise he would have been reprimanded. I am grateful for the number of times that he said what a nice person I was. I do not know whether that damages his career or mine.

The hon. Gentleman made a number of points about discrimination. As I said in my speech and in an intervention in his, the majority of employers behave properly now and will continue to do so. It is difficult to see how discrimination could be in advance, but discrimination against someone who is employed has been referred to several times in the debates in this and the other House. Clause 7 specifically deals with that. Those are exceptional circumstances and we are by no means implying that every employer will behave in that way, but there is, quite rightly, protection in the exceptions which would result—

It being half past Six o'clock, MR. DEPUTY SPEAKER *put the Question already proposed from the Chair, pursuant to Order.*

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 317, Noes 161.

Division No. 214] **[6.29 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian

Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Jim Dowd.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Dafis, Cynog
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Jacqui Lait and
Mr. Stephen Day.

Question accordingly agreed to.

Lords amendment disagreed to.

Clause 14

PERSONS QUALIFYING FOR DISABLED PERSON'S TAX CREDIT

Lords amendment: No. 4, to leave out clause 14 and insert the following new clause—*Persons qualifying for disabled person's tax credit*—

".—(1) Subject to subsection (6) below, section 129 of the Social Security Contributions and Benefits Act 1992 (disabled person's tax credit) and section 128 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (equivalent provision for Northern Ireland) shall be amended in accordance with subsections (2) to (5) below.

(2) In subsection (1), for "or (2A)" there shall be substituted ", (2A) or (2C)".

(3) In subsection (2)(a), for "56 days" there shall be substituted "182 days".

(4) After subsection (2B) there shall be inserted the following subsections—

"(2C) A person qualifies under this subsection if—

(a) the condition mentioned in subsection (2D) below is satisfied;

(b) a medical practitioner (within the meaning of the Administration Act) certifies, not more than 14 days before the date when the claim for disabled person's tax credit is made—

(i) that in his opinion the person will continue to have the disability in question for a period of at least six months; or

(ii) that in his opinion the person will continue to have that disability for the remainder of his life; and

(c) the level of the person's expected earnings is lower, by at least the required amount, than it would have been if he had not had the disability.

(2D) The condition is that there are 140 qualifying days, the last falling within the period of 56 days immediately preceding the date when the claim for disabled person's tax credit is made, which are days in respect of which—

(a) statutory sick pay has been payable to the person;

(b) the lower rate of short-term incapacity benefit has been payable to him;

(c) income support has been payable to him on grounds of incapacity; or

(d) earnings have been credited to him under regulations made under section 22(5) above.

(2E) For the purposes of subsections (2C) and (2D) above—

(a) the required amount, in relation to a person's expected earnings, is—

(i) 20 per cent of what those earnings would have been if he had not had the disability; or

(ii) if the amount given by sub paragraph (i) above is less than the prescribed amount, the prescribed amount;

(b) qualifying days are days forming part of a single period of incapacity for work within the meaning of Part XI of this Act; and

(c) income support is payable to a person on grounds of incapacity if and only if he satisfies the condition in section 124(1)(e) above by virtue of being a person who—

(i) is, or is treated as, incapable of work for any purposes of this Act; or

(ii) is treated as capable of work by virtue of regulations under section 171E below.

(2F) Sections 3 and 171 above shall apply as if this section were included in Parts I to V of this Act."

(5) In subsection (8), after "allowance" there shall be substituted ", or the level of a person's expected earnings,".

(6) In section 128(2E)(c) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, as inserted by subsection (4) above, for "124(1)(e)" there shall be substituted "123(1)(e)" and for "171E" there shall be substituted "167E".

(7) In section 11(3)(b) of the Social Security Administration Act 1992 (repeat claims), for the words from "he" to "that paragraph" there shall be substituted—

"(i) he qualified under subsection (2) of section 129 of the Contributions and Benefits Act by virtue of paragraph (a) of that subsection, or of there being payable to him a benefit under an enactment having effect in Northern Ireland and corresponding to a benefit mentioned in that paragraph; or

(ii) he qualified under subsection (2C) of that section or of section 128 of the Northern Ireland Contributions and Benefits Act,".

(8) In section 9(3)(b) of the Social Security Administration (Northern Ireland) Act 1992 (corresponding provision for Northern Ireland), for the words from "he" to "that paragraph" there shall be substituted—

"(i) he qualified under subsection (2) of section 128 of the Contributions and Benefits Act by virtue of paragraph (a) of that subsection, or of there being payable to him a benefit under an enactment having effect in Great Britain and corresponding to a benefit mentioned in that paragraph; or

(ii) he qualified under subsection (2C) of that section or of section 129 of the Great Britain Contributions and Benefits Act,".

(9) This section, except subsection (3) above (and subsection (1) above so far as relating to that subsection), applies to claims made, or treated as made, on or after 1st October 2000.")

6.45 pm

Dawn Primarolo: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to take Lords amendment No. 7.

Dawn Primarolo: The Chancellor announced in his Budget statement in March a new fast-track gateway to the disabled persons tax credit to help people who become disabled while in work. Since then, work on the details of the fast track has been under way, and the Government were pleased to introduce the new clause on Report in the other place. It was warmly welcomed there and I am sure that the House will welcome it also.

The new fast-track gateway introduced by clause 14 aims to make it financially possible for newly disabled people to stay in work even if, because of their disability, they either have to move to a less demanding—and therefore less well-paid—job, or need to reduce their working hours in their old job. The fast-track gateway will be an additional route to the disability tax credit for people who are in work and who cannot meet the present qualifying conditions.

From October 2000, a person will be able to apply for the disabled persons tax credit if he or she has received, for 140 days, statutory sick pay, short-term incapacity benefit paid at the lower rate, income support paid on grounds of incapacity, national insurance credits only or occupational sick pay—linked periods of incapacity will count as long as together they add up to 140 days; if he or she has a condition that puts him or her at a disadvantage in getting a job; if a medical practitioner certifies that the illness or disability will last for at least six months, or for the rest of the applicant's life if that is

[Dawn Primarolo]

likely to be shorter than six months; and if, on returning to work, the applicant will receive earnings at least 20 per cent. less than would have been the case if there had been no disability. People who have made a successful initial application for the disabled persons tax credit will, of course, be able to make a repeat application if the illness or disability continues at the end of the 26-week award period.

The idea of the fast-track gateway emerged from informal discussions between the Government and the disability lobby about the problems faced by people who become disabled while in work. As I have said, the Chancellor announced the fast track in outline in his pre-Budget report in November 1998. A formal consultation followed and the proposals were warmly welcomed by the disability lobby, whose suggestions for improvements have been reflected in the final design. In particular, the Disablement Income Group described the proposed fast-track gateway as a "very welcome development", and the Royal Association for Disability and Rehabilitation praised the emphasis that the Government are placing on enabling disabled people to remain in work.

For completeness, I should remind the House that, since it last debated the Tax Credits Bill, the Government have taken two further steps to address the needs of disabled people. We announced on 17 May that, from October 2000, the working families tax credit would include an additional premium for each disabled child in a family receiving the tax credit. That additional premium of £21.90 per week is already payable under the disability working allowance and will continue under the disabled persons tax credit. The extension to the working families tax credit means that extra help will be available to working families with a disabled child, whether or not one of the parents is also disabled. That will no doubt be extremely welcome news to the disability groups who have long campaigned for the disabled child of an able-bodied person to be treated as generously as the disabled child of a disabled parent. I hope that I have explained the details of the new clause to the House. We welcome these changes and support the Lords amendment.

Mr. Pickles: I shall be brief. It would be churlish not to thank the Paymaster General for giving a brief explanation of the changes. She will recall that this matter concerned all political parties in Committee, and we are pleased that the Government have honoured their undertakings. While we oppose this measure, we have done our best to try to improve it. There was always a thin red line between our co-operation and opposition. If the hon. Lady has been good will hunting, she has certainly found it in this amendment. We recognise that and support the amendment.

Lords amendment agreed to [Special Entry].

Lords amendments Nos. 5 to 11 agreed to.

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to certain of their amendments to the Bill: Ms Hazel Blears, Mr. Greg Pope, Mrs. Eleanor Laing, Mr. Eric Pickles and Dawn Primarolo; Three to be the quorum of the Committee.—*[Mrs. McGuire.]*

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

ACCESS TO JUSTICE BILL *[Lords]* [WAYS AND MEANS]

Resolved,

That, for the purposes of any Act resulting from the Access to Justice Bill *[Lords]*, it is expedient to authorise—

(a) the imposition on professional bodies of requirements to make payments towards meeting the expenditure of the Legal Services Ombudsman and the Legal Services Complaints Commissioner, and

(b) the payment of sums into the Consolidated Fund.—*[Mrs. McGuire.]*

6.52 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Keith Vaz): Before moving to the formal business, may I take this opportunity to thank all members of the Standing Committee who considered the Bill. Members on both sides contributed to a thorough and useful examination of this important Bill. The House will note that many of the suggestions made in Committee have been taken forward in the amendments to be discussed this evening.

In particular, I thank the hon. and learned Member for Harborough (Mr. Garnier) and the hon. Member for Torridge and West Devon (Mr. Burnett). I note that the contribution of the hon. and learned Member for Harborough to our debate has resulted in his promotion to observer to the shadow Cabinet as the shadow Attorney-General. I am sure that the hon. and learned Gentleman will thank the Government for their part in his elevation.

As the House knows, my hon. Friend the Member for Ashfield (Mr. Hoon) was the Minister responsible for guiding the Bill through its earlier stages. I pay tribute to his skilful handling of the Bill and his determination to steer through a piece of legislation that will radically improve access to justice for all our citizens. My hon. Friend's handling of the Bill has brought him well-deserved promotion, as Minister of State, Foreign and Commonwealth Office.

My hon. Friend the Member for Hastings and Rye (Mr. Foster), who was also a member of the Standing Committee, has recently been promoted to become the Attorney-General's Parliamentary Private Secretary. The hon. Member for Surrey Heath (Mr. Hawkins) has received recognition in becoming the Opposition's spokesperson for the Lord Chancellor's Department.

The Access to Justice Bill is a landmark piece of legislation. It seeks to modernise justice so as to ensure that the law benefits all our citizens. However, I am not entirely certain that the Government anticipated that the Bill would achieve such success in supporting, enhancing and, indeed, modernising the careers of so many hon. Members who were involved in its parliamentary passage.

The Ways and Means resolution is necessary to authorise the Lord Chancellor to require the legal professional bodies to pay towards the expenditure of the Legal Services Commissioner and the legal services ombudsman; and to allow the commissioner to levy penalties on professional bodies. We will discuss the substance of our proposals later—

Mr. Deputy Speaker: Order. I do not want to hear again the preface to the Minister's speech on Third Reading. It seems slightly misplaced, attached to the Ways and Means resolution.

Access to Justice Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 13

PRINCIPLES APPLICABLE TO PART I

'(1) Every person exercising functions in connection with this Part must act, so far as possible, in a way which is compatible with the objectives set out in subsection (2).

(2) The objectives are:

(a) that persons have access to legal services and the machinery of justice which they would otherwise be unable to obtain on account of their means;

(b) that such access is not to be impaired on account of racial grounds, gender, sexual orientation or disability (within the meaning of the Disability Discrimination Act 1995) or the place in England and Wales where any legal services are sought;

(c) that legal services and facilities of high quality be available such that disputes may be resolved, and proceedings determined, expeditiously, fairly and with the parties placed on an equal footing;

(d) that persons obtaining access to legal services under this part shall have the widest possible choice of provider or services.'.—*[Mr. Garnier.]*

Brought up, and read the First time.

6.55 pm

Mr. Edward Garnier (Harborough): I beg to move, That the clause be read a Second time.

I declare an interest to the House. I am a practising barrister. My name on the amendment paper has been marked [R], as have those of my hon. Friend the Member for Surrey Heath (Mr. Hawkins) and my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot).

I thank the Minister for his kind remarks. That will not be said again on Third Reading, Mr. Deputy Speaker. I do not ascribe the various promotions of my right hon. and hon. Friends to the reasons that the Minister cited, but one does not look askance at kind words from the Government, as they do not come often. I am grateful to my parliamentary neighbour for the kindness that he has just demonstrated.

While we are in that mood, may I briefly pay tribute to my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), whose shadow office I now hold. He is the longest-serving Law Officer this century, and certainly the longest continuous serving Law Officer. He has given signal service to the House, the law and to the Attorney's chambers over 10 years, and he was in government two years before that in the Department of Social Security. He will be missed on the Front Bench, although his absence today is only temporary, and before long we shall hear much from him from the Back Benches. I congratulate my hon. Friend the Member for Surrey Heath on his promotion.

I hope to persuade the House that the purpose and intent of new clause 13 is entirely proper and to be welcomed. It was introduced in the other place by Lord Lloyd of Berwick, with cross-party support. It was not an Opposition ambush. The Bill was amended in the other place by new clause 1, as it was at that stage, introduced by a retired Law Lord, a man of great wisdom and humanity. The new clause received all-party support because it was a good thing.

[Mr. Edward Garnier]

The Lord Chancellor demonstrated unusual hastiness and churlishness, which we do not often see from that august person, when he described Lord Lloyd's new clause as a gimmick. That was unfortunate and wrong. No intelligent person would have used such language, had he thought about the matter carefully.

That point is reinforced by the support that the new clause received in another place and in Committee, and which it has now, not only from lawyers, the Law Society, the Bar Council and me as an individual lawyer, but from the Child Poverty Action Group, the Institute of Legal Executives, the Law Centres Federation, Mencap, the Royal Association for Disability and Rehabilitation—RADAR, the Royal National Institute for the Blind, the Advice Services Alliance, the Consumers Association, Justice, the Legal Action Group, the National Association of Citizens Advice Bureaux, Refuge and the Royal National Institute for Deaf People. That is a cross-section of bodies and interest groups which represent a rather wider alliance than the somewhat party political groups that we find on the Opposition Benches.

7 pm

In Committee in early May, with the assistance of the new Minister, who played a silent role, the Government removed the clause. New clause 13 is slightly different from the clause in the Bill when it left the other place in that it widens the anti-discrimination provisions and provides access to the widest possible choice of provider or services.

There are four fundamental objectives by which to test access to justice—quality, access, choice and funding. New clause 13 is intended to make access to legal services and justice available to those who would otherwise be unable to obtain it on account of their means. That should be a fundamental principle to avoid the possibility that access to justice is available only to the rich.

The provisions for anti-discrimination should, in themselves, be unexceptionable. The purpose is to make that plain in the Bill, so that those who may otherwise face barriers to obtaining access to justice do not find their access impaired.

The Government appear, and they appeared on the previous two occasions on which the matter was debated, to object to the clause, both in terms of the principle of whether there should be such a clause at all and in terms of its individual provisions. Placing the parties on an equal footing appeared to the Government to mean that there was no proportionality or limit to the amount of costs. However, what is intended is a clear statement of principle, which is designed to govern part I of the Bill.

The rules of court already provide mechanisms to ensure that costs are reasonable and proportionate. The issue of principle is to ensure that there is equality of arms between parties to a dispute within the constraints of court management of cases. That does not mean that state-funded lawyers have to be paid the same rate of fees that privately funded lawyers are paid or can attract. It simply means that state-funded lawyers should be able to command fees that attract lawyers of quality to take up a case on behalf of the poor, disabled, elderly or disadvantaged.

On choice of provider, there may be restrictions on grounds of quality. However, where a provider of services can demonstrate quality and is prepared to work for the fees that the Government allow, there is no clear reason why access to justice should be arbitrarily limited by the Government. Although assurances have been given in some areas of work for the first round of any contracting scheme, those have not yet been extended. The network of services provided by local solicitors is a major asset to their communities. The new clause seeks to ensure the widest possible choice of provider and services. That would include representation not just in court, but in alternative methods of dispute resolution.

I do not need to take the House through new clause 13. It appears on the amendment paper for all to see and I trust that many will have read it before coming into the Chamber this evening. It is sensible, humane, civilised and does not undermine the Bill's overall purpose. It defies logic that any hon. Member should oppose its re-inclusion in the Bill.

The new clause had all-party support in the other place and was introduced by a majority of 71. Principles clauses are not foreign to our statute law. Yesterday, the House gave the Food Standards Bill its Second Reading; it has a principles clause. The Financial Services and Markets Bill, currently being debated in the House, has a purposes or objectives clause. Rule 1 of the brand new civil procedure rules, which came into force a couple of months ago, is an objectives rule—a principles rule—setting out precisely what is intended to happen as a consequence of the introduction of those rules.

I look forward to hearing from the Minister why, in all conscience, he, as a Labour Member, has the nerve, the gall and the indecency, to oppose new clause 13.

Mr. Charles Wardle (Bexhill and Battle): I congratulate the hon. Member for Leicester, East (Mr. Vaz) on his appointment as Parliamentary Secretary, Lord Chancellor's Department. We have sparred cheerfully on other matters in the past, and it is good to see him on the Treasury Bench.

My hon. and learned Friend the Member for Harborough (Mr. Garnier) has already reminded the House that an objectives clause seeking to define the Bill's basic purpose was introduced in another place but removed in Committee. It placed clients receiving legal aid on an equal footing with clients who could afford to pay for themselves. The Government, and particularly the Lord Chancellor, have been dismissive of the need for such a clause, as we heard from my hon. and learned Friend the Member for Harborough. But their dogmatic attitude means that an important opportunity to reform legal aid in a way that puts all clients on the same basis will have been squandered. As long as legal aid is a matter for the discretion of Legal Aid Board administrators rather than a question of basic entitlement, one law for the rich and one law for the poor will continue to be the norm.

I support new clause 13 because it would put back into the Bill that clear statement of objectives which an impressive coalition of their lordships, including Law Lords, introduced, but which, as we know, the Government have since removed.

To illustrate the reasons why I support new clause 13, I wish to draw to the attention of the House Lord Spens's action against the Bank of England, which recently came to an abrupt halt because legal aid was suddenly and inexplicably withdrawn on the eve of the trial.

I understand that many may associate an hereditary peerage, such as Lord Spens enjoys, with substantial wealth and financial security. That is not always so. It certainly has not applied to Lord Spens for more than a decade. He was a successful and highly paid merchant banker until the mid-1980s when he was arrested over the Guinness affair and put on trial in what became known as Guinness II. In the process of his defending himself, his wealth was soon exhausted.

On 4 June 1997, I spoke in the House about the unfairness of the inquisitorial nature of Department of Trade and Industry inspectors' inquiries, and I alluded to the Guinness case at some length. The interests that I declared in that debate apply here.

On that occasion, I told the House that Lord Spens had been sacked from his merchant banking job because politicians and officials at the DTI and the Treasury were pressing the Bank of England to collect some well-known scalps. At a meeting with Rosalind Wright, who has since risen to the post of director of the Serious Fraud Office, another official, John Wood, said:

"We don't want rows and rows of defendants. We are looking for major offenders as understood by the media."

The then Chancellor told the House that the Government would be taking action over the Guinness affair. His private secretary, now the permanent under-secretary at the Welsh Office, communicated with the Bank of England and the following day the Bank told the merchant bank to sack Spens or it would lose its banking licence. Spens was run out of the City and made unemployable. The Guinness II trial collapsed when Spens was about to produce evidence of the interference that I have just described. He was acquitted and awarded his full costs of £2 million, the first £500,000 of which he had raised privately, with the balance coming from legal aid.

It was common knowledge in the City and in Whitehall that, during a period of six days in January 1987, Bank of England officials had exceeded their powers, making ill-judged and indiscreet demands, because, to use the words of a Minister at the time, the Government "wanted handcuffs put on" ahead of the forthcoming general election.

Unable to work at his corporate finance trade, and dependent on legal aid, Spens fought on, despite two heart bypass operations. Advised by his solicitors, Russell Jones and Walker, he began proceedings against the Bank of England for unfair dismissal. He engaged Lord Neill of Bladen as his leading counsel. Lord Neill, who succeeded Lord Nolan as chairman of the Committee on Standards in Public Life, assured Spens—

Mr. Mark Todd (South Derbyshire): On a point of order, Mr. Deputy Speaker. May I question the relevance of this to the matter under debate?

Mr. Deputy Speaker (Sir Alan Haselhurst): I am certainly hoping that the hon. Member for Bexhill and Battle (Mr. Wardle) can make that very clear very soon.

Mr. Wardle: I hope to do so and, as I have said, I shall not detain the House for long, but this matter concerns legal aid and the importance of having a principle enshrined in the Bill that will ensure that legal redress is available to people regardless of their means.

Lord Neill said that he abhorred the abuse of power and predicted a successful outcome. The Bank's attempt to strike out the case failed. Only weeks before the trial, however, Lord Neill was pressed by another member of the Committee on Standards in Public Life to drop Spens's case, on the grounds that he could not reasonably devote so much time to his own legal work and chair the Committee at the same time. Lord Neill saw nothing untoward or ironic about that intervention; he said that he would continue as legal counsel—this is relevant to legal aid—but recommended the engagement of a second counsel to make most of the running, and Russell Jones and Walker made an application for extra legal aid to cover that.

John Baker, the Legal Aid Board executive who had handled the case for several years, was replaced by David Williams three weeks later, and eight weeks after that, Williams served a show-cause notice on Russell Jones and Walker, placing an embargo on the legal aid certificate against which Lord Neill and Russell Jones and Walker successfully appealed. The same process was repeated in the following month and, at the end of that appeal hearing, the chairman stated that the decision had been taken to reinstate the certificate of legal aid to—

Mr. Deputy Speaker: Order. I am increasingly unhappy about the trend of the hon. Gentleman's speech. It strikes me that it would be much more appropriate to raise the specific case in an Adjournment debate, or at some other opportunity, rather than tying it, by a very thin line indeed, to the new clause. I must advise him that, if he cannot bring his remarks back within the terms and meaning of the new clause, he should desist.

Mr. Wardle: I always respect your guidance, Mr. Deputy Speaker, and, although I feel strongly that there is no more vivid illustration than this of what can go wrong with legal aid and why the new clause should be added to the Bill, I shall conclude my remarks. The unhappy experience of Lord Spens leaves the words spoken about the Bill by the Lord Chancellor on the "Today" programme sounding rather hollow. He said:

"The highest priority will be accorded to cases in which people allege abuse of power by authority."

That is precisely what I was hoping to illustrate to the House by referring to the Spens case; it underlines the urgent necessity to enshrine in the Bill the fundamental principle set out in the new clause: people should have access to legal services and the machinery of justice, which they would otherwise be unable to obtain because of their lack of means. That is what the case and the experience of Lord Spens are all about.

Mr. John Burnett (Torridge and West Devon): This is the first opportunity I have had on the Floor of the House to congratulate not only the Minister, but the hon. Member for Surrey Heath (Mr. Hawkins) and the hon. and learned Member for Harborough (Mr. Garnier) on their respective promotions. I hope that, with a new Minister, we will have a new wind, if that is the right expression, and a bit more fresh thinking on this important Bill.

[Mr. John Burnett]

I support new clause 13, which is important. I remind the House that, in the White Paper "Modernising Justice", the Lord Chancellor set out in his foreword and in chapter 1 his aims and objectives for the Bill. He asserted:

"It is not enough for people to have rights; they must be confident they can enforce those rights if need be."

He went on:

"The justice system should serve everyone, regardless of their means."

He also said:

"The disadvantaged and the socially excluded will find help with the issues that affect their everyday lives at the heart of the new service."

The Government's twin aims are to achieve a significant increase in access to justice and to obtain the best value for taxpayers' money spent on legal services and in the courts.

Effectively, new clause 13 embodies the Lord Chancellor's aspirations for the Bill. We discussed a similar measure in Committee, but the Government objected that there was no proportionality or limit on costs. The new clause is a statement of principle embodying the Lord Chancellor's own principles for the Bill and it is proportionate in so far as it is qualified, in subsection (1), by the words "so far as possible". The proposal does not invite open-ended expenditure but highlights the important principles stated by the Lord Chancellor himself—quality, access, choice and fair funding.

7.15 pm

On quality, the Liberal Democrats have strongly supported the establishment of panels of solicitors with expertise. On 27 January, we debated in Committee the draft Legal Aid (Prescribed Panels) Regulations 1998, which set up a clinical negligence panel within the Law Society. We supported that, and the setting up of other expert panels, because we believe that such expertise is in the public interest and in the interests of those who use the legal system. They will also provide better value for money; indeed, they will save money. The legal professions have rightly become more specialist, and it is not in the interests of clients or of the state to pay for lawyers learning on the job.

Nevertheless, this objectives new clause will act as vital spur to those administering the Legal Services Commission, which will ensure quality, access, choice and fair funding. That is particularly important in rural towns and rural areas. During the first sitting of the Committee, on 27 April 1999, I intervened on the then Minister and asked whether firms should automatically be entitled to a contract if they achieved the quality standards. The hon. Gentleman ended his response by saying that the Government were looking for the most effective way in which to ensure that there was access to justice throughout the country which will guarantee—I emphasise that word—that those who seek advice receive it from those who are best qualified to do the work. That is the essence of the new clause. It is vital that there should be availability and choice in all geographical areas, including the sparsely populated rural areas. The new clause would go some way towards ensuring real access to justice and living up to the aims and objectives for the Bill set by the Lord Chancellor.

Mr. Vaz: I thank the hon. and learned Member for Harborough (Mr. Garnier) and the hon. Member for Torridge and West Devon (Mr. Burnett) for their kind comments and I associate myself with what was said about the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), who served with great distinction as a Law Officer.

As the hon. and learned Member for Harborough said, new clause 13 is similar to a clause that was added to the Bill by the other place and deleted in Standing Committee. The original clause was pressed to a vote in the other place, although the Government were proposing their own amendments to set out more clearly the separate purposes of the community legal service and the criminal defence service. Those two purpose clauses are now clauses 4(1) and 12(1) respectively—they are already in the Bill.

The purpose of the CDS is to provide the advice, assistance and representation that suspects and defendants require in the interests of justice. That is very clear, and the same absolute entitlement that exists now is retained. Briefly, the purpose of the CLS is to secure appropriate legal services, but not only lawyers' services, to meet people's needs effectively, subject to the constraint of available resources and according to priorities.

The Government have always made it clear that we are sympathetic to many of the concerns underlying this so-called principles new clause. That is why, when we sought to remove the previous version in Standing Committee, we tabled our own amendments to add three specific objectives for the CLS. These measures are in clause 4(4) and include objectives on quality and access—two of the points mentioned by the hon. and learned Member for Harborough—and the swift and fair resolution of disputes.

I find it hard to see what more is needed and, after so many debates on the issue, I am a little disappointed that the proponents of a separate principles new clause have tabled one again. None the less, I welcome the opportunity to explain in more detail to the whole House why the new clause, although mostly laudable in aspiration, is unnecessary and in parts unacceptable.

Our first objection is that, by seeking to cover two separate schemes with a single set of objectives, a principles clause overarching the whole of part I would undermine the structure of the Bill, which makes a clear distinction between the community legal service and the criminal defence service. This reflects the different policy objectives behind the public funding of legal services in civil and in criminal cases, the different mix of services required—criminal legal aid is, for example, far more court-centred—and the very different factors driving demand and cost.

Moreover, like its predecessor, new clause 13 expresses some unrealistic aspirations. Subsection (2)(a) states that persons should have access to services

"which they would otherwise be unable to obtain on account of their means".

However, there is no mention of any test of merits or priorities, or any indication that the services provided should be appropriate and proportionate to the problems

that they address. Nor is there any hint that people can obtain legal services other than with their own or the taxpayer's money. No doubt that is because legal expenses insurance and conditional fees did not exist in 1949, when this particular formulation was first used.

Subsection (2)(b) is intended to ensure that access to services is not impaired by discrimination on grounds of race, sex or disability. The Government fully share that objective, but, having considered the matter carefully, we have concluded that nothing can usefully be added to the Bill: The Legal Services Commission and those whom it engages to provide services are already subject, as employers and service providers, to the provisions of the sex, race and disability discrimination Acts. Moreover, as a public body the commission will be covered by the Human Rights Act 1998, which outlaws discrimination on a wide range of grounds in relation to people's access to their rights under the convention.

We are determined to ensure that the reformed legal aid system delivers help to those who need it, irrespective of their race, sex or disability. That is why we need flexible machinery that can respond to the changing needs and priorities of the community.

Under the Bill, for the first time in legal history we shall be able to address the particular needs of any parts of the community—the needs of the disabled, or the needs of people with an ethnic minority background. Clause 6(5) refers to "areas or communities" specifically so that the commission can target non-geographical communities. The Legal Aid Board has directed its regional legal services committees that their strategies for assessing the needs and priorities of their communities should discuss the needs of specific client groups such as ethnic minorities, the disabled, the elderly, carers and remote communities. The board's franchise standard makes it mandatory for firms to have a written equal opportunities policy that is in effective operation. The policy must make it clear that the firm will not discriminate on grounds of race, gender, religion, disability or sexual orientation.

Only last week, the Lord Chancellor instructed the board to report to him by September on its proposals for monitoring the ethnic origin and gender both of the clients receiving services under its contracts and of the providers supplying those services. He said that he intended in due course to direct the Legal Services Commission to take over those monitoring systems, and to include information about the impact of the reform on minority groups in its annual report. The Lord Chancellor also asked the board to report to him, by the end of this year, the options for monitoring the impact of reform on access for the disabled.

As the hon. and learned Member for Harborough pointed out, subsection (2)(b) of new clause 13 also deals with geographic access generally. It states that access should not be impaired on account of the place in England and Wales where legal services are sought. I have two difficulties with that formulation. First, the emphasis is entirely on physical location. There is not even any recognition that much can be done perfectly well on the telephone. There is no hint of the larger role that information technology could play in future, and no suggestion that a lawyer should ever be troubled to leave his office to visit a client. Secondly, the subsection implies that people who live in rural areas can enjoy the same degree of geographic access as people who live in large cities. That is obviously unachievable.

The Government have sought to address legitimate concerns about access in clause 4(4)(a), which establishes the objective of promoting improvements in the range and quality of services and in the ways in which they are made accessible to people. We are committed to providing effective access through the community legal service, but without limiting the concept of access to the number and location of lawyers' offices. The ability to tailor contracts to specific circumstances will make it possible to address areas in which access is inadequate now.

Mr. Dominic Grieve (Beaconsfield): I welcome the Minister to his post, but let me take him back a few sentences. Surely a moment's thought would lead him to acknowledge that his argument that the new clause fails to reflect people's ability to obtain legal services on the telephone is nonsense. The new clause clearly does not preclude the person exercising the function from taking that into account. Nothing in the new clause suggests that it concerns the precise geographical location of services; it merely states that that should be taken into account. Surely the Minister must accept that this is a very weak part of his argument.

Mr. Vaz: No, I do not accept that. I believe that the drafting of new clause 13 means, in effect, that physical location will have to be taken into consideration, which will have exactly the effect that I have described.

Subsection (2)(c) covers quality, speed and fairness. The Government share those objectives, and have already dealt with them in clause 4(4). To that extent, the new subsection is wholly unnecessary. Subsection (2)(c) also refers to placing the parties on an "equal footing"—I shall deal shortly with what was said by the hon. Member for Bexhill and Battle (Mr. Wardle)—but the danger of those apparently admirable words is that they might compel the commission to match the spending of a wealthy private party, regardless of the importance or complexity of the case.

Subsection (2)(d) states that people obtaining legal services should have

"the widest possible choice of provider or services".

That goes much too far. As the Opposition know from their experience in government, the task is to balance competing desirable objectives, of which choice may be only one. An overriding objective of providing the widest possible choice would trump consideration of quality or value for money—a point made in the White Paper published by the last Government. It is almost always desirable for an accused person to have a choice—but not necessarily an unlimited choice—of legal representative, as that helps to promote confidence in that person's lawyer and the criminal justice system. Clause 15 already secures that objective.

In the case of civil litigation, which most people fortunately experience only once in a lifetime, I am not sure that it is particularly helpful to single out the choice of provider as such, as opposed to, for example, access; and it is positively undesirable to have as an objective the widest possible choice of services when the aim of the community legal service is to provide the most appropriate means of dealing with a particular problem.

The hon. Member for Bexhill and Battle mentioned Lord Spens. I must tell him—he knows that I am going to say this—that this is a matter for the Legal Aid Board:

[Mr. Vaz]

it is not possible for Ministers to comment on individual cases. As the hon. Gentleman will know, it is possible for people to make representations, and Lord Spens has done so. I think that Lord Spens has done pretty well out of the legal aid fund, but I must tell the hon. Gentleman that, if he raises the matter on the Adjournment, the debate will be pretty short because I shall not be able to comment on the specific circumstances of the case.

The Government firmly believe that the Bill already meets the legitimate concerns that underlie new clause 13, and that the new clause would merely add confusion and create unrealistic expectations. I therefore invite the House to reject it.

Mr. Grieve: I had not intended to speak on new clause 13, as I had already spoken in Committee about a similar clause at the time the Government deleted it. However, I could not fail to respond to the Minister's comments, some of which struck me as extraordinary.

For example—I shall put this as nicely as possible—the Minister rubbished the suggestion that there was any need for a provision ensuring that access would not be impaired on account of

"the place in England and Wales where any legal services are sought".

Of course I acknowledge that one of the matters that would have to be taken into consideration by any person exercising functions is the fact that, with modern communications, access to legal services may be possible even in an area where there are no franchise solicitors dealing with particular matters. Nevertheless, the fact remains that the geographical location of a person seeking legal services in relation to where those services are available will be a relevant matter. The matter greatly exercised the Committee because of anxieties that such legal services would not be available in future.

7.30 pm

It strikes me as very odd that we have a Government who, largely with my support, have been prepared to entrust to the United Kingdom judiciary the task of interpreting human rights—notwithstanding the fact that that may require, when the Government choose finally to implement the Human Rights Act 1998, occasionally casting aspersions on ministerial decisions—but who are totally reluctant to accept an aims clause in the Bill because of a deadly fear that, were they to do so, a time would come when, in a judicial review, there would be a challenge to the fact that some of the aims were incompatible with the way in which the Bill's provisions were working, excluding people from access to justice. That was why the aims clause was so important when it was moved in the other place by people who were well versed in how the system worked, and why it had so much to commend it.

As much as I welcome the Minister to his new post, I very much regret that today the matter should have been dealt with glibly. The Government should have the courage of their convictions. If Ministers believe, as I am perfectly prepared to acknowledge they do, that the Access to Justice Bill will facilitate access to justice, which is what the Minister has been telling us repeatedly, they should have nothing to fear from the aims clause, with which the Act should be fully compatible. It fills me with foreboding to see the Government's reluctance to accept the new clause if the Bill will, in fact, do what the Government say it will.

Mr. Garnier: I have listened with care to what the Minister has said, but I am afraid that I and my right hon. and hon. Friends are not in the least bit convinced by it. I think that the hon. Member for Torridge and West Devon (Mr. Burnett), too, would agree with me that nothing that has fallen from the Minister's lips answers the questions at all. I therefore invite the House to support the re-inclusion of the provisions of new clause 13 in the Bill.

Question put, That the clause be read a Second time:—

The House divided: Ayes 146, Noes 313.

Division No. 215] **[7.32 pm**

AYES

Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Dafis, Cynog
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Moore, Michael
Moss, Malcolm
Opik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John

Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mrs. Jacqui Lait.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benton, Joe
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank

Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Jim Dowd.

Question accordingly negatived.

Clause 4

THE COMMUNITY LEGAL SERVICE

7.45 pm

Mr. Vaz: I beg to move amendment No. 87, in page 4, line 26, at end insert—

'(8A) The Commission may charge—

(a) for accreditation,

(b) for monitoring the services provided by accredited persons and bodies, and

(c) for authorising accreditation by others;

and persons or bodies authorised to accredit may charge for accreditation, and for such monitoring; in accordance with the terms of their authorisation.'.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss Government amendments Nos. 88 to 90.

Mr. Vaz: The purpose of the amendments is to confer on the Legal Services Commission a power to charge for the accreditation and monitoring of providers of legal services and for authorising others to accredit and monitor providers of legal services. The amendments will also allow others who are authorised to accredit and monitor providers of legal services to charge for accreditation and monitoring, in accordance with terms set by the commission.

The Lord Chancellor will have power to require the commission to discharge its powers to charge for accreditation, monitoring and authorisation and to authorise others to charge in a prescribed manner. That would be by order, subject to negative resolution.

It is not intended that the commission will exercise its power to charge for accreditation and monitoring in respect of providers of legal services funded by the commission. Providers of services as part of the wider community legal service, funded by other bodies such as local authorities, may need to meet quality standards to secure their funding. In addition, those providing privately funded legal services may also wish to take advantage of the opportunity to obtain accreditation to demonstrate the quality of the services that they provide.

We believe that it would be wrong to expect the taxpayer to meet the costs of accrediting and monitoring those individuals and bodies who seek accreditation as a means of attracting private business. The power for the commission to charge for those services will ensure that the consumer will have the advantage of assurance of the quality of service without the taxpayer having to foot the bill. The commission will not seek to profit from that power, but simply to recover its costs of providing the service.

Amendment agreed to.

Amendment made: No. 88, in page 4, line 28, leave out '(8)' and insert '(8A)'.—*[Mr. Vaz.]*

Clause 5

FUNDING OF SERVICES

Amendment made: No. 11, in page 4, line 43, at end insert—

'( ) The Lord Chancellor shall lay before each House of Parliament a copy of every determination under subsection (2)(a).'.—*[Mr. Vaz.]*

Clause 11

COSTS IN FUNDED CASES

The Solicitor–General (Mr. Ross Cranston): I beg to move amendment No. 12, in page 9, line 32, leave out

'cases in which services have been'

and insert

'relation to proceedings in which services are'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 13 to 16 and 21.

The Solicitor-General: This group of drafting amendments is consequential to an amendment made in Committee to what is now clause 11(1). Clause 11 deals with the award of costs between the parties in cases involving community legal service funding. It gives assisted persons broadly the same statutory protection against costs as exists now. Clause 11(1) was amended in Committee to provide for that protection to be disapplied in prescribed circumstances, to make it clear that it applied only when the assisted person was receiving funding, and generally to simplify the drafting of the subsection. The amendments are consequential on that simplification. Amendments Nos. 12 and 13 simply ensure the consistent use of tenses throughout the clause.

Amendments Nos. 14 and 15 rephrase and reposition clause 11(4)(c), which deals with the payment of costs by the Legal Services Commission to the opponent of an assisted person. At present, a court can order the Legal Aid Board to pay an opposing defendant's costs if he or

she would otherwise suffer severe financial hardship. Regulations that are contemplated under the Bill will broadly replicate that position although the Government hope to relax the test to plain financial hardship.

It is necessary to rephrase the paragraph to refer to the costs incurred by the opponent, rather than those ordered against the assisted person; otherwise, the costs that the commission could be ordered to pay would be limited by the protection enjoyed by the assisted person. That anomaly did not arise with the previous drafting of clause 11(1).

Amendments Nos. 16 and 21 are consequential on the repositioning of clause 11(4)(c). The latter ensures that regulations under that paragraph remain subject to the affirmative procedure.

Amendment agreed to.

Amendments made: No. 13, in page 9, line 36, leave out 'the services were funded,' and insert

'services are funded by the Commission as part of the Community Legal Service,'.

No. 14, in page 9, leave out lines 40 and 41.

No. 15, in page 9, line 44, at end insert—

'(da) requiring the payment by the Commission of the whole or part of any costs incurred by a party for whom services are not funded by the Commission as part of the Community Legal Service,'.

No. 16, in page 9, line 46, leave out 'such a party' and insert

'a party for whom services are so funded'. *[Mr. Vaz.]*

Clause 12

THE CRIMINAL DEFENCE SERVICE

Amendments made: No. 89, in page 10, line 38, at end insert—

'(4A) The Commission may charge

(a) for accreditation,

(b) for monitoring the services provided by accredited persons and bodies, and

(c) for authorising accreditation by others;

and persons or bodies authorised to accredit may charge for accreditation, and for such monitoring, in accordance with the terms of their authorisation.'

No. 90, in page 10, line 40, leave out 'subsection (4)' and insert 'subsections (4) and (4A)'. *[Mr. Vaz.]*

Clause 16

CODE OF CONDUCT

Mr. Vaz: I beg to move amendment No. 17, in page 13, line 7, at end insert—

'and duties on employees who are members of a professional body to comply with the rules of the body,'.

Amendment No. 17 reflects an undertaking made by the Government in Committee in response to an amendment tabled by the hon. and learned Member for Harborough (Mr. Garnier) and others. He sought to add to the list of matters which must be included in the code of conduct for employees of the Legal Services Commission who provide criminal defence services. In response, my hon. Friend the Member for Ashfield (Mr. Hoon), now the Minister of State, Foreign and Commonwealth Office, said that although it was not really necessary, he was content to introduce an amendment.

Amendment No. 17, therefore, requires the code specifically to include duties on employees providing criminal defence services who are members of a professional body—they might be barristers, solicitors or legal executives—to comply with the rules of that body.

The amendment shows that the Government are willing to put into statute sensible amendments such as the one tabled by the hon. and learned Member for Harborough, and I am most grateful to him for his suggestion on this issue.

Mr. Garnier: I thank the Minister for delivering on the undertaking given by his predecessor.

Amendment agreed to.

Clause 22

POSITION OF SERVICE PROVIDERS AND OTHER PARTIES

The Solicitor–General: I beg to move amendment No. 18, in page 16, line 17, leave out second 'of' and insert 'to'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 19, 20, 22, 45 to 69 and 83.

The Solicitor-General: This group of amendments clarifies the powers to prescribe the procedures for courts carrying out functions under part I of the Bill, particularly in relation to granting rights to representation in criminal cases. It also includes a number of consequential and drafting amendments. Let me explain.

Amendment No. 19 provides a general power to prescribe which member or officer of a court is able to exercise the functions of any court or tribunal under this part of the Bill. For example, it would enable regulations to prescribe the procedure for consideration of an application for a right to representation. In the case of the Crown court—assuming a right to representation has not been granted already by the magistrates court—the power might be exercised by a judge, though not necessarily the trial judge. For the sake of flexibility, however, it might be appropriate to provide, as now, for an authorised officer in the Crown court office to consider these applications.

Similarly for the magistrates court, amendment No. 53 gives the power to prescribe when a single justice or justices' clerk can make decisions about the right to representation. The first part of the amendment would enable the powers of the magistrates court to grant or withdraw a right to representation to be exercisable by a single justice. The general rule-making power in section 144 of the Magistrates' Courts Act 1980 can then be used to delegate this to justices' clerks and their assistants.

Amendment No. 20 provides the flexibility to prescribe different provisions for different areas, to accommodate, for example, pilot arrangements.

Streamlining the legislative provisions for delegation in that way will mean that there will be no further need for section 49(10)(j) of the Crime and Disorder Act 1998, which can be repealed when the relevant provisions of this Bill are in force. That is achieved by amendment No. 83.

[The Solicitor-General]

Amendments Nos. 61, 66 and 67 clarify the appeal procedure against an order to repay defence costs under clause 17. This is to be by way of judicial review.

Clause 17 does not expressly provide for a route of appeal. Decisions of the Crown court that relate to a trial on indictment cannot be judicially reviewed or subject to appeal by way of case stated. This has been held to prevent any form of appeal against certain decisions about legal aid contribution orders. Decisions relating to a sentence may of course be appealed to the Court of Appeal, but recovery of defence costs orders should not be seen as part of a sentence. It is possible, for example, that regulations could prescribe for exceptional circumstances in which an order could be made before the end of the trial or following acquittal.

In order to avoid doubt about the status of an order under clause 17 and the relevant route of appeal, amendment No. 61 makes it clear that these orders are not part of the sentence and therefore not appealable to the Court of Appeal. Amendment No. 66 amends the Supreme Court Act 1981 to allow clause 17 orders to be challenged by way of judicial review or case stated. Amendment No. 67 is consequential on amendment No. 66.

Further consequential alterations are contained in amendment No. 69.

Amendments Nos. 49 and 52 are drafting amendments to make it clearer that a right to representation will usually continue through from the magistrates court to the Crown Court.

A right to representation includes a right to advice and assistance as to an appeal. As currently drafted, it is an open-ended entitlement. Amendment No. 22 would allow regulations to prescribe time limits for the provision of advice on appeal after which the right would lapse. Regulations on the scope of advice and assistance could be made under clause 13 to allow for cases where advice was needed at a later date.

Finally, amendments Nos. 18, 45 to 48, 50, 51, 54 to 60, 62 to 65 and 68 achieve drafting consistency by always referring to the right as a "right to representation".

Amendment agreed to.

Amendment made: No. 19, in page 16, line 30, at end insert—

'(6) Regulations made under subsection (5) may in particular authorise the exercise of the functions of any court or tribunal by any member or officer of that or any other court or tribunal.'.—*[Mr. Vaz.]*

Clause 25

ORDERS, REGULATIONS AND DIRECTIONS

Amendments made: No. 20, in page 17, line 29, at end insert '(including different areas)'.

No. 21, in page 17, line 32, leave out '(c)' and insert '(da)'.—*[Mr. Vaz.]*

Clause 26

INTERPRETATION

Amendment made: No. 22, in page 18, line 5, after first 'and', insert

', subject to any time limits which may be prescribed,'.—*[Mr. Vaz.]*

Schedule 1

LEGAL SERVICES COMMISSION

The Solicitor–General: I beg to move amendment No. 38, in page 65, line 28, leave out

', with the approval of the Treasury,'

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 39 to 44.

The Solicitor-General: You will be pleased to know, Mr. Deputy Speaker, that the purpose of these seven amendments is to remove the requirement for Treasury consent or approval to arrangements for the pay, pensions and compensation of members and staff of the Legal Services Commission.

The amendments reflect the fact that it is no longer the practice for new legislation to make pay and pensions provisions for non-departmental public bodies subject to Treasury consent. The commission's pay and pensions arrangements will continue to be subject to the approval of the Lord Chancellor, who will consult the Treasury as appropriate on issues affecting spending and general policy on public pay, pensions and compensation terms.

The amendments are technical, designed to bring the relevant provisions in line with current Treasury policy.

Amendment agreed to.

Amendments made: No. 39, in page 65, line 32, leave out

', with the consent of the Treasury,'.

No. 40, in page 65, line 33, leave out

', with the consent of the Treasury,'

No. 41, in page 65, line 46, leave out

'and consent of the Treasury'.

No. 42, in page 65, line 49, leave out

'and the consent of the Treasury'.

No. 43, in page 66, line 16, leave out

'and consent of the Treasury'.

No. 44, in page 66, line 41, leave out

', with the consent of the Treasury,'.—*[Mr. Vaz.]*

Schedule 2

COMMUNITY LEGAL SERVICE: EXCLUDED SERVICES

Mr. Robert Marshall-Andrews (Medway): I beg to move amendment No. 95, in page 68, line 32, at end insert

'and actions brought by or on behalf of children under 18, patients within the meaning of the Mental Health Act 1983, persons with disabilities within the meaning of section 1(1) of the Disability Discrimination Act 1995 and persons in receipt of Income Support, save that services shall not be funded if the Commission is satisfied in any individual case that a conditional fee agreement is available.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 99, in page 68, line 32, at end insert

'save where compelling reasons exist'.

Mr. Marshall-Andrews: The purpose of the amendment is to retain legal aid in its present form for actions for damages for personal injury for the classes of people referred to in the amendment.

Legal aid was an essential part—to use the topical vernacular, it was one of the key or core parts—of the welfare state. It was thought at the time that the poor should have the benefit in actions brought by them of access to the best available legal advice and assistance, and that they should have available to them all the rights of the courts. That was regarded at the time as being as important as access to health and to welfare.

8 pm

If the Bill is to become an Act in its unadorned and unamended form, the classes of people to whom I have referred will have no recourse to legal aid for personal injury cases. In all cases, legal aid for actions for personal injury will cease to exist. No matter how weak or disabled the plaintiff; no matter how serious the injury; no matter how powerful the wrongdoer; no matter how culpable or deliberate the wrong, there will be no legal aid for those people.

This is a reforming Bill with which, in many respects, I agree. Whatever happens to the amendment—I sincerely hope that it will be agreed to even if the Government do not accept it, which I sincerely hope they will—I will support the Bill. There are many aspects of it that I have no difficulty whatever in supporting. I say straight away that the provision of legal aid has become, in certain circumstances, less than perfect. There have been examples in which it has been abused, and there are ways in which it is far too expensive, some of which the Bill redresses.

There is one aspect of the legal aid system to which that does not apply—the element that funds personal injury cases. Do not take that from me, Mr. Deputy Speaker—under any circumstances. I wish to give hon. Members the full benefit of an opinion expressed in 1996:

"Supporters of legal aid must never seek to emphasise that this is a highly successful public social service. In civil cases which reached judgment in 1995-1996, there were judgments in favour of the assisted person in 81 per cent. of the cases. The proportion of cases where there was either a settlement or a judgment in favour was 91 per cent."

The sage goes on:

"Personal injury litigation as a category was conspicuously successful. Obviously, the greater the success rate, the closer the legal aid system can approach self-funding. These success figures tell against any argument that legal aid is generally granted too readily. It must be remembered that there are a small number of very high-cost cases which account for a large proportion of expenditure."

That ringing endorsement of the legal aid system, and personal injury legal aid in particular—that luminous prose, with whose every word I agree—fell from the mouth of the Lord Chancellor himself in 1996.

We do not have the Lord Chancellor here, more's the pity. That is something on which I have a certain view that I have expressed from time to time. He is in another place. We do have my hon. Friend the Parliamentary Secretary here, and I join in the paeans of praise and congratulations to him. What a joy it is to see him on the Front Bench. However, it is not the same. If we are to penetrate what has happened since 1996, we have look through a prism darkly to find out why the Lord Chancellor—the font of the legislation—should have done such a conspicuous volte face.

It cannot be anything to do with the statistics for this part of the legal aid system, as they speak for themselves. Legal aid in personal injury cases funded 75,000 cases last year; those that were funded recovered £502 million in damages. The cost of that was £224 million. However, 86 per cent. of that was recouped as costs. The cost to the Exchequer of this noble public service was £34 million.

If one takes into account the VAT that the lawyers paid back into the Exchequer, the net cost of this public service after VAT was recouped—described in the way I have just outlined by the Lord Chancellor—was £1,481,936. If one then takes into account the money clawed back by the Exchequer from damages that had been paid out in welfare payments to those who were successful plaintiffs in these cases, there is a net profit to the Exchequer of £68 million.

The one argument that does not stand up—I expect I am wasting my breath, as I doubt whether the Parliamentary Secretary will advance it—is that the reform will bring a penny piece back into legal aid which can be reallocated or retargeted to other areas.

Why are we faced with this Bill? Why is this protection to be taken from the particularly vulnerable categories of people who are referred to in the amendment? What has occurred has been the advent of conditional fee agreements. Conditional fee agreements were introduced in 1995 as an experiment. They are more usually, but inaccurately, referred to as no-win, no-pay agreements.

The advantage is that lawyers will bear the risk of litigation, and if someone does not win and they do not get their costs back from the other side, the litigant does not pay. No-win, no-pay litigation; something against which the legal profession had set its face for centuries, because it was felt that it was unethical—or at least unwise—that lawyers should have an interest in their clients' damages.

A system was put into effect in 1995 with various checks and balances. Whereas I acknowledge that there are aspects of conditional fee agreements which may be beneficial to many people—particularly to middle-income England—there are aspects of conditional fee agreements which are positively dangerous to people with disabilities. And there are many other aspects of conditional fee agreements which are, as yet, untried.

If one is injured, rendered disabled or maimed by accident or design, instead of obtaining legal aid—which would be one's right if one had a prima facie case and a solicitor available to take the case—it is now necessary to trail the coat of one's damages from solicitor to solicitor until it is possible to find one who is holding the right portfolio of risk to take the case. The right portfolio of risk in any individual case will depend on the other cases that any individual solicitor has in his portfolio. That will make it necessary to move from solicitor to solicitor to find one who can take the case.

It is true that there have been about 30,000 cases under conditional fee agreements, and there is no reason to suppose that they are manifestly unsuccessful, but the

[Mr. Marshall-Andrews]

only authoritative study pointed out immediately that the overwhelming preponderance were small cases. That is not surprising, because lawyers will generally take small cases in which the risk is limited.

What happens when the avalanche of the 75,000 cases currently funded under legal aid falls into the system? Whether the provision will exist to cope with the most complex and difficult of those cases is a complete imponderable. The study by the Policy Studies Institute at the end of 1997 concluded:

"However, on the basis of the evidence currently available, there is serious cause for concern about whether the scheme is operating fairly and consistently. Future research will need to focus on this issue."

There has been no authoritative research since then.

The Bill will consign the weakest and most vulnerable in the land to a completely untried no win, no fee system, and they will have no other redress. The more badly injured one is, the more difficult it is to trail one's coat from lawyer to lawyer looking for someone to take the case; and the more difficult and legally complex one's case, with quantum and medical reports and experts, the less likely one is to find a lawyer who will undertake all the disbursements and costs.

Mr. John M. Taylor (Solihull): Would it not also be much harder in such cases to define a win?

Mr. Marshall-Andrews: Indeed. I will come to that point.

I am not against conditional fee agreements, because if people come to me or another lawyer and say that they are just above the legal aid framework but have been injured and cannot afford legal fees, I have never had any problem with saying, "Well, now you are destitute, but if the case is won you will be in funds and will be able in due course to pay me; if we don't win, no fee."

There is, however, an enormous problem in the fact that under the conditional fee system we are allowed to uplift—that is the euphemism for hike—fees up to 100 per cent. It will not surprise hon. Members to know that if lawyers have the facility to hike or uplift their fees, they do it. The assessment of risk on which they hike the fees is their own assessment and not subject to outside expertise or adjudication.

8.15 pm

The Policy Studies Institute considered a number of solicitors and a very large number of cases and compared the risk with the uplift. It was in no doubt about its conclusions. It said that there were more low-risk cases than high-risk cases; the weighted number of cases in which the uplift appeared too high was 257, as against 122 in which it appeared low.

You, Mr. Deputy Speaker, would have your wits about you in such circumstances and would be able to analyse with clarity whether the advice that you were getting was accurate; but the more disabled or in need of assistance the plaintiffs—be they children, mental patients or the very poor—the more inarticulate they are likely to be and the less able to analyse whether the uplift is suitable.

Under conditional fee agreements, it is necessary to take out insurance against having to pay the defendant's costs. It is a wishful thought that the burden of the premium would be borne by the solicitor, but the plain fact is that, as of now, on the research available, it is being borne by the plaintiff. The more disadvantaged the plaintiff, the less likely it is that he or she will be able to afford the premium.

At present the premiums are quite small, averaging about £95, but the only analysis is of small cases; the great preponderance are simple and straightforward liability cases: normally motor accidents. What will happen when the brain-damaged child in an occupier's liability case finds a proper solicitor who is not charging over the top for the uplift and is then asked for the insurance premium? In a case in which the damages—for lifelong disability—are likely to be £1.5 million or £2 million and the costs on either side in six figures, the premium will almost certainly be prohibitive.

The Government's answer to what appears to be a self-evident case for excluding disadvantaged groups from the prohibition on personal injury cases is the hardship fund. A fund is to be created from which it will be possible, in exceptional circumstances, for solicitors to apply for assistance. No criteria have been properly set out on whether the fund will be available in any given case.

It is completely contrary to the principle of such welfare provision that the exception is made only if one can demonstrate to an official that there is exceptional hardship. The amendment is thus entirely reasonable. It preserves legal aid for such cases at nil cost to the Exchequer, as we have already demonstrated. To show the total reasonableness of our approach, it retains legal aid but provides that, even in such cases, legal aid will not be available if the determining officer is satisfied that a suitable conditional fee agreement is available.

The effect will be that, faced with those disadvantaged groups, a solicitor will apply for legal aid as of right. The determining officer will be able to ask that solicitor why a conditional fee agreement is not available and the solicitor will say, "Because of the immense complexity of the matters involved."

Mr. Deputy Speaker: Order. May I gently remind the hon. and learned Gentleman that he should address the Chair?

Mr. Marshall-Andrews: Of course, Mr. Deputy Speaker. The determining officer will then be able to say, "We will provide money from the hardship fund." Thus the right is preserved, and will be removed only if there is a genuine alternative available. That would retain a perfect system.

Mr. Nick Hawkins (Surrey Heath): I speak in support of amendment No. 99, standing in the names of my right hon. and hon. Friends and myself, and also supported by the hon. Member for Torridge and West Devon (Mr. Burnett). I thank the hon. Gentleman and the Minister for their kind congratulations. I am especially pleased that you, Mr. Deputy Speaker, are in the Chair when I speak for the first time as an official Opposition spokesman, given our mutual links with the town of Bedford and our interest in sport, which may be relevant to one of the cases that I wish to cite on this very serious matter.

I also pay tribute to the hon. and learned Member for Medway (Mr. Marshall-Andrews). On Second Reading, the hon. and learned Gentleman spoke immediately after me and we found much common ground on that occasion, as on this. Both of us have spent much time representing people in court on the same circuit. In his longer and more distinguished legal career, he has frequently taken up causes such as that which he supports tonight. Although amendment No. 99 is in slightly different terms to amendment No. 95, I know that he will acknowledge that it is to much the same effect. Both of us seek to persuade the Government that it is crucial to protect the rights and the needs of the disadvantaged—those in greatest need.

In the past in a debate in a previous Parliament, I was the first hon. Member to use the acronym MINELA—or middle income, not eligible for legal aid. MINELAs are a hard-pressed group. Unfortunately, the Government will create many more MINELAs because many more people will not be eligible for legal aid.

It is a pleasure to me to talk about those with a compelling reason to need legal aid. I pay tribute to many voluntary organisations that have worked with the Law Society and the Bar Council, on whose general management committee I had the honour to serve for several years, in seeking to advance the case of those who will be in need of legal aid in the future, as many people have been in the past. It has been a good campaign, supported by a variety of voluntary groups. The Law Society, in its briefing for the Report stage, mentions support from the Child Poverty Action Group, the Law Centres Federation, Mencap—for whom I was working along with many other hon. Members at an event this afternoon within the precincts of the Palace of Westminster—the Royal Association for Disability and Rehabilitation, or RADAR, the Royal National Institute for Blind People, the Advice Services Alliance, the Consumers Association, Justice, the Legal Action Group, the National Association of Citizens Advice Bureaux, Refuge, the Royal National Institute for Deaf People and the Institute of Legal Executives. That is a powerful coalition supporting the arguments that the hon. and learned Member for Medway and myself are putting tonight to try to persuade the Government, even at the last minute, that there are good reasons to keep legal aid available for those in greatest need where compelling reasons exist.

I recommend the excellent publication *The Lawyer* to all hon. Members, even if they are not lawyers, because it has highlighted the problems with the Bill sensibly and clearly. It has described cases from the past that show why legal aid should continue to be available in the future. I said that one of those cases involved sport, and it is well known to all hon. Members, being the case of Ben Smoldon, who was just 17 when he tragically broke his neck during a rugby match in 1991. In the case of Smoldon *v.* Whitworth and Nolan, the principles that affect the control of rugby matches—a game well loved by you, Mr. Deputy Speaker, and me—were set out. That case, of a 17-year-old injured in a rugby match through no fault of his own, was tragic and there was no doubt that legal aid was vital. Ben Smoldon's solicitor, Mr. Lee of Evill and Coleman said

"The Legal Aid Board always supported the case even though it knew there was a chance we wouldn't be successful. The prospects of a win were just not high enough for us to take this on a no win, no fee basis."

I am sure that the hon. and learned Member for Medway will agree that that is the kind of case in which legal aid is vital.

The next example suggested by *The Lawyer* is the case of Justice for the Longcare Survivors *v.* Buckinghamshire County Council. As that case is still pending, I shall not go into any details, but it concerns allegations of child abuse. It is another example of a case in which legal aid for those bringing cases in the civil courts will be vital. Another example is the case of Daniel Burnett suing by his "next friend" in James Potter *v.* Steven John Duckworth, in which a 17-year-old cyclist was left with severe head injuries after being hit by a car in November 1993. He succeeded in that case in proving the liability of the driver despite completely conflicting statements by witnesses. Daniel Burnett's mother said:

"My son's life has been ruined through no fault of his own. I just can't imagine what we would have done if we hadn't been able to bring this case."

Legal aid was vital in enabling them to do so.

Another case cited was that of Dipesh Parmar *v.* E Castle. *The Lawyer* says:

"Six-year-old Dipesh Parmar was left confined to a wheelchair and in need of permanent artificial ventilation after a lorry attempted a right turn into the path of the vehicle that he was travelling in."

His solicitor said:

"Had the family not been entitled to legal aid they would not have been able to fund the medical reports, which would have made the case very difficult."

That is another case that is an example of the compelling reasons for legal aid to continue to exist.

Another example is the case of June Hancock *v.* JW Roberts Ltd. *The Lawyer* says:

"In 1996 a dying woman successfully won damages of £65,000 for the effects of asbestos dust in an area where she had played as a child around 60 years earlier."

Her solicitor worked for the Sheffield firm of Irwin Mitchell, which specialises in personal injury matters, among other things. He said:

"It was a very, very difficult case, the like of which I doubt I will ever see again. Lots of firms refused to take it, even on a legal aid basis . . . My fear is that such ground-breaking cases will not be brought forward in the future, because without legal aid support lawyers will not be able"

to take them on.

The cases that I have cited are very powerful. I hope that hon. Members on all sides of the House will recognise that a powerful coalition of voluntary organisations supports the proposals contained in the amendments.

Mr. David Kidney (Stafford): I hope that the hon. Gentleman will clarify something for me. The Bill allows the Lord Chancellor, by direction, to disapply the bar on personal injury cases, and the explanatory notes state that the Lord Chancellor has in mind cases in the public interest or with high investigative costs. Amendment No. 99 states that the bar would be disapplied

"save where compelling reasons exist".

Is that an attempt to insert into the Bill a statutory recognition of the explanatory notes, or will the "compelling reasons" go wider than the classes of case mentioned in those notes?

Mr. Hawkins: My intention is that the words "compelling reasons" would go wider. The all-encompassing phrase in the amendment is intended to cover the types of cases that I offered as examples, and the points made by the hon. and learned Member for Medway. The amendment goes much wider than the disapplication of the bar proposed in the Bill and explained in the notes.

Finally, I shall quote from *Counsel* magazine, a publication covering the work of those who share my profession at the Bar. An article by David Bean QC, a distinguished employment lawyer, discusses the Bill's abolition of legal aid for personal injury actions and calls it puzzling.

"Puzzling, because it is both unpopular and unnecessary. The success rate for legally aided plaintiffs is very high: the few cases which have been wrongly allowed to proceed could be reduced to a trickle by a more rigorously applied merits test and the new powers under the Civil Procedure Rules to dispose summarily of weak cases."

The Government are not allowing those new powers to be used. They want the blanket removal of legal aid for personal injury. We think that that is wrong, and that "compelling reasons" should allow legal aid.

8.30 pm

Mr. Vaz: This has been a good debate, although short. I begin by thanking my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) for ensuring that the House had an opportunity to discuss these matters.

I have enormous respect for my hon. and learned Friend and have admired him for many years. We are bonded through the threads of history, as we fought elections in the former Richmond and Barnes constituency in successive years. He got 8,000 votes, and I got 3,000, which makes him three times the man that I am.

My hon. and learned Friend raised some very important issues with his amendment, and I hope that I will be able to deal with them all in the short time available. I know what his views are, as I have read them in *The Guardian*. In an article published on 23 March, he described the Bill as "good, bad and awful". He made a passionate and eloquent case for the amendment, but I hope to convince him that the Government are as concerned as he is and that he need not worry, as all the groups that he mentioned will be protected under the Bill.

Amendment No. 95 would ensure that legal aid was available in personal injury cases for children, patients within the meaning of the Mental Health Act 1983, persons with disabilities and people in receipt of income support, unless the commission decided that a conditional fee agreement was available in an individual case. It has been made clear on many occasions that the Government have decided to withdraw legal aid from the vast majority of personal injury cases because they are satisfied that a conditional fee agreement will be available in that majority of cases. To insist that the commission examine every case individually to ensure that such an agreement is available would create enormous administrative expense, which would lead inevitably to a reduction in the money available to fund deserving cases.

Mr. Burnett: Who is expected to pay the insurance premiums for after-the-event cover of defendants' costs in respect of the conditional fee agreements?

Mr. Vaz: As I shall explain, the insurance premium point has been dealt with. The premium is recoverable in the event of a successful action, and practitioners should be able to bear the initial cost.

There is no reason why those who lack the legal capacity to act for themselves should not be able to benefit from a conditional fee agreement. I accept that special provision may need to be made for individuals lacking legal capacity in the regulations governing the use of conditional fees. My Department will consult on draft regulations over the summer and will specifically seek views on this issue.

It is important that a litigation friend acting on behalf of a child or patient should fully understand the conditional fee agreement and any potential liability that he or she is accepting on the child's or patient's behalf. It is sometimes suggested that children and patients are unsuitable—for reasons of age or disability—for conditional fee agreements, because gathering the evidence required to establish whether there is a viable case is lengthy and costly. That may be so, but, as the Lord Chancellor and my predecessor have repeatedly pointed out, help will still be available where the initial investigation is exceptionally expensive. The hon. Member for Surrey Heath (Mr. Hawkins) cited the cases of Ben Smoldon and others. Under the directions already announced, that case, and most of the others quoted from *The Lawyer*, would clearly be eligible for legal aid.

It is asserted that it can be very hard to win cases because a court might not accept evidence from the people to whom I have referred. I acknowledge that that may be true, but I do not accept that we should commit public funds to support a case in which a solicitor knows that an individual—for whatever reason—has a very small chance of success. I would go further: everyone involved should think carefully before placing a vulnerable person in the position of taking forward litigation if they know from the outset that the chances of success are slim.

Mr. Grieve: The Minister said that the cases cited by my hon. Friend the Member for Surrey Heath (Mr. Hawkins) would have been eligible for the help that he is describing. He may say that with the benefit of hindsight, but he has also suggested that the help will not be available under the criteria that he will apply. He will deprive the litigant of the assistance required in precisely those cases in which it is most difficult to assess whether they will succeed at trial.

Mr. Vaz: I am surprised at the hon. Gentleman, who is a barrister. He was not listening to me. I said that most of the cases cited by the hon. Member for Surrey Heath would be covered. I also said that a case would be covered if there was a high investigative cost or if the wider public interest applied.

The amendment would offer similar protection to all individuals who have a disability within the meaning of the Disability Discrimination Act 1995. Some of those individuals will be patients under the Mental Health Acts, and I have already dealt with their position. For the rest, it is frankly insulting to assume that simply because a person has a disability, he or she is in some way less capable of running his or her own affairs and reaching an agreement with a solicitor than a person without such a disability would be. The amendment would extend legal aid to all people with disabilities, regardless of their means. That is not the position now, and I do not accept that it should be the position.

Finally, the amendment would give legal aid in personal injury cases to individuals on income support. It is alleged that many people on income support would

be unable to afford even the modest insurance fees charged to support a personal injury case. That may well be so, but as the Lord Chancellor and others have pointed out, we do not expect such individuals to bear the cost of premiums. Insurance premiums and disbursements are generally low in personal injury cases, and we expect solicitors' firms to bear the costs as normal business overheads. Such cases are profitable for solicitors, allowing them to recover a percentage uplift in addition to their usual fee. There is no reason why they, like any other business, should not bear overheads before a profit can be realised.

I shall tell the House just how inexpensive the majority of cases are. In 1996-97, some 83,852 personal injury cases were funded by legal aid. Of those, 11,868 were clinical negligence cases, which will remain within the scope of the law. Of the remaining 71,984 cases, 89 per cent. cost £6,000 or less, 84 per cent. cost £5,000 or less, and 81 per cent. cost £4,000 or less. Those figures are total costs for the cases—all disbursement costs, including counsel's fees. With all costs included, the vast majority cost less than £4,000. The average amount of disbursements paid out by solicitors in cases costing £4,000 or less was only £304.

It is clear from the costs that those cases did not require exceptionally large amounts of work or expenditure by the solicitors. Nor were the costs of investigation particularly high. I do not accept that there is any reason why those on income support should be unable to benefit from conditional fee agreements.

Dr. Lynne Jones (Birmingham, Selly Oak): In such cases, where conditional fee agreements were available, people would not be eligible for legal aid under my hon. Friend's amendment. Is that not the case?

Mr. Vaz: Conditional fee agreements have worked in the cases that I have mentioned, and they will work. Since I took on this job, I have visited several legal aid firms. I have not come across a legal adviser who has not said that the schemes work. It is wrong to commit taxpayers' money for cases that have no chance of success. That is why we cannot accept the amendment.

On amendment No. 99, to which the hon. Member for Surrey Heath spoke, my predecessor said in Committee that we might have sympathy with such an amendment if it were intended to do no more than signpost the fact that the Lord Chancellor had direction making powers to make exceptions to the exclusions in schedule 2, and that he could be expected to use them. Unfortunately, the amendment would not achieve that. It leaves unclear who is to define what constitutes a compelling reason. It could be the Lord Chancellor, the commission or even the applicant. As drafted, therefore, it is a recipe for confusion with all the scope that that would create for wasteful satellite litigation. In so far as it would allow the Lord Chancellor to define "compelling reasons", it is no more than a signal of our clear intentions and, as such, strictly unnecessary. The Lord Chancellor has frequently said that he will use his powers under clause 6(8) to authorise the commission to fund cases where the initial investigative costs or overall costs are exceptionally high and in cases that raise matters of wider concern.

My hon. and learned Friend the Member for Medway mentioned hardship cases. We will consult on the funding code in the autumn. People will have the opportunity to comment on what he described as hardship cases. The commission already has power under clause 6(8)(b) to approach the Lord Chancellor to request him to authorise funding in an individual case, although he intends, quite rightly, to use that power only very exceptionally.

I stood at the last general election on the same manifesto as my hon. and learned Friend the Member for Medway. There is a belief that if people are cut, they bleed but that Ministers do not, even if they are stabbed in the back. We believe as firmly as he does in the need to protect all the people that he mentioned. The proposal will not prevent anyone who is going to get legal aid from receiving legal aid. We believe that our arrangements, with our approach to the funding code, which allows consultation and means that the funding code will have to come back to this House under the affirmative resolution procedure, will give people an opportunity to put forward their cases. I would not stand here at the Dispatch Box to ensure that any of those people would not get legal aid in such cases.

Mr. Marshall-Andrews: In the one minute remaining, may I say that I listened with great respect to my hon. Friend in the hope of being persuaded. I regret to say that I am not. On the core issue, the principle is still the same. The right to legal aid is being removed from the weakest in the land and in its place is being put only the possibility that they may, in individual cases, receive money from the hardship fund. I could not go into the Lobby with him on that basis and I will in due course press the amendment to a vote.

Mr. Garnier *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question accordingly put, That the amendment be made:—

The House divided: Ayes 173, Noes 291.

Division No. 216] **[8.44 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Clappison, James
Allan, Richard	Clark, Dr Michael *(Rayleigh)*
Amess, David	Cohen, Harry
Ancram, Rt Hon Michael	Collins, Tim
Arbuthnot, Rt Hon James	Cook, Frank *(Stockton N)*
Baldry, Tony	Corbyn, Jeremy
Beith, Rt Hon A J	Cormack, Sir Patrick
Benn, Rt Hon Tony *(Chesterfield)*	Cran, James
Bercow, John	Cryer, John *(Hornchurch)*
Beresford, Sir Paul	Curry, Rt Hon David
Blunt, Crispin	Dafis, Cynog
Body, Sir Richard	Dalyell, Tam
Boswell, Tim	Davey, Edward *(Kingston)*
Bottomley, Peter *(Worthing W)*	Davies, Rt Hon Denzil *(Llanelli)*
Bottomley, Rt Hon Mrs Virginia	Davies, Quentin *(Grantham)*
Brady, Graham	Davis, Rt Hon David *(Haltemprice)*
Brazier, Julian	Day, Stephen
Breed, Colin	Dorrell, Rt Hon Stephen
Brooke, Rt Hon Peter	Duncan, Alan
Browning, Mrs Angela	Duncan Smith, Iain
Bruce, Ian *(S Dorset)*	Emery, Rt Hon Sir Peter
Burnett, John	Evans, Nigel
Burns, Simon	Faber, David
Burstow, Paul	Fabricant, Michael
Butterfill, John	Fallon, Michael
Campbell, Rt Hon Menzies *(NE Fife)*	Fearn, Ronnie
Chope, Christopher	Fisher, Mark
	Flight, Howard

Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Hurst, Alan
Jack, Rt Hon Michael
Jenkin, Bernard
Jones, Dr Lynne *(Selly Oak)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livingstone, Ken
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McDonnell, John
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Mahon, Mrs Alice
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Mates, Michael
Mawhinney, Rt Hon Sir Brian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Wise, Audrey
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Kelvin Hopkins and Mr. Alan Simpson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benton, Joe
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Howarth, George *(Knowsley† N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
Mactaggart, Fiona

McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Singh, Marsha
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. David Hanson and Jane Kennedy.

Question accordingly negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Schedule 3

CRIMINAL DEFENCE SERVICE: RIGHT TO REPRESENTATION

Amendments made: No. 45, in page 69, line 39, leave out first 'of' and insert 'to'.

No. 46, in page 69, line 42, leave out first 'of' and insert 'to'.

No. 47, in page 70, line 3, leave out first 'of' and insert 'to'.

No. 48, in page 70, line 5, leave out first 'of' and insert 'to'.

No. 49, in page 70, line 6, leave out 'before a court'.

No. 50, in page 70, line 10, leave out first 'of' and insert 'to'.

No. 51, in page 70, line 13, leave out third 'of' and insert 'to'.

No. 52, in page 70, line 16, leave out 'the' and insert 'any'.

No. 53, in page 70 line 18, at end insert—

'(6) The powers of a magistrates' court for any area under this paragraph may be exercised by a single justice of the peace for the area.

(7) Any rules under section 144 of the Magistrates' Courts Act 1980 which provide for the functions of a single justice under sub-paragraph (6) to be exercised by a justices' clerk may make different provision for different areas.'.

No. 54, in page 70, line 21, leave out first 'of' and insert 'to'.

No. 55, in page 70, line 22, leave out 'of' and insert 'to'.

No. 56, in page 70, line 24, leave out third 'of' and insert 'to'.

No. 57, in page 70, line 31, leave out 'of' and insert 'to'.

No. 58, in page 70, line 32, leave out 'of' and insert 'to'.

No. 59, in page 70, line 34, leave out 'of' and insert 'to'.

No. 60, in page 71, line 3, leave out 'of' and insert 'to'.—*[Mr. Hill.]*

Schedule 4

AMENDMENTS CONSEQUENTIAL ON PART I

Amendments made: No. 61, in page 71, line 16, at end insert—

'The Criminal Appeal Act 1968 (c.19)

. In section 50 of the Criminal Appeal Act 1968 (meaning of "sentence"), at the end insert—

"(3) An order under section 17 of the Access to Justice Act 1999 is not a sentence for the purposes of this Act.".'.

No. 62, in page 71, line 23, leave out 'of' and insert 'to'.

No. 63, in page 71, line 33, leave out 'of' and insert 'to'.

No. 64, in page 71, line 42, leave out 'of' and insert 'to'.

No. 65, in page 72, line 11, leave out 'of' and insert 'to'.

No. 66, in page 73, line 40, at end insert—

'. The Supreme Court Act 1981 has effect subject to the following amendments.

. In section 28 (appeal by way of case stated from decisions of Crown Court, other than those relating to trial on indictment), at the end insert—

"(4) In subsection (2)(a), the reference to a decision of the Crown Court relating to trial on indictment does not include a decision relating to an order under section 17 of the Access to Justice Act 1999."

. In section 29 (judicial review of decisions of Crown Court, other than matters relating to trial on indictment), at the end insert—

"(6) In subsection (3), the reference to the Crown Court's jurisdiction in matters relating to trial on indictment does not include its jurisdiction relating to orders under section 17 of the Access to Justice Act 1999.".'.

No. 67, in page 73, line 41, leave out

'of the Supreme Court Act 1981'.

No. 68, in page 74, line 5, leave out 'of' and insert 'to'.

No. 69, in page 77, line 22, at end insert—

'The Crime and Disorder Act 1998 (c.37)

. The Crime and Disorder Act 1998 has effect subject to the following amendments.

. In section 50(2) (procedure at early administrative hearing), for paragraphs (a) to (c) substitute "the accused shall be asked whether he wishes to be granted a right to representation funded by the Legal Services Commission as part of the Criminal Defence Service and, if he does, the justice shall decide whether or not to grant him such a right."

. In paragraph 3(8) of Schedule 3 (matters which may be contained in a report of an application for dismissal of charges), for paragraph (g) substitute—

"(g) whether a right to representation funded by the Legal Services Commission as part of the Criminal Defence Service was granted to the accused or any of the accused."

The Disability Rights Commission Act 1999

. In section 8(4)(a) of the Disability Rights Commission Act 1999 (charges to recover costs of assistance in legal proceedings subject to any charge for benefit of Legal Aid Board), for the words from "under" to "Board" substitute "imposed by section 10(7) of the Access to Justice Act 1999 and any provision in, or made under, Part I of that Act for the payment of any sum to the Legal Services Commission".'.—*[Mr. Hill.]*

New Clause 8

POWERS OF OMBUDSMAN

'.—(1) Section 23 of the Courts and Legal Services Act 1990 (recommendations of the Legal Services Ombudsman) is amended as follows.

(2) In subsection (1)(c) (written report of investigation to be sent to person with respect to whom recommendation is made), after "subsection (2)" insert "or an order under subsection (2A)".

(3) In paragraph (e) of subsection (2) (recommendation that costs be paid by person or body to which recommendation under paragraph (c) or (d) applies), for "which a recommendation under paragraph (c) or (d) applies" substitute "pay compensation under paragraph (c) or (d)".

(4) After that subsection insert—

"(2A) If after completing any investigation under this Act the Ombudsman considers that, rather than recommending the taking of any action by any person or professional body under paragraph (c), (d) or (e) of subsection (2), he should make an order requiring the taking of that action by the person or body—

(a) he shall afford the person or body, and the person who made the allegation, a reasonable opportunity of appearing before him to make representations; and

(b) having considered any representations from them, he may, in reporting his conclusions, make the order."

(5) In subsections (3) and (4) (reports), after "recommendation" (in each place) insert "or order".

(6) In subsection (6) (duty to have regard to Ombudsman's report), for "subsection (1)(b) or (c)" substitute "subsection (1)(b), (c) or (d)".

(7) For the sidenote substitute "Recommendations and orders.".'.—*[Mr. Vaz.]*

Brought up, and read the First time.

Mr. Vaz: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments:

Government new clause 9—*Funding of Ombudsman by professional bodies*

Government new clause 10—*The Commissioner*

Government new clause 11—*Commissioner's functions.*

Government new schedule 1—*Legal services complaints commissioner*

Government amendment No. 86.

Mr. Vaz: The Government have tabled four new clauses and a new schedule to amend the powers of the legal services ombudsman, and to establish a new post of legal services complaints commissioner. New clause 8 will amend section 23 of the Courts and Legal Services Act 1990, which established the office of the legal services ombudsman. The ombudsman currently oversees the handling of complaints against solicitors, barristers, legal executives and licensed conveyancers by the professional bodies responsible for setting and maintaining standards of conduct and service within the legal professions.

The 1990 Act allows for new bodies to come within its remit by order of the Lord Chancellor—for example, when new bodies are authorised to grant rights of audience or rights to conduct litigation to their members. The ombudsman can investigate allegations about the way in which a professional body has handled a complaint against one of its members. Section 23 of the 1990 Act sets out what the ombudsman's powers are once an investigation has been completed. These include, in subsection (2), making recommendations to the person complained about, or to the relevant professional body, or to both. Those recommendations can include the payment of compensation to the complainant, and payment to cover the costs of making the allegation.

Under the current legislation, the ombudsman can make recommendations to a person or professional body only about the action that should be taken. The recommendations are not enforceable. That has not caused a problem with the professional bodies hitherto: in every case since the ombudsman scheme began in 1991, the professional bodies have complied with the ombudsman's recommendations. There are, however, a few cases each year where lawyers have refused to accept such a recommendation.

9 pm

Under the current legislation, the ombudsman has very little power to take the matter further. She can only publicise the fact that a recommendation has not been followed—usually by taking out an advertisement in a local newspaper—and then recover from the person involved the costs that she has expended.

The new clause will allow the ombudsman to make a binding order in cases in which she considers that appropriate, which will be enforceable through the courts. Before such a binding determination was made, however, the person or professional body would be entitled to appear before the ombudsman to make representations about the decision.

This extension to the ombudsman's powers will be a welcome addition to her armoury of powers to tackle those who are not providing an adequate service to their clients. It should assist clients in recovering compensation that is due to them and which they would not otherwise receive. The ombudsman will not be obliged to use the powers, but the reserve power will be of value in appropriate cases. The current ombudsman, Ann Abraham, does an excellent job, and I pay tribute to her. I am sure that the extra powers will enable her to carry out her duties even more effectively in future.

The clause also makes a minor amendment to section 23, so that the professional bodies have a duty to have regard to the conclusions and recommendations made by the ombudsman in reports. There was an error in the original drafting of section 23(6). In reality that was not a problem, as the professional bodies have always complied with the ombudsman's recommendations, but it is right to take this opportunity to clarify the legislation.

I shall deal briefly with amendment No. 86, which repeals references in the Courts and Legal Services Act 1990 to consent of the Treasury being required when the Lord Chancellor determines the amount of pay and pensions for the ombudsman and her staff. That is in line with current Treasury policy.

New clause 9 inserts a new sub-paragraph into schedule 3 to the Courts and Legal Services Act 1990. The schedule deals with, among other things, the remuneration, staffing and financial provisions of the office of the legal services ombudsman. The purpose of the new clause is to give the Lord Chancellor the power to require any professional body to make payments to the legal services ombudsman in respect of any of the expenses of the ombudsman. I remind the House that the current relevant professional bodies are the Bar Council, the Law Society, the Institute of Legal Executives and the Council for Licensed Conveyancers.

The Government do not intend to use this power unless the Lord Chancellor appoints the legal services complaints commissioner; I will speak about that post in detail later. The commissioner will not be appointed unless and until the professional bodies are seen not to be making progress with their complaints systems. It is only right that if the commissioner is appointed, and therefore the professional bodies are failing, they should be required to contribute towards the body that oversees complaints handling. The practice elsewhere is for ombudsman schemes to be financed directly by the professions concerned.

However, I reiterate that the Government would not use this power unless and until a commissioner were appointed, and then only for those bodies that were subject to his remit. If any professional body were liable to make payments in this regard, those payments would, of course, be proportionate to the size of the body and the number and nature of the complaints generated. The Lord Chancellor will have similar powers to require payments from the professional bodies to fund the commissioner.

New clause 10 gives the Lord Chancellor power to appoint a legal services complaints commissioner. That is, in part, in response to hon. Members who have been pressing the Government for some time to intervene in the handling of complaints about the legal professions, in particular the Office for the Supervision of Solicitors. My predecessor and I have received many complaints including those from my right hon. Friend the Secretary of State for Culture, Media and Sport; the right hon. Member for South–West Surrey (Mrs. Bottomley); the hon. Member for South Dorset (Mr. Bruce); my hon. Friend the Member for Bradford, South (Mr. Sutcliffe), and the hon. Member for Southend, West (Mr. Amess). I should point out, however, that the commissioner will not be brought into being by the passing of the Bill. The clause simply gives the Lord Chancellor the power to set up the post, if and when it is necessary. I will explain the reasons for this later.

The commissioner will have powers to intervene effectively to improve standards of complaints handling by the legal professional bodies. New clause 11—in particular, subsection (2)—sets out in detail the functions and the powers of the commissioner. In addition to the investigatory powers specified in subsections (2)(a) and (2)(b), the commissioner will have powers to make recommendations about the arrangements for the handling of complaints and any aspect of complaints handling. The commissioner will also have powers to impose targets on the authorised bodies for the handling of complaints. Those targets could include the timeliness of the handling of complaints; customer perceptions of the complaints system; and perhaps targets for training lawyers in complaints handling.

Subsection (2)(e) gives the commissioner power to require a professional body to produce a plan setting out how it intends to improve its complaints handling performance to meet such targets. If a professional body fails to submit such a plan when required to do so by the commissioner, or, having submitted such a plan, it fails to handle complaints in accordance with it, subsection (3) gives the commissioner the power to levy fines on that body.

Subsection (4) provides that, where the commissioner requires a professional body to pay a penalty, he shall afford the body a reasonable opportunity of appearing before him to make representations. It will be for the House to decide, if and when the commissioner is set up, what the penalty should be.

The new post will be financed by a levy on the authorised bodies. I will set out the background which I believe justifies these measures. The provisions on the legal services complaints commissioner will, however, come into force only if it appears to the Lord Chancellor that complaints about members of any professional body are not being handled effectively and efficiently. The Lord Chancellor would use those powers only after a great deal of thought and with a great deal of reluctance. We have not spelt out in the legislation precisely the circumstances in which the Lord Chancellor might use those powers. It is impossible to predict all the circumstances in which the

[Mr. Vaz]

public interest might be best served by using these powers. But the professional bodies will, rightly, wish to know what performance is expected of them.

First, I can assure the House that the Lord Chancellor has no plans to use these powers within 18 months of Royal Assent. In particular, he will want to see the annual report of the Office for the Supervision of Solicitors for the calendar year 2000 in spring 2001. These are reserve powers and we wish to give the OSS in particular the opportunity to put its house in order. I shall shortly be seeing the director of the OSS. I know that the Law Society recently published a report from Ernst and Young which set out a blueprint for a more efficient system of dealing with complaints against solicitors.

Secondly, we intend to tell the professional bodies about the sort of performance that would ensure that the Government will not use these powers. We will meet representatives of the Law Society and the other professional bodies during the next few months to find out how they view their present performance and what improvements might reasonably be expected. In the light of those consultations, the Government will give their view on what performance would persuade the Lord Chancellor not to use his powers.

These consultations will principally concern the Law Society, which is by far the largest professional body and which generates by far the largest volume of complaints. But we will also consult the Bar Council, the Institute of Legal Executives and the Council for Licensed Conveyancers, to whom the legislation equally applies. We will involve the legal services ombudsman in this process because of her considerable knowledge of complaints procedures and the professional bodies' performance.

It may be helpful if I explain the background to our proposal to take those powers. The OSS, which is an integral part of the Law Society and which has been set up to deal with complaints of inadequate professional service and complaints of misconduct against solicitors, is at present failing to deal adequately with complaints of inadequate professional service. There is a backlog of 9,000 complaints, and it is increasing.

Complaints are not allocated to a case officer for six months. The OSS is the most recent attempt by the Law Society to get its complaints systems right. Like the previous attempts—most notably, the Solicitors Complaints Bureau—it has not been seen to deliver any sustained improvement and there is a good deal of public concern. As I said earlier, certain members of the House are well aware of that and have written to me on behalf of constituents who are extremely concerned by their dealings with OSS. Indeed, the matter has been raised on the Floor of the House at Question Time.

There are arguments that the Government should put the regulation of the legal professions on a statutory basis, perhaps similar to that of the Financial Services Authority or the Immigration Services Commissioner proposed in the Immigration and Asylum Bill. The Government do not accept that argument. Self-regulation remains the best option for the legal professions, whose members must at times oppose the Government strenuously in pursuit of citizens' rights.

Nevertheless, there is a public interest in the efficient handling of complaints by the legal professional bodies. That is why the independent legal services ombudsman was set up by the Courts and Legal Services Act 1990. Although the ombudsman can and does make general recommendations to the legal professional bodies on their complaints handling arrangements, the office exists principally to ensure that individual complaints are effectively dealt with. Its primary remit is to examine and adjudicate on appeals by dissatisfied complainants from the complaints mechanisms of the legal professional bodies. That arrangement is no longer enough. That is why we are introducing legislation to make provision for the new body.

There are signs that the Law Society wants to put its own house in order. A new scheme for the handling of complaints has been put together by the OSS. The Law Society has also recently increased the budget for the OSS. We are not proposing to appoint a commissioner, and therefore bring those powers into force, unless and until an authorised body is clearly failing to make substantial progress in improving its complaints record. We believe those proposals will encourage the Law Society to ensure that the profession makes real improvements in complaints handling.

Turning to the detail of the new clause, our view is that, in practice, the new post, if it is necessary to bring it into force, is likely to be held by the person holding the office of the legal services ombudsman, because the commissioner's role overlaps with some functions of the ombudsman. For that reason, the legislation mirrors the provisions in the 1990 Act relating to the appointment of the ombudsman.

As in the 1990 Act, the proposed legislation provides for the commissioner to be appointed for not more than three years, in accordance with the Nolan guidelines. The commissioner shall be eligible for reappointment on conclusion of that term. As in the 1990 Act, the commissioner may not be a member of the legal profession so that the public can be assured of the impartiality of the postholder. The new clause also gives effect to a new schedule, which makes further provision about practical arrangements of the commissioner's office.

Hon. Members may be concerned that we have introduced these powers to the Bill at a relatively late stage; that is why I have explained the proposals in details. My justification for doing so is that the deterioration in the performance of the OSS has become far more marked recently; and it has recently become clear that the legal services ombudsman will signal to the Lord Chancellor in her annual report at the end of this month that the OSS has not made sufficient progress.

In my view, it would be wrong not to act immediately because we have a clearly appropriate legislative vehicle. The new powers will help to achieve better performance in the handling of complaints, which I know is the aim of the Law Society and the other professional bodies. They are proportionate, appropriate and timely and will be welcomed by the Members of the House and the public at large.

Mr. Garnier: As the Minister said so disarmingly and candidly a moment ago, the new proposals are late, and have been submitted to the public gaze only over the past

10 days or so. I acquit the Minister of presenting them late, because he joined the Department only recently. Moreover, he was courteous enough to invite my hon. Friend the Member for Surrey Heath (Mr. Hawkins), the hon. Member for Torridge and West Devon (Mr. Burnett) and me to his office last week so that we could go through some of the new clauses and amendments that the Government were proposing to table.

9.15 pm

Having acquitted the Minister, however, I cannot acquit the Government of not having come to the aid of the public before now. I am not at all convinced that enough has changed between December—when the Bill was introduced in the other place—and now to make the Government's delay acceptable. It is fair to say that the Minister's predecessor trailed on Second Reading decisions about the Office for the Supervision of Solicitors but I am not persuaded that enough has happened since then to allow for such a delay.

It is fortunate that new clauses 8, 9, 10 and 11 are largely uncontroversial. None the less, it is the duty of an Opposition, and certainly the duty of the House as a whole, to examine carefully amendments to Government legislation that are tabled so late. I therefore propose to take a little look at the new clauses.

I listened carefully to what the Minister said about new clause 8. I understand that it gives the legal services ombudsman power to make binding decisions, rather than merely recommending that individual lawyers or professional bodies take particular action.

Although the ombudsman does not at present have power to order solicitors—or other lawyers—or their professional bodies to pay compensation to clients, the ombudsman does have power to require them to place advertisements, at their own expense, publicising the ombudsman's decision. I understand from solicitors that that is an unreal and unsatisfactory situation, and that it would be far more straightforward, and more useful to the lay client concerned, for the ombudsman to have direct power to make binding orders, rather than simply having a power to embarrass the lawyer or professional body.

The Minister said that the situation at the OSS had changed—had deteriorated—since the Bill first came to public notice. I could probably count on the fingers of one hand the number of complaints that I have received in my constituency about the quality of service provided by solicitors since becoming a Member of Parliament in April 1992.

Mr. Andrew Dismore (Hendon): That is not my experience.

Mr. Garnier: I appreciate that others may have had different experiences. The hon. Member for Dismore—*[Interruption.]* Perhaps I should call him Mr. Hendon. Anyway, the hon. Member for Hendon (Mr. Dismore) has clearly had a wholly different experience. Last week, he and I were at a meeting with the director of the OSS, Mr. Peter Ross, at which the hon. Gentleman painted a picture very different from the one that I knew. It was clear that my experience during seven or eight years here differed greatly from his during the two or three years since his election.

I appreciate that different Members of Parliament will tell different stories. What I ask the Minister is this: what is his evidence—actual evidence, as opposed to simple assertion—that the position changed so dramatically between the beginning of the year and now that it was appropriate to table the new clauses last week?

New clause 9 is intended to enable the Lord Chancellor to require any professional body to make payments towards the cost of meeting the functions of the ombudsman. At present, those functions are funded by moneys provided by Parliament.

The purpose of new clause 9 is to enable the Lord Chancellor to recover from the professional bodies concerned the costs of operating the new functions proposed for the legal services complaints commissioner should it be decided to make such an appointment. The provision for a legal services complaints commissioner and his or her functions are, as the Minister explained, stated in new clauses 10 and 11.

The Opposition say that it is important that the Bill should make it clear that the power to recover costs is intended to apply only to the new functions. At the very least, it is important that the Government should state their plans for the operation of new clause 9. In any case there is some doubt about the appropriateness of the new clause.

Does the Minister agree that meeting the costs of the ombudsman and of the proposed complaints commissioner—I agree that there is some debate on whether the same human being should fill both posts, or whether the posts should be filled by two people—out of moneys provided by Parliament, rather than by levying the professional associations, would help to reinforce the independence of the two offices? Recovering costs from the professional bodies would—or at least could—give rise to the public perception that the ombudsman was not wholly independent of them.

Some people argue that making the professional bodies pay towards the ombudsman's costs would be consistent with the approach taken in other spheres—for example, in the case of the insurance ombudsman. However, that is a false analogy. The insurance ombudsman is the first tier for complaints about individual insurance companies, and the same applies to other ombudsmen in the financial services sector.

The professions already meet the full costs of first-tier complaints. In the case of the Law Society, the profession spends more than £11 million annually on the Office for the Supervision of Solicitors. The legal services ombudsman is a second-tier structure, designed to provide additional public assurance about the operation of the profession's complaints-handling mechanism. It is far more appropriate for such a scheme to be paid for from moneys provided by Parliament than for it to be funded by the professional bodies. I trust that the Minister will be able to help me in addressing my concerns on that issue.

New clause 11 would enable the Lord Chancellor to ask the legal services complaints commissioner to exercise new powers concerning professional bodies. The powers would include setting targets on the handling of complaints, and requiring professional bodies to pay a penalty when they failed to handle complaints effectively.

I understand the argument that it is in the public interest that there should be some means of ensuring that the ways in which the professional bodies handle complaints meet reasonable public needs. There is, indeed, a strong case

[Mr. Garnier]

for providing similar assurances for some of the services that the Government themselves provide directly to the public. I also recognise that the concern underlying new clause 11 has arisen primarily from the difficulty that the OSS has encountered in keeping pace with its increased work load.

As I said, the Law Society already spends £11.6 million annually—about £150 for every practising solicitor—on the OSS. As the Minister said, last February, the Law Society commissioned Ernst and Young, the management consultants, to undertake a review of the OSS's work and to suggest ways forward. The review has now been completed, and paints a very clear picture of how a more effective and efficient complaints-handling system could be achieved. The hon. Member for Hendon and I discussed that matter at our meeting with the director of the OSS.

Later this week, as a first step, the council of the Law Society will be asked to approve a further £5.7 million of expenditure that is designed to enable the OSS to get on top of its work load.

Paradoxically, the increased volume of complaints at the OSS comes at a time when the standard of client care provided by the profession as a whole has—I think indisputably—been steadily improving. Solicitors generally take far more care than they did a few years ago to ensure that clients are aware of likely costs at the outset, and that they are informed of progress on their matter. A whole new culture seems to have developed around the way in which legal advisers, both at the Bar and in the solicitors' profession, treat their clients, and that is much to be welcomed.

Nevertheless, complaints—and the costs of dealing with them—have risen, for two main reasons: increased client expectations about the type of service that they can expect from solicitors; and much-improved information from solicitors about clients' avenues of complaint.

The Law Society tells me that it recognises that there is still some way to go in bringing all solicitors up to the level of the majority in their dealings with their clients. Another matter that came out at the meeting that the hon. Member for Hendon and I attended last week was that we are talking about a small minority of rotten apples in what is otherwise a well-regulated and well-conducted profession. I notice that the hon. Member for Hastings and Rye (Mr. Foster) is here. He was also at the meeting, and I hope that he will be able to confirm what I say. That small number of malefactors brings not just solicitors but the whole legal profession into disrepute. I understand the public's concerns and the need for the Government to do something to assuage them.

The Law Society's continuing efforts in education, together with ensuring that appropriate penalties are imposed on those who let the profession down, are the way forward. Dealing with complaints more efficiently requires effort to reduce the number of complaints and to ensure appropriate prioritisation among those that need to be dealt with. Improved client care, including complaints handling by individual solicitors, can reduce the burden on the OSS. The legal profession should deal with complaints early and follow the example of the three major acute hospitals that serve the Minister's constituency and mine by persuading the complaining client or a member of their family that there are two sides to the argument and that it is possible to admit a mistake without admitting legal liability. The way in which a complaint is initially handled can often save a lot of time and money. I trust that solicitors and barristers will increasingly take a more conciliatory attitude towards those who complain about them and that the somewhat draconian measures that the Government are proposing may not need to be implemented.

The new clause provides for a penalty to be imposed on professional bodies if they fail to provide a satisfactory plan or to deal with complaints in accordance with it. I am instructed by the Law Society that it doubts whether that is appropriate. In any event, the Bill should specify the penalty that might be imposed. I use the term "instructed" because it slips easily from my lips. In my day job, to which I admitted at the start of our debates, I have the advantage—whether my clients consider it such is another matter—of being instructed by solicitors. It simply means that I am provided with information by them. The Law Society has told me about the concern that I am raising. It is only right that the House should take that into account when considering the new clauses. The Minister may be able to give us some help on those concerns.

I do not intend to debate new schedule 1 or amendment No. 86 and I do not invite the House to disagree with the proposals. However, I chide the Government, if not the Minister, for taking until June 1999 to come up with wording for new clauses which, with a little industry, could have been in the Bill when it was published, or at least introduced in Committee.

9.30 pm

Mr. Kidney: I shall not detain the House for long. I congratulate my hon. Friend the Minister on his position and wish him a long and distinguished career in government. I also declare a slight interest as a non-practising solicitor, as mentioned in the Register of Members' Interests.

I welcome the new clauses. The hon. and learned Member for Harborough (Mr. Garnier) mentioned last week's meeting with the director of the Office for the Supervision of Solicitors. I was there too, so I know that it was a very cosy meeting. The hon. and learned Gentleman asked for evidence to support the late tabling of the amendments and asked why they could not have been drafted earlier.

It is certainly a breaking story that the Law Society is proving unable to deal with the number of complaints that are made against professionals. We must first go back to the OSS report for the 16 months to the end of December last year. It shows the staggering fact that just over 75,000 solicitors generated more than 44,000 new matters for the OSS to deal with. At the time of the Standing Committee, we heard the rumour that the ombudsman's report this year would say that the OSS was not coping with the present level of new complaints. This week sees the publication of the Ernst and Young report that was commissioned by the Law Society, which paints the chilling picture that the OSS is receiving more new complaints than it is resolving old ones, so there is a great crisis in the handling of complaints.

I have personal experience in my constituency of the dissatisfied complainant. Although there are not huge numbers of complaints about solicitors in Stafford, we certainly have a persistent complainant who showed me an example of very poor complaint handling by the predecessor of the OSS and the previous ombudsman.

It is important to give members of the public—that is who the complainants are—confidence in solicitors as a profession. They must feel that complaints are dealt with properly and that the Law Society is accountable for dealing with them.

Some of my hon. Friends have tabled an early-day motion in which they seek statutory regulation of the legal profession. They say that there is too great a conflict of interests for the Law Society to deal with complaints. I do not share their view that the Law Society is in some way collaborating with the OSS to support solicitors and do down complainants. In fact, the Ernst and Young report shows that the Law Society has walked away from the OSS, taking its guarantee of independence far too strongly and leaving it to its own devices and unable to cope with the demand on its services. If there is a criticism to be made of the Law Society, it is that it has taken too little interest in, and under-resourced, the OSS.

I welcome the threat that the new clauses present to the Law Society—telling it to put in order complaints against solicitors. As the hon. and learned Member for Harborough said, a small minority of solicitors are producing a large number of complaints. The Ernst and Young report talks of 1 per cent. of all solicitors producing 10 per cent. of complaints. If that is what it takes, there should be a sword of Damocles hanging over solicitors—that they will pay a penalty for failing to deal with complaints and will pay for the commissioner coming in to impose a system for dealing with complaints in a timely manner.

I congratulate my hon. Friend the Minister on introducing the new clauses. I hope that members of the Law Society will recognise that they are certainly in the last chance saloon. This is their last opportunity to clean up their act and deal with complaints in the way that we and every member of the public would expect them to.

Mr. Vaz: Having wished me a long and distinguished ministerial career, my hon. Friend the Member for Stafford (Mr. Kidney) has made me redundant. He eloquently put the case that I intended to make, so I really do not have to speak for very long. Having said that, in parliamentary terms that means that I will speak for just a little longer.

Things are getting worse. The backlog is now 9,000, it takes six months to allocate a case, and new cases are arising at the rate of 90 a week. It is right that, in the first instance, we should leave it to the Law Society and the professional bodies to regulate themselves. The Government are sometimes accused, unfairly, by the hon. and learned Member for Harborough (Mr. Garnier) of seeking to take too many powers. The point is that we are not exercising this power because we believe that the Law Society ought to be left to put its own house in order. That is why we welcome the Ernst and Young report, which points a way for the Law Society. There is a commitment for the Law Society to spend an additional £5.7 million on this issue.

I appear to be the only person involved in the debate who was not at the meeting with Mr. Peter Ross. I feel left out and neglected. I say to the hon. and learned Member for Harborough that he has done his bit in trying to publicise the work of the OSS. He was the host at the launch by the Office for the Supervision of Solicitors of a new hotline for Members of Parliament to ring, and he has been tenacious in his desire to ensure that these matters are publicised.

We can help members of the public by making sure that they know how to make their complaints. The commissioner—if he or she is appointed—will seek to help firms of solicitors put in place appropriate methods of handling complaints. Like the hon. and learned Member for Harborough, I have not had many constituents complaining to me about solicitors. I think that they go to other agencies to do that. However, they must be complaining to somebody, otherwise there would not be a backlog of 9,000. We are leaving the matter up to the Law Society. We are asking it to read the Ernst and Young report, which it commissioned, and to act on it. We want to work with the Law Society, and we will not compel it to do anything until we know what is happening. That is the right way forward.

It is right that the professional bodies should pay. They do not have to pay now, and they will not have to pay until the scheme is brought into effect. However, there are precedents for ombudsmen being paid for by those they seek to regulate. It is right that they should be in that position because they are the professional body dealing with those matters. They have a unique opportunity.

My hon. Friend the Member for Stafford talked about drinking at the last chance saloon. I am a teetotaller, and I do not indulge in such activities. However, the Government want the Law Society to succeed. We desperately want the Law Society to make this work—for itself, for the reputation of our profession and for the public at large. We will give the Law Society the opportunity to succeed. If it wants us to help, it should come and talk to us. That is why I will see Mr. Ross in the near future. His role is important in trying to make sure that the problem is solved.

As my hon. Friend the Member for Stafford said, we are doing this now because the report of the ombudsman is coming out soon. Frankly, this is an appropriate legislative vehicle. We cannot just magic out of Committee a new Bill to deal with one specific issue. This is an opportunity. The Lord Chancellor, who is a listening Lord Chancellor, has decided that he will not take the power now. There is to be an 18-month wait, and we will see how it goes. Matters will then be reported back to the House in the appropriate way.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 9

FUNDING OF OMBUDSMAN BY PROFESSIONAL BODIES

'. In paragraph 7 of Schedule 3 to the Courts and Legal Services Act 1990 (financial provisions relating to Legal Services Ombudsman), for sub-paragraph (1) (Ombudsman's expenses to be defrayed by Lord Chancellor) substitute—

"(1) The Lord Chancellor may require any professional body (within the meaning of section 22 of this Act) to make payments of such amount as the Lord Chancellor considers appropriate to the Ombudsman towards meeting the expenditure incurred (or to be incurred) by him in the discharge of his functions.

(1A) To the extent that that expenditure is not met by payments under sub-paragraph (1), it shall be met by the Lord Chancellor out of money provided by Parliament.".'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 10

THE COMMISSIONER

'.—(1) The Lord Chancellor may appoint a person as Legal Services Complaints Commissioner.

(2) Any appointment of a person as Commissioner shall be for a period of not more than three years; and a person appointed as Commissioner shall hold and vacate office in accordance with the terms of his appointment.

(3) At the end of his term of appointment the Commissioner shall be eligible for re-appointment.

(4) The Commissioner shall not be an authorised advocate, authorised litigator, licensed conveyancer or authorised practitioner (within the meaning of the Courts and Legal Services Act 1990) or a notary.

(5) Schedule (*Legal Services Complaints Commissioner*) (which makes further provision about the Commissioner) has effect.'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 11

COMMISSIONER'S FUNCTIONS

'.—(1) If it appears to the Lord Chancellor that complaints about members of any professional body are not being handled effectively and efficiently, he may by direction require the Legal Services Complaints Commissioner to consider exercising in relation to the body such of the powers in subsection (2) as are specified in the direction.

(2) Those powers are—

(a) to require a professional body to provide information, or make reports, to the Commissioner about the handling of complaints about its members,

(b) to investigate the handling of complaints about the members of a professional body,

(c) to make recommendations in relation to the handling of complaints about the members of a professional body,

(d) to set targets in relation to the handling of complaints about the members of a professional body, and

(e) to require a professional body to submit to the Commissioner a plan for the handling of complaints about its members.

(3) Where the Commissioner requires a professional body to submit to him a plan for the handling of complaints about its members but the body—

(a) fails to submit to him a plan which he considers adequate for securing that such complaints are handled effectively and efficiently, or

(b) submits to him such a plan but fails to handle complaints in accordance with it,

he may require the body to pay a penalty.

(4) Before requiring a professional body to pay a penalty under subsection (3) the Commissioner shall afford it a reasonable opportunity of appearing before him to make representations.

(5) The Lord Chancellor shall by order made by statutory instrument specify the maximum amount of any penalty under subsection (3).

(6) In determining the amount of any penalty which a professional body is to be required to pay under subsection (3) the Commissioner shall have regard to all the circumstances of the case, including in particular—

(a) the total number of complaints about members of the body and, where the penalty is imposed in respect of a failure to handle complaints in accordance with a plan, the number of complaints not so handled, and

(b) the assets of the body and the number of its members.

(7) A penalty under subsection (3) shall be paid to the Commissioner who shall pay it to the Lord Chancellor.

(8) Where a direction under subsection (1) in relation to a professional body has been given (and not revoked), section 24(1) of the Courts and Legal Services Act 1990 (power of Legal Services Ombudsman to make recommendations about arrangements for investigation of complaints) shall not have effect in relation to the body.

(9) No order shall be made under subsection (5) unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

(10) In this section "professional body" has the same meaning as in section 22 of the Courts and Legal Services Act 1990.'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 6

BAR PRACTISING CERTIFICATES

'.—(1) If the General Council of the Bar makes rules prohibiting barristers from practising as specified in the rules unless authorised by a certificate issued by the Council (a "practising certificate"), the rules may include provision requiring the payment of fees to the Council by applicants for practising certificates.

(2) Rules made by virtue of subsection (1)—

(a) may provide for the payment of different fees by different descriptions of applicants, but

(b) may not set fees with a view to raising a total amount in excess of that applied by the Council for the purposes of the regulation, education and training of barristers and those wishing to become barristers.

(3) The Lord Chancellor may by order made by statutory instrument—

(a) amend subsection (2)(b) by adding to the purposes referred to in it such other purposes as the Lord Chancellor considers appropriate, or

(b) vary or revoke an order under paragraph (a).

(4) No order shall be made under subsection (3) unless—

(a) the Lord Chancellor has consulted the Council, and

(b) a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

(5) No provision included in rules by virtue of subsection (1), and no other provision of rules made by the Council about practising certificates, shall have effect unless approved by the Lord Chancellor.

(6) The Council shall provide the Lord Chancellor with such information as he may reasonably require for deciding whether to approve any provision of rules made by the Council about practising certificates.'.—*[Mr. Vaz.]*

Brought up, and read the First time.

Mr. Vaz: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss Government new clause 7—*Fees for solicitor's practising certificates.*

Mr. Vaz: The new clauses relate to practising certificates for barristers and solicitors. Most solicitors are already required to hold practising certificates under the Solicitors Act 1974. The certificates, which are renewed annually, are evidence that the solicitor is properly qualified, and that he or she has abided by the various requirements placed on solicitors, such as having satisfactory insurance arrangements and having paid their dues to the Law Society.

New clause 6 enables the General Council of the Bar for the first time ever to require barristers to hold and pay for practising certificates on a similar basis. It also limits the purposes to which the Bar Council may apply the income that it receives from practising certificates, which will effectively be compulsory subscriptions.

The Law Society already has a statutory power to levy fees for practising certificates, but there is currently no statutory restriction on the society's use of its compulsory fee income. New clause 7 enables the Lord Chancellor to limit the purposes for which the Law Society may apply fee income from practising certificates.

The Government believe that it is right for a regulatory body to be able to charge compulsory fees to those whom it regulates. The Opposition tabled an amendment in another place that would have enabled the Bar Council to charge compulsory fees. That amendment was flawed, but my noble Friend the Lord Chancellor said that active consideration would be given to tabling a suitable amendment at a later stage.

The Bar Council carries out a regulatory function in relation to barristers, which is comparable to that exercised by the Law Society in relation to solicitors but, unlike the Law Society, the Bar Council has no statutory power to enforce the payment of subscription fees by its members. It is estimated by the Bar Council that 10 per cent. of practising barristers currently do not pay their subscription fees. The Government agree that it is unfair that some barristers should not contribute to the costs of the regulation from which all barristers benefit.

The new clause will also enable the Bar Council to require barristers to pay what amounts to a training levy to support pupil barristers or to provide other training. At present, many new barristers, after attending the Bar vocational course and being called to the Bar, are unable to obtain pupillages, and their careers fall at the first fence.

The Government hope that the Bar Council will choose to exercise its new power. It should be a potent means of ensuring more meritocratic entry to the Bar, which suffers from an excessively middle-class image. In short, it is not at present open to all the talents.

The Dearing review made it clear that individuals and professions should be expected to pay for such postgraduate vocational training. At present, neither the year in which the professional qualification is gained, nor the pupillage year, is grant aided. That operates as a powerful deterrent against entering the profession for people from ordinary backgrounds.

Mr. Grieve: I have no objection to the new clause, but I would not want it to go unsaid that, as the Bar currently operates, a large number of chambers supply substantial grants to their pupils to help them to complete their pupillage year.

9.45 pm

Mr. Vaz: The hon. Gentleman is right to remind us that they do that, and it is not only wealthy personages who are able to come here and become barristers. Those training opportunities are very important. I believe that the funding would help to ensure for the future that more people not from privileged backgrounds are able to rise to success at the Bar.

On the detail of the clause, subsection (1) will enable the Bar Council to make rules requiring the payment of compulsory fees for practising certificates for those barristers who provide legal services to the public or to an employer. Subsection (2) provides that the rules on practising certificates may set different fee levels for different classes of barrister, for example according to whether they are employed, non-practising or in private practice or according to the length of time since they were called to the Bar. Subsection (2) also provides that the total amount of money generated from the payment of those fees should not exceed the Bar Council's total expenditure on the regulation, education and training of barristers and would-be barristers.

The Government have considered whether the total amount of fees from compulsory subscriptions should also be available for use on what might be described as the Bar Council's trade union activities. Our view is that they should not. The Government have no intention of creating a closed shop, requiring individual barristers to fund activities which they may not support and may, in fact, be contrary to their interests. Of course, it will be open to the Bar Council to raise money from barristers on a voluntary basis for those purposes, but the days of pre-entry closed shops are ended for trade unions and should not apply to other bodies either.

Nevertheless, the Government accept that there may be other purposes for which it would be appropriate for the Bar Council to use money generated from subscriptions. In considering that possibility, the Government would be guided by the wider public interest. Subsections (3) and (4) therefore enable the Lord Chancellor to add by order to the purposes in subsection (2). The order would be subject to prior consultation with the Bar Council and to affirmative resolution of each House of Parliament.

Subsection (5) requires that the Bar Council's rules on practising certificates be made with the concurrence of the Lord Chancellor who, under subsection (6), may, when deciding whether to approve such rules, request additional information from the Bar Council.

The chairman of the Bar Council, Dan Brennan, has welcomed the proposed introduction of new clause 6. His view is that the clause

"safeguards the income that is essential to our work in regulating the profession in the public interest, and will protect the future of high calibre training and education for the Bar. It is appropriate in our view that all members of the Bar, who enjoy the benefits and services which the Bar Council provides, should pay their fair share of the cost incurred in providing these services."

I want to place on the record the Government's thanks to Dan Brennan and the Bar Council for all the work they have done to facilitate the formulation of this change.

On new clause 7, at present, under section 11(3) of the Solicitors Act 1974, fee income may be applied in any manner that the Law Society may think fit. In Committee, my hon. Friend the Member for Southampton, Test (Dr. Whitehead), who is in his place, tabled an amendment that

[Mr. Vaz]

sought to apply the same restrictions to the Law Society as the Government intend to apply to the Bar. That would have had the effect that practising certificate fees could be used only for the regulation, education and training of solicitors. A large number of other hon. Members expressed their support for the purpose of that amendment. In replying, my predecessor, the hon. Member for Ashfield (Mr. Hoon), said that there was a strong case for such a restriction, but that the Government needed to consider the position carefully before disturbing an arrangement that had been in place for many years.

The Government's initial view, which they conveyed to the Law Society, was that the restriction should be imposed in the same way as for the Bar Council. As I explained in relation to the new clause on Bar practising certificates, our belief is that it is right in principle to define how a professional body may spend money generated from compulsory subscriptions. The Government therefore support a restriction. I am aware that many solicitors would welcome such a move and feel that it would help to ensure that the Law Society remained answerable to the profession. Furthermore, there is a strong argument that the Law Society should be placed on an equal footing with the Bar Council.

Mr. Kidney: I was not one of the large number of hon. Members who expressed support for the new clause in Standing Committee. The new clause would limit what the Law Society could spend its members' money on. At its best, the legal profession is effective in its communication, fearless in its independence and passionate in its defence of liberty and democracy. If the Law Society used those skills in defence of an existing law that the Government wanted to change or to promote a law reform that the Government resisted to such an extent that it became embarrassing for the Government, will my hon. Friend assure me that that would not be a reason for the Government to exercise the power proposed in the new clause?

Mr. Vaz: My hon. Friend should wait to hear what I have to say, but I can assure him that we have thought very carefully about the matter. The challenge is as much for the Law Society as for any other organisation. There is no question of trying to prevent the Law Society from doing what it wants to do. However, it is right that it should put up a case for the way in which that income should be spent.

There was pressure on the Government to introduce the power in the new clause immediately, and that pressure was evident in the amendment tabled by my hon. Friend the Member for, Test. We did not do so, because we listened carefully to what the Law Society had to say. Indeed, my noble Friend the Lord Chancellor met the president of the Law Society, Mr. Michael Mathews, to discuss the Government's position. I was present at that meeting.

Mr. Mathews made some extremely important and useful points at the meeting, some of which related to what my hon. Friend the Member for Stafford said, and some of which have been incorporated in new clause 7. I want to thank Mr. Mathews for the cool, intelligent and thoughtful way in which he approached this issue and deployed his arguments.

As a result, the Government accept that immediate change could be disruptive and unhelpful. We have taken into consideration the full flexibility that the Law Society currently enjoys in the use of its income. The new clause therefore makes no immediate change to the position of the Law Society, but enables Parliament to decide what restriction might be appropriate when the Government—and the Law Society—have had time to consider the issues fully.

Indeed, that debate has started already. It is not for me to intrude on the Law Society's private arrangements, but candidates in the on-going presidential election have rightly started to debate this matter already, albeit in rather colourful language.

We have asked the Law Society to state, within the next 18 months, what activities it believes should be paid for out of compulsory fee income and what activities should be properly funded on a voluntary basis. Therefore, as I told my hon. Friend the Member for Stafford, the challenge is with the Law Society. The Government would be prepared to consider proposals that went beyond the regulation, education and training of solicitors if they were clearly in the public interest or had the overwhelming support of Law Society members. My noble Friend the Lord Chancellor would then be in a position to put fully considered proposals to Parliament.

It is perfectly possible that Parliament may decide to allow the Law Society to raise fees for a wider range of activities than is currently proposed for the Bar Council.

Mr. Grieve: In a sense, the Minister has already answered my question. A little while ago, he said that he was intending to put the Law Society on the same footing as the Bar Council. However, a comparison of the minutiae of new clauses 6 and 7 shows that that will not happen unless or until the order has been laid before Parliament.

Mr. Vaz: When the hon. Gentleman looks at *Hansard* tomorrow, he will see that I did not say that. I said that that was one of the options. He was too busy chatting to the hon. and learned Member for Harborough (Mr. Garnier) and the hon. Member for Surrey Heath (Mr. Hawkins) to give proper consideration to what I was saying. I said that the Government will be prepared to consider the proposals, which went beyond the regulation, education and training of solicitors, if that was clearly in the public interest and if the overwhelming majority of Law Society members favoured such a scheme. I added that it is perfectly possible that Parliament may decide to allow the Law Society to raise fees for a wider range of activities than is at present proposed for the Bar Council. The new clause on Bar practising certificates would enable Parliament to place the Bar's use of fees on the same basis, if that were considered to be the proper outcome.

Subsection (1) of new clause 7 enables the Lord Chancellor to make an order to amend section 11(3) of the Solicitors Act 1974 to restrict the purposes for which the Law Society may apply its fee income. That would leave the regulation, education and training of solicitors, and would-be solicitors, at an irreducible minimum. Subsection (1) would also enable the Lord Chancellor to add to those purposes other purposes that are considered appropriate.

Subsection (2) requires that any order made by the Lord Chancellor should be subject to prior consultation with the Law Society and the Master of the Rolls, and to approval by affirmative resolution of both Houses of

Parliament. I hope that the hon. Member for Beaconsfield (Mr. Grieve) and my hon. Friend the Member for Stafford (Mr. Kidney) are reassured that those processes will have to be completed before the matter is finally determined.

The Government cannot support a situation in which Law Society members are compelled to join a closed shop in order to practise. At the same time, we have no wish to stifle the many useful functions that the society currently performs in the public interest. The Government have listened to the Law Society's concerns and to the issues raised by hon. Members. The clause is an appropriate means of dealing with them and I commend it to the House.

Mr. Garnier: I shall be brief because the timetable motion requires the debate to finish by 10.15 pm. My brevity should not be taken as wholehearted support for what the Government are doing.

The chairman of the Bar may well have wanted new clause 6, but I suspect that he wanted it for reasons different from the Minister's. It would be interesting to compare the words of Mr. Daniel Brennan with those of the Minister to see whether they matched.

Mr. Vaz: They were his words.

Mr. Garnier: They were not only his words. I dare say that the Minister used some of Mr. Brennan's words, but he also used his own, or at least those of his civil servants, which he may have read for the first time this afternoon.

New clauses 6 and 7 cause me concern. New clause 7 seems to be a direct consequence of the Law Society's advertising campaign in March and April, when the Lord Chancellor was stung into conducting a rather ill-tempered debate on Radio 4's "Today" programme. He used fairly intemperate language either in a discussion with Mr. Mathews, the president of the Law Society, or shortly after Mr. Mathews had spoken on the radio.

New clause 7 is the result of pique. It has been produced by a Government and a Lord Chancellor who will brook no criticism. The Lord Chancellor is not prepared to have debated in public any matter of which he disapproves. He—like the Government—finds it uncomfortable to be disagreed with. New clause 7 is the result, introduced out of pique.

Mr. Vaz: The hon. and learned Gentleman is absolutely obsessed with the Lord Chancellor. I shall arrange a meeting for him so that he may see that the Lord Chancellor cares deeply for the professions. None of what the hon. and learned Gentleman has said about the Lord Chancellor fits my noble Friend. The hon. and learned Gentleman can take my word for it that new clause 7 has nothing to do with any Law Society advertising campaign.

10 pm

Mr. Garnier: I believe that the Minister believes that to be the case, but I do not accept that it is credible. No one who heard the Lord Chancellor, or saw his reactions to the advertising campaign, could marry up the arrival of new clause 7, or the threat of such a clause, with what the Minister says. I do not doubt his sincerity or that he believes what he has just told us, but he is being naive.

I have a further complaint about new clause 7, because it could amount to a denial of freedom of expression. Article 10 of the European convention on human rights, to which the Government attach so much importance that they passed the Human Rights Act 1998, allows freedom of expression. If solicitors, through their Law Society, wish to express themselves in a way that is antipathetic to the Government's policies, what right have the Government to intervene to stop them? That is the hidden agenda, if not the effect, of new clause 7, and it is much to be deprecated.

We are used, of course, to this Government bullying and arrogantly trying to wish their demands on the population. We are used to their ignoring Parliament and we have become used in discussing the Access to Justice Bill to them giving themselves and the Lord Chancellor huge executive powers through secondary legislation, some by negative and some by positive resolution. This coat-hanger Bill gives the Lord Chancellor huge executive powers. The new clause is yet another example, introduced at a late stage. It is reasonable to comment on the fact that we know that the motive for introducing it is quite different from what the Minister fondly believes. That is much to be deprecated. I shall not press it to a vote, bearing in mind the time, but it is right to signal our disapproval of how the Government go about such things, as evidenced by new clause 7.

Dr. Alan Whitehead (Southampton, Test): I join my hon. Friend the Member for Stafford (Mr. Kidney) in welcoming my hon. Friend the Minister to his new duties. I wish him a long and adventurous career in his new post. I also need to declare an indirect interest. I think that I am almost unique in the Chamber in not being a lawyer.

Mr. Martin Linton (Battersea): No.

Dr. Whitehead: There is one other non-lawyer. However, my wife is a salaried local authority lawyer and does a very good job.

Far from giving rise to the concern expressed by the Opposition, new clause 7 results directly from new clause 22, which I tabled in Committee. I commend the Minister for putting into the new clause the principle that I advanced in Committee. As he pointed out, section 11(3) of the Solicitors Act 1974 states:

> "All fees received by the Society under subsection (1) shall be applied in such manner as the Society may think fit for the purposes of the Society".

Each year, that fee is charged for a practising certificate. The Law Society has the sanction of the law to charge it. Lawyers are required to pay it even if they do not join the Law Society, and the society can add various levies to it that are also enforceable by law. As far as I know, that is unique. No other professional society, trade union or organisation has such a power enforceable in law in the United Kingdom. I cannot believe that that is right.

I can believe that it is right and admirable that the Law Society charges a fee for the good work that it does. Everyone accepts that it does good work in setting professional standards, maintaining them, training the profession and, above all, regulating it. Those are wholly appropriate things for which to charge a fee, but the society should not have a power in law to do anything else that it wants to. It has been suggested that to say that

[Dr. Whitehead]

this unique position needs to be examined is somehow an attack on the raison d'être of the Law Society. That is nonsense. It is within the power of any society to levy a charge on its members for purposes for which it wishes to raise money. Indeed, I imagine that that is what, after discussion, the Law Society will do.

Mr. Dismore: We heard some talk earlier of the Law Society's anti-legal aid reform campaign. I am sure that my hon. Friend is aware that the Law Society is not the only trade union operating in the legal profession. I am a member of the GMB, which is recognised by a number of law firms. If the GMB had been so stupid as to try to run a similar campaign, it would have had to pay for it out of its political fund, which is the subject of a separate ballot of members, a right to opt out and a separate levy identified as part of the subscription.

Does my hon. Friend agree that it is peculiar that the Conservative party justifies the position of the Law Society under the present arrangements, bearing in mind the strong attitude that it took when in government to trade union political funds?

Dr. Whitehead: My hon. Friend makes a pertinent point that I do not now need to make. It is suggested that the Law Society has immunities, privileges and powers in law that are not available to trade unions and which have been the subject of extensive debate in the House. Yet restrictions on trade unions' powers in this respect were advocated by the Conservative party.

In summary, the reason why I tabled the proposal in Committee was to bring to the Government's attention the principle that the Law Society should not be above the law, as it were. The Law Society should be subject to the same conditions as are assumed to apply to other professional societies. I am glad that the Government have discussed that suggestion with the Law Society. I am pleased to hear that the Law Society has listened carefully to it and appears to be willing to discuss with the Government exactly how such changes might be made.

So the conclusion to the new clause is a happy one. Somewhat to my surprise, I have had a postbag containing letters from solicitors who think that this is a long overdue reform which puts right a wrong that they perceived to be inherent in the Solicitors Act 1974. Despite the protestations of various solicitors, I think that we will eventually achieve a method of regulation for both the Law Society and the Bar Council, which are similar; this anomaly will be rectified, and it will be done in a civilised and straightforward way. I congratulate my hon. Friend the Minister on putting the principle of what I suggested into a new clause and amendments which will work in the interests of all concerned in a way guaranteed to enhance the legal profession rather than to preserve indefensible anomalies.

Mr. Burnett: In view of the time, I shall make just a few points about new clause 7. It is deeply to be regretted that the Bill time and time again operates to arrogate more powers to the Lord Chancellor. Is there no area of the law that the Lord Chancellor does not seek to control and dominate? He is a prominent and powerful member of the Executive and the legislature, and he is the senior judge in the land. He now seeks to undermine the independence of the Law Society, taking powers to take control of many of its affairs.

I have had the privilege of serving on the Law Society's revenue law committee for some 12 years. In opposition and in government, Labour Members have had every reason to be grateful to that specialist committee and to the other specialists committees of the Law Society, which do excellent work in the public interest. That is an example of one sphere of the work of the Law Society over which the Lord Chancellor wants to take control.

It is fundamental to the constitution of any free country that the legal profession be independent. Liberal Democrats strongly oppose new clause 7; it is a vindictive measure against the Law Society for, rightly—I stress, rightly—opposing the removal of legal aid for personal injury cases. The measure will save no money and will prejudice the poor and the vulnerable.

Mr. Vaz: Goodness gracious, Mr. Deputy Speaker. I do not know what has become of the hon. Member for Torridge and West Devon (Mr. Burnett). Where has he been? What has he been taking? There is no reason to get all worked up about this measure. We are not doing anything to the Law Society; we have merely put a challenge to the society that it should justify its use of compulsory fees, over and above what we have proposed. There is plenty of time for people to consult, to put up a case and to put forward their views.

At the moment, the hon. Gentleman is busy discussing tactics with the hon. and learned Member for Harborough (Mr. Garnier), but I can reassure the hon. Gentleman that we introduced the measures because we believed it right to do so. My hon. Friend the Member for Southampton, Test (Dr. Whitehead) made several points—incidentally, I too pay tribute to my hon. Friend's wife; I am sure that she does an excellent job. He raised the whole issue of whether the measure seems to conflict with the European convention on human rights. It could be argued that an unfettered power to raise compulsory subscriptions conflicts with that fundamental human rights convention.

As to whether the measure is a vindictive act in a great conspiracy in which we sit in darkened rooms in the House plotting the downfall of the Law Society—that is, of course, rubbish. The hon. and learned Member for Harborough reminds me of the character from the film "In the Line of Fire" who is obsessed by a particular person. If we broke into his upstairs room, we should see cuttings of the Lord Chancellor pasted on the walls of that darkened room. The fact is that the new clauses are carefully thought out; as my hon. Friend the Member for Test said, they have received widespread support. I am certain that they will be welcomed.

I know that the Bar welcomes the new clauses. Members of the Bar have a responsibility, and they too face a challenge. At my last meeting with the chairman and the vice-chairman of the Bar—the hon. Member for Surrey Heath (Mr. Hawkins) is a former member of the Bar Council and will be aware that it has been campaigning for these changes for many years—they were happy to rise to the challenge and to put forward a case.

Of course, the Bar and the Law Society still have access to voluntary funds and will be able to use them to fund the activities that have been referred to. As I have made clear, nothing will happen for 18 months. They will have an

opportunity to put up a case and to rise to the challenge. I am confident that all the articulate, intelligent, clever and hard working members of the Law Society and the Bar Council will be able to enter a dialogue with the Government. That is all we seek to do.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 7

FEES FOR SOLICITORS' PRACTISING CERTIFICATES

'.—(1) The Lord Chancellor may by order made by statutory instrument amend section 11(3) of the Solicitors Act 1974 (power of Law Society to apply fees payable on issue of practising certificates for any of its purposes) by substituting for the purposes referred to in it (at any time)—

(a) the purposes of the regulation, education and training of solicitors and those wishing to become solicitors, or

(b) both those purposes and such other purposes as the Lord Chancellor considers appropriate.

(2) No order shall be made under this section unless—

(a) the Lord Chancellor has consulted the Master of the Rolls and the Law Society, and

(b) a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 4

CODE OF CONDUCT

'. In the Justices of the Peace Act 1997, after section 39 insert—

"Code of conduct for members etc

39A.—(1) The Lord Chancellor may prepare a code of conduct to be observed by—

(a) members of magistrates' courts committees; and

(b) members of selection panels for choosing members of such committees.

(2) The Lord Chancellor may from time to time prepare a revised version of the code.

(3) Before preparing the code or a revised version of the code the Lord Chancellor shall undertake such consultation as appears to him to be appropriate.

(4) The code, and any revised version of the code, shall come into force as provided by an order made by the Lord Chancellor by statutory instrument; and an order providing for the coming into force of the code or a revised version shall set out the code or revised version.

(5) A statutory instrument containing an order made by virtue of subsection (4) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Noncompliance with code

39B.—(1) The Lord Chancellor may make an order under subsection (2) below if he is of the opinion that—

(a) a member of a magistrates' courts committee; or

(b) a member of a selection panel for choosing members of such a committee,

has, without reasonable excuse, failed to observe the code.

(2) An order under this subsection shall state that the Lord Chancellor is of the opinion mentioned in subsection (1) above and may provide either or both of the following—

(a) that, on the making of the order, the person is to cease to be a member of the committee or selection panel concerned or to cease to be such a member for a specified period; or

(b) that, for a specified period, the person may not be appointed (or co-opted) as a member of any magistrates' courts committee or any selection panel for choosing members of such a committee.

(3) The Lord Chancellor may by regulations made by statutory instrument make provision for the purpose of establishing whether persons have failed to observe the code.

(4) A statutory instrument containing regulations made by virtue of subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.".'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 5

RECOVERY WHERE BODY UNDERTAKES TO MEET COSTS LIABILITIES

'.—(1) This section applies where a body of a prescribed description undertakes to meet (in accordance with arrangements satisfying prescribed conditions) liabilities which members of the body or other persons who are parties to proceedings may incur to pay the costs of other parties to the proceedings.

(2) If in any of the proceedings a costs order is made in favour of any of the members or other persons, the costs payable to him may, subject to subsection (3) and (in the case of court proceedings) to rules of court, include an additional amount in respect of any provision made by or on behalf of the body in connection with the proceedings against the risk of having to meet such liabilities.

(3) But the additional amount shall not exceed a sum determined in a prescribed manner; and there may, in particular, be prescribed as a manner of determination one which takes into account the likely cost to the member or other person of the premium of an insurance policy against the risk of incurring a liability to pay the costs of other parties to the proceedings.

(4) In this section "prescribed" means prescribed by regulations made by the Lord Chancellor by statutory instrument; and a statutory instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) Regulations under subsection (1) may, in particular, prescribe as a description of body one which is for the time being approved by the Lord Chancellor or by a prescribed person.'.

'.—(1) This section applies where a body of a prescribed description undertakes to meet (in accordance with arrangements satisfying prescribed conditions) liabilities which members of the body or other persons who are parties to proceedings may incur to pay the costs of other parties to the proceedings.

(2) If in any of the proceedings a costs order is made in favour of any of the members or other persons, the costs payable to him may, subject to subsection (3) and (in the case of court proceedings) to rules of court, include an additional amount in respect of any provision made by or on behalf of the body in connection with the proceedings against the risk of having to meet such liabilities.

(3) But the additional amount shall not exceed a sum determined in a prescribed manner; and there may, in particular, be prescribed as a manner of determination one which takes into account the likely cost to the member or other person of the premium of an insurance policy against the risk of incurring a liability to pay the costs of other parties to the proceedings.

(4) In this section "prescribed" means prescribed by regulations made by the Lord Chancellor by statutory instrument; and a statutory instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) Regulations under subsection (1) may, in particular, prescribe as a description of body one which is for the time being approved by the Lord Chancellor or by a prescribed person.'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

10.15 pm

MR DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

New Clause 12

ADJOURNMENT OF INQUEST IN EVENT OF JUDICIAL INQUIRY

'.—(1) In the Coroners Act 1988, after section 17 insert—

"Adjournment of inquest in event of judicial inquiry

17A.—(1) If on an inquest into a death the coroner is informed by the Lord Chancellor before the conclusion of the inquest that—

(a) a public inquiry conducted or chaired by a judge is being, or is to be, held into the events surrounding the death; and

(b) the Lord Chancellor considers that the cause of death is likely to be adequately investigated by the inquiry,

the coroner shall, in the absence of any exceptional reason to the contrary, adjourn the inquest and, if a jury has been summoned, may, if he thinks fit, discharge them.

(2) Where a coroner adjourns an inquest in compliance with subsection (1) above, he shall send to the registrar of deaths a certificate under his hand stating, so far as they have been ascertained at the date of the certificate, the particulars which under the 1953 Act are required to be registered concerning the death.

(3) Where a coroner has adjourned an inquest in compliance with subsection (1) above, the Lord Chancellor shall send him the findings of the public inquiry as soon as reasonably practicable after their publication.

(4) A coroner may only resume an inquest which has been adjourned in compliance with subsection (1) above if in his opinion there is exceptional reason for doing so; and he shall not do so—

(a) before the end of the period of 28 days beginning with the day on which the findings of the public inquiry are published; or

(b) if the Lord Chancellor notifies the coroner that this paragraph applies, before the end of the period of 28 days beginning with the day on which the public inquiry is concluded.

(5) Where a coroner resumes an inquest which has been adjourned in compliance with subsection (1) above—

(a) the provisions of section 8(3) above shall not apply in relation to that inquest; and

(b) if he summons a jury (but not where he resumes without a jury, or with the same jury as before the adjournment), he shall proceed in all respects as if the inquest had not previously begun and the provisions of this Act shall apply accordingly as if the resumed inquest were a fresh inquest.

(6) Where a coroner does not resume an inquest which he has adjourned in compliance with subsection (1) above, he shall (without prejudice to subsection (2) above) send to the registrar of deaths a certificate under his hand stating any findings of the public inquiry in relation to the death."

(2) In section 8(4) of that Act (power to summon jury), for "either before he proceeds to hold an inquest" substitute "before he proceeds to hold an inquest, on resuming an inquest begun with a jury after the inquest has been adjourned and the jury discharged".

(3) In the sidenote to section 16 of that Act (adjournment of inquest in certain cases), for "certain cases" substitute "event of criminal proceedings".'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 14

JUDGES HOLDING OFFICE IN EUROPEAN OR INTERNATIONAL COURTS

'.—(1) A holder of a United Kingdom judicial office may hold office in a relevant international court without being required to relinquish the United Kingdom judicial office.

(2) In this section—

"United Kingdom judicial office" means the office of—

(a) Lord Justice of Appeal, Justice of the High Court or Circuit judge, in England and Wales,

(b) judge of the Court of Session or sheriff, in Scotland, or

(c) Lord Justice of Appeal, judge of the High Court or county court judge, in Northern Ireland, and

"relevant international court" means—

(a) any court established for any purposes of the European Communities, or

(b) any international court (apart from the European Court of Human Rights) which is designated for the purposes of this section by the Lord Chancellor or the Secretary of State.

(3) A holder of a United Kingdom judicial office who also holds office in a relevant international court is not required to perform any duties as the holder of the United Kingdom judicial office but does not count as holding the United Kingdom judicial office—

(a) for the purposes of section 12(1) to (6) of the Supreme Court Act 1981, section 9(1)(c) or (d) of the Administration of Justice Act 1973, section 18 of the Courts Act 1971, section 14 of the Sheriff Courts (Scotland) Act 1907 or section 106 of the County Courts Act (Northern Ireland) 1959 (judicial salaries),

(b) for the purposes of, or of any scheme established by and in accordance with, the Judicial Pensions and Retirement Act 1993, the Judicial Pensions Act 1981, the Sheriffs' Pensions (Scotland) Act 1961 or the County Courts Act (Northern Ireland) 1959 (judicial pensions), or

(c) for the purposes of section 2(1) or 4(1) of the Supreme Court Act 1981, section 1(1) of the Court of Session Act 1988 or section 2(1) or 3(1) of the Judicature (Northern Ireland) Act 1978 (judicial numbers).

(4) If the sheriff principal of any sheriffdom also holds office in a relevant international court, section 11(1) of the Sheriff Courts (Scotland) Act 1971 (temporary appointment of sheriff principal) applies as if the office of sheriff principal of that sheriffdom were vacant.

(5) The appropriate Minister may by order made by statutory instrument make in relation to a holder of a United Kingdom judicial office who has ceased to hold office in a relevant international court such transitional provision (including, in particular, provision for a temporary increase in the maximum number of judges) as he considers appropriate.

(6) In subsection (5) "appropriate Minister" means—

(a) in relation to any United Kingdom judicial office specified in paragraph (a) or (c) of the definition in subsection (2), the Lord Chancellor, and

(b) in relation to any United Kingdom judicial office specified in paragraph (b) of that definition, the Secretary of State.

(7) A statutory instrument containing an order made under subsection (5) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

New Schedule 1

SCHEDULE

LEGAL SERVICES COMPLAINTS COMMISSIONER

Provision for discharge of functions

1.—(1) The Lord Chancellor may give general directions concerning the discharge of the functions of the Legal Services Complaints Commissioner.

(2) Any such directions shall be published by the Lord Chancellor in such manner as appears to him to be appropriate.

(3) Subject to any such direction and to the provisions of this Act, the Commissioner may make such provision as he considers appropriate for the discharge of his functions.

Delegation of functions

2.—(1) The Commissioner may delegate any of his functions to such members of his staff as he thinks fit.

(2) All reports prepared by or on behalf of the Commissioner must be signed by him.

Remuneration

3.—(1) The Lord Chancellor shall pay to, or in respect of, the Commissioner such amounts—

(a) by way of remuneration, pensions, allowances or gratuities, or

(b) by way of provision for any such benefits,

as he may determine.

(2) If—

(a) the Commissioner ceases to hold office, and

(b) it appears to the Lord Chancellor that there are special circumstances which make it right that he should receive compensation,

the Lord Chancellor may pay to him such sum as the Lord Chancellor may determine.

Staff

4.—(1) The Commissioner may appoint such staff as he thinks necessary for the discharge of his functions.

(2) Appointments shall be made by the Commissioner on such terms and conditions (including terms as to pensions, allowances and gratuities) as he may, with the approval of the Lord Chancellor, determine.

(3) The reference in sub-paragraph (2) to pensions, allowances or gratuities includes a reference to pensions, allowances or gratuities by way of compensation to or in respect of any of the Commissioner's staff who suffer loss of employment or loss or diminution of emoluments.

Annual and other reports

5.—(1) The Commissioner shall make an annual report to the Lord Chancellor on the discharge of his functions during the year to which the report relates.

(2) The Commissioner may, in addition, report to the Lord Chancellor at any time on any matter relating to the discharge of the Commissioner's functions.

(3) The Commissioner shall provide the Lord Chancellor with such information relating to the discharge of his functions as the Lord Chancellor may see fit to require.

(4) The Lord Chancellor shall lay before each House of Parliament a copy of any annual report made to him under sub-paragraph (1).

Accounts and audit

6.—(1) The Commissioner shall keep accounts with respect to his receipts and expenditure and shall prepare a statement of accounts with respect to each financial year.

(2) The accounts shall be kept, and the statement of accounts prepared, in such form as the Lord Chancellor may, with the approval of the Treasury, direct.

(3) The accounts shall be audited by persons appointed by the Lord Chancellor in respect of each financial year.

(4) The auditors shall send to the Lord Chancellor a copy of the statement of accounts and of their report.

(5) The Lord Chancellor shall lay before each House of Parliament a copy of every statement of accounts and auditors' report sent to him under this paragraph.

Financial provisions

7.—(1) The Lord Chancellor may require any professional body in relation to which a direction under section (*Commissioner's functions*) of this Act has been given (and not revoked) to make payments of such amounts as the Lord Chancellor considers appropriate to the Commissioner towards meeting the expenditure incurred (or to be incurred) by him in the discharge of his functions.

(2) To the extent that that expenditure is not met by payments under sub-paragraph (1), it shall be met by the Lord Chancellor out of money provided by Parliament.

(3) The Commissioner may, with the approval of the Lord Chancellor, pay fees or allowances to any person who, in the Commissioner's opinion, is qualified to assist him in the discharge of his functions and who so assists him.

Parliamentary disqualification

8. In Part III of Schedule 1 to—

(a) the House of Commons Disqualification Act 1975, and

(b) the Northern Ireland Assembly Disqualification Act 1975,

(disqualifying offices), insert (at the appropriate place in alphabetical order)—

"The Legal Services Complaints Commissioner."

Parliamentary Commissioner

9. In Schedule 2 to the Parliamentary Commissioner Act 1967 (which lists the bodies subject to the jurisdiction of the Parliamentary Commissioner), insert (at the appropriate place in alphabetical order)—

"The Legal Services Complaints Commissioner."

Acting Commissioner

10.—(1) The Lord Chancellor may appoint a person to exercise the functions of the Commissioner where—

(a) the Commissioner's office becomes vacant, or

(b) the Commissioner is incapable of exercising his functions or considers that it would be inappropriate for him to exercise any of his functions in connection with a particular matter (because of a possible conflict of interests or for any other reason).

(2) A person so appointed shall have the powers of the Commissioner but shall act only in accordance with the terms on which he is appointed.

(3) The Lord Chancellor may pay to any person so appointed such remuneration as he may determine.'.—*[Mr. Vaz.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 27

CONDITIONAL FEE AGREEMENTS

Mr. Vaz: I beg to move amendment No. 23, in page 18, line 14, after

'but', insert (subject to subsection (5))'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Government amendments Nos. 24 to 32.

Mr. Vaz: This group of amendments consists largely of technical amendments, either to ensure that new sections contained in clause 27 have the effect intended, or to make consequential drafting changes to amendments made earlier in the Bill's passage through Parliament.

I shall deal first with amendments Nos. 23 and 26. Part of the purpose of the changes that we have made to definitions of what constitutes a conditional fee agreement is to bring into statute two decisions of the courts from last year. The two cases in question are Thai Trading Co. *v.* Taylor and Bevan Ashford *v.* Yeandle. The full implications of the two judgments have been set out earlier in the Bill's passage and are described in the explanatory notes, so I will not recite them again at this hour. However, the present draft of the proposed section 58 in clause 27 goes further than simply taking those judgments into statute. It would have the effect of making unlawful agreements that are otherwise sanctioned by statute, known as non-contentious business agreements.

This type of fee agreement is intended to provide a way that lawyers can offer to work for clients who have business that will not come, or is unlikely to come, before the courts. There are very many services that lawyers undertake other than litigation in the courts, and the way in which they choose to offer their services—particularly the way in which their fees are calculated—was never intended to be encompassed by the provision in clause 27.

In moving the amendment, I recognise that there is great disquiet that non-contentious business agreements are used to allow solicitors to offer to undertake cases before the employment tribunals on the basis of a contingency fee. Contingency fees are payable only if the client is successful and are calculated solely by reference to the amount of the award made by the tribunal. They allow the lawyer to share in the proceeds of the action. This kind of fee would be unlawful and unenforceable if it were used to fund a case before the courts. My noble and learned Friend the Lord Chancellor has clearly set out his views: he does not believe that that kind of a fee should be used in employment tribunals. It is a quirk of the law that the work of this tribunal falls within the definition of non-contentious work.

The Government will be considering further whether such fees should be lawful in the employment tribunal as part of a review of the practices, rules and procedures of all tribunals that is designed to ensure that they meet the requirements of European Union law and comply with European convention rights. As regards the employment tribunal, it will inevitably require consideration of the present provisions that do not allow the award of legal costs—except in exceptional circumstances—to successful parties.

I think that I can deal fairly quickly with amendments Nos. 24, 25, 27, 29 and 31, which are to the same effect as those urged on the Government in Committee by the hon. and learned Member for Harborough (Mr. Garnier)—I am sorry that he is not in the Chamber to hear me lavish praise upon him. He sought a change in the proposed sections 58 and 58A of the Courts and Legal Services Act 1990 in clause 27 of the Bill. He asked—in a most eloquent manner—that, in place of the term "enhanced fees", we use the term most usually adopted to describe the additional payment due under a conditional fee agreement in the event of success: namely, a "success fee".

In committee, my hon. Friend the Member for Ashfield (Mr. Hoon) said that he had considerable sympathy with the hon. and learned Gentleman and agreed to seek parliamentary counsel's views. It was 11 May, and clearly a good day for the hon. and learned Member for Harborough because we accepted two of his proposals. As far as parliamentary counsel can see, it is possible to replace the term "enhanced fee" with "success fee". The change does not alter the substance, only the terminology.

Amendment No. 28 is little more than a drafting amendment, and follows on from changes made earlier in the Bill's passage to the new section 58 of the Courts and Legal Services Act 1990 contained in clause 27.

In response to concerns about the definition of the parties to a conditional fee agreement, which largely drew on the present definition in section 58(1), the proposed section 58(2)(a) was amended in another place. This subsection as currently drafted defines conditional fees solely in terms of the provider of services under the agreement, not the consumer. The subsection therefore encompasses the kind of collective agreements that membership organisations are likely to use when securing legal services on behalf of members. Amendment No. 28 to new section 58A(6) will ensure consistency with the revised section 58(2)(a).

Finally, amendments Nos. 30 and 32 are technical amendments to bring the language of the two clauses into line with the changes in name brought about by the introduction of the civil procedural rules on 26 April 1999.

I commend the amendments to the House.

Mr. Hawkins: In the temporary absence of my hon. and learned Friend the Member for Harborough (Mr. Garnier), it would be churlish if I did not acknowledge the praise lavished on him by the Minister. We spoke on another occasion about the fact that the term "garnishee order" is familiar to all lawyers. I know that the Minister referred to this as the Garnier amendment.

I am delighted that the Government have accepted the suggestions of my hon. and learned Friend the Member for Harborough. The Bill has undoubtedly been improved, as the term "success fee" will be more readily understood than the phrase "enhanced fee", which was open to possible misinterpretation.

On thanking the Minister earlier for his congratulations and welcome to me, I omitted to welcome him to his new post, as so many other hon. Members have done. May I remedy that omission by welcoming him warmly? I know that we shall have many amenable exchanges, even though we may disagree on some points of substance.

Mr. Burnett: I have made my views on conditional fee agreements known on many occasions during the passage of the Bill. Such agreements are riven with conflicts of

interest. Does the Minister believe that it should be incumbent on any solicitor acting in a conditional fee agreement to disclose that to the solicitor to the other side—not just the existence of the conditional fee agreement, but the amount or the extent of the uplift in such an agreement?

Mr. Vaz: If the solicitor wishes to do so, I do not see why he or she should not.

Mr. Burnett: I am grateful to the Minister. Does he agree that it should be compulsory to make such a disclosure?

Mr. Vaz: The detail of whether or not that should be incumbent on a solicitor will, I hope, be one of the issues considered in the consultation process during the summer months. I am sure that the hon. Gentleman's remarks will be taken into consideration. I am glad to see that the hon. Gentleman is back to his usual statesmanlike approach.

Mr. Peter Bottomley (Worthing, West): I shall intervene briefly, as this is the only part of the discussion that is directly linked to conditional and success fees. I declare an interest. It is recorded in the Register of Members' Interests that I gave expert depositions in some civil liability cases in the United States, where I have seen the most appalling misuse of the courts process by lawyers.

I must be a little careful, as one case is still running. It has been said by others that there has been appalling misuse of the legal process by people who have enormous sums to gain. I do not think that that will happen to the same extent in this country.

I have a brother-in-law who is one of the pro bono solicitors who have been willing to take on cases that most others would not because their lawyer firms have a tradition of doing such work. The idea that we will find sufficient solicitors able to take on conditional fee work in such a way that will replace present legal aid is wrong. I have a current case in my constituency of an elderly woman, who is not the kind who wants to go money grubbing after an accident, who is finding it difficult to find a solicitor to take on her case.

I am not saying that all that would be solved by the amendment and I understand the sincerity of what the Minister has put forward, but many debates on amendments on Report are not just about what is going into present law but are about putting down markers for the next change.

What we are being asked to approve in terms of change to legal aid and the further opening up of success fees and conditional fees will have some benefit. In some ways it will help to restrict the unrestricted growth of legal aid. But it will also have many penalties and consequences which I hope that the Government will monitor. If they do that in association with the professional bodies, there will be much more to gain the next time the House returns to the subject. At the moment, few people would argue that consideration is fully satisfactory.

Mr. Vaz: I thank the hon. Member for Worthing, West (Mr. Bottomley) for his thoughtful and valuable contribution which was sincerely felt. He may have misunderstood the system in America. It has an advanced case of contingency fees, as opposed to conditional fees, which is what Britain has. I, too, have similar reservations to contingency fees being used, but not to conditional fees. These arrangements have proved successful and they can focus the client and the solicitor on issues in a much more productive way. I can assure the hon. Gentleman that the Lord Chancellor and I would not be proposing the changes if we were not satisfied that the agreements do work and will work. However, I shall certainly take on board the thoughts that the hon. Gentleman has expressed today.

Amendment agreed to.

Amendments made: No. 24, in page 18, line 22, leave out 'enhanced fees' and insert 'a success fee'.

No. 25, in page 18, line 37, leave out 'enhanced fees' and insert 'a success fee'.

No. 26, in page 18, line 47, at end insert—

'(5) If a conditional fee agreement is an agreement to which section 57 of the Solicitors Act 1974 (non-contentious business agreements between solicitor and client) applies, subsection (1) shall not make it unenforceable.'.—*[Mr. Hill.]*

Mr. Hawkins: I beg to move amendment No. 98, in page 19, line 3, after 'proceedings', insert

'save those brought under Section 82 of the Environmental Protection Act 1990'.

This is an important amendment. I hope that the House will bear with me if I take a little time to explain why not only we, but the Law Society and the crucial campaigning charitable organisation, Shelter, think so too. We hope to persuade the Minister and the Government that, even if they cannot accept the amendment today, they can, nevertheless, reflect on it further.

The Law Society strongly supports the amendment. It is intended to ensure that the decision of the Court of Appeal in Thai Trading Co. *v.* Taylor, reported in *The Times* on 6 March 1998, to which the Minister referred briefly when dealing with the previous group of amendments, is incorporated in full. The Court of Appeal's decision in that case overruled a previous decision of the divisional court in British Waterways Board *v.* Norman. It thus permits legal representatives to act in housing disrepair cases in magistrates courts for tenants of low means.

All hon. Members will be well aware of the crucial importance of housing disrepair cases involving tenants of low means. Many of us have acted in such cases during our own legal practice and, even more so, non-lawyers will have had such cases referred to them in their constituency surgeries.

10.30 pm

Legal aid is not available to such tenants because proceedings under the Environmental Protection Act 1990 are technically criminal proceedings; they therefore rely on lawyers who are prepared to work on their behalf on a speculative basis. The exclusion of all criminal proceedings from Thai Trading-type conditional fees thus bars those speculative arrangements. That is why we, as well as Shelter and the Law Society, think that the present position is unwise and unhelpful. The amendment would ensure that the rights given by Parliament in the 1990 Act, which was introduced by the previous Conservative Government, are not effectively removed by the Bill.

[Mr. Hawkins]

The Law Society points out—this is bound to be of concern to Members on both sides of the House, but perhaps to Government Back Benchers in particular—that, without that change being made, it will be not at all clear whether the Minister can properly confirm, as he and the Lord Chancellor have sought to do, that the Bill will comply with our obligations under the European convention on human rights. That is also our view.

The Government have incorporated the European convention on human rights into British law and they have to certify that every Act of Parliament will comply with it. That includes the Bill, but we respectfully agree with the Law Society that the Lord Chancellor and the Minister may have grave difficulty in certifying that, unless the amendment is accepted. A similar amendment moved by Lord Goodhart in the other place was withdrawn only after the Government said that they would consider the issue further and, if appropriate, table their own amendment. We therefore find it somewhat surprising that they are not prepared to accept our amendment, or table one very similar, today.

I was a member of the Standing Committee, which debated amendment No. 49 on the afternoon of 4 May. The Minister's predecessor—the Minister of State, Foreign and Commonwealth Office, the hon. Member for Ashfield (Mr. Hoon)—said that he could not accept an amendment that would make public funds available for representation for summary complaints, which are technically criminal proceedings because they require a complaint to a magistrates court to be issued. He argued that the risk of costs not being paid by a defendant was slight and went on to say:

"I believe that other methods of funding such as no-win, no-fee agreements of the type that we constantly discuss can be used and the non-availability of legal aid does not prevent a complainant from taking a reasonable case to court."—[*Official Report, Standing Committee E*, 4 May 1999; c. 160.]

It was, therefore, with considerable surprise that members of the Law Society heard the then Minister say in Committee:

"We believe that it would be imprudent, and possibly unjust, to make a single exception of that kind without fuller consideration of all the issues of the principle and practice raised by doing so."—[*Official Report, Standing Committee E*, 11 May 1999; c. 256.]

The Law Society says that it is not clear why the Government so changed their approach in the week between 4 May and 11 May, and assumes that some lobbying or some departmental interventions might have taken place. Who can say? Perhaps the Minister will enlighten us. However, the consequence is that, unless the amendment is accepted, Parliament will give people a right to take action in respect of housing disrepair and certain other nuisances even though it intends to deny those affected the means to enforce their rights.

Sadly, tenants of houses in disrepair are, by definition, likely to be of limited means. As the Minister must know from his constituency case work, it is extremely rare for such tenants to have the means to fund the legal cost of taking enforcement action. Magistrates court proceedings are an effective means of securing a remedy in such cases. The Law Society rightly says that tenants usually rely on solicitors being willing to take a case in the knowledge that, if unsuccessful, the tenant will be unable to pay their costs.

Many such cases are taken by law centres, and the Government are rightly at pains to say how much they support them. As the Minister knows, law centres are not allowed to charge their clients. Legal aid has never been available for such proceedings. Many may be entitled to free legal advice under the green form scheme, but as the Minister well knows, that cannot cover representation in court proceedings.

The Government propose to clear up any doubt about whether solicitors can act on such a basis by giving statutory force to the Court of Appeal's decision in respect of Thai Trading. That is very welcome. However, the bar on such agreements in criminal proceedings rules out their availability, and the Act will make them unenforceable unless it is changed.

As the issue raises considerable implications relating to the European convention on human rights—Parliament is expressly prohibiting the only kind of arrangement whereby such actions could be funded—the rights given to tenants under section 82 of the Environmental Protection Act 1990 by the last Government would become meaningless. The Bill is called the Access to Justice Bill, but, as the Law Society rightly says, there will be no access to justice for such tenants if it is left unamended. Certainly the Government would be very unwise if, in a Bill that they have entitled the Access to Justice Bill, they denied access to justice in a way that has previously applied.

In Thai Trading Co *v.* Taylor, the Court of Appeal expressly overruled the decision of the divisional court in British Waterways *v.* Norman, which was itself a housing disrepair case. In that case it was held that, in effect, solicitors could not recover costs in successful cases when they had acted speculatively. We want the Government to think again.

I found it particularly moving that a fax briefing that I received from Shelter on this matter drew attention—it was blocked in black—to the fact that Shelter's president had been the late great Cardinal Hume, to whom Members on both sides of the House have paid tribute, and who will be sadly missed in this country. I hope very much that, in tribute to Cardinal Hume if for no other reason, the Government will pay careful attention to what the organisation of which he was president for many years has said about clause 27.

Shelter is absolutely committed to supporting our amendment. It points out that it

"provides a range of legal services for people with housing problems".

and that its advisers

"provide legal advice and assistance on housing matters through our nationwide network on housing aid centres."

It has

"a legal team with a wealth of experience of taking housing cases through the legal system."

It considers the amendment to be vital. It points out that its clients

"are often disadvantaged citizens in urgent housing need,

and says:

"It is vital that such people have access to justice and that their cases are dealt with speedily by the courts."

As Shelter says,

"Section 82 prosecutions provide",

currently,

"a vital remedy for many of our clients, particularly in the social housing sector"—

I am sure that that is important in the constituencies of the vast majority of hon. Members—

"who otherwise have no effective means of combating conditions that may jeopardise the health of their families."

Shelter's housing aid centres deal with numerous cases of that kind every year, helping clients to bring prosecutions when, for example, unscrupulous landlords fail to deal with condensation, dampness or unsafe electrical circuitry. Shelter says:

"Without legal aid or conditional fee agreements to fund these cases, many of them would not be brought."

Shelter says that it hoped that the Government would

"return to its original thinking on this issue by restoring the position to that following the Court of Appeal's judgment in *Thai Trading Co v Taylor* by making a suitable amendment to the Courts and Legal Services Act during the passage of the Access to Justice Bill."

That, it says, was its understanding—as well as the Law Society's understanding—of the statement made by the Minister's predecessor, the hon. Member for Ashfield, in Committee on 11 May.

Shelter does not accept the Government's argument—nor do I, and nor do my hon. Friends—that an exception should not be made to the general principle that conditional fee agreements are not appropriate in criminal proceedings. It says:

"By neither making legal aid available nor allowing conditional fees to fund these cases, many of our clients will be denied access to justice and essential works to improve their living conditions will not be carried out."

This is an important matter, and I strenuously urge the Minister to think again. If he cannot do so tonight, it is still not too late for the Government to indicate firmly that they intend to correct the position. It is not too late for them to accept our amendment—or a very similar proposal—to ensure that people have the opportunity to bring vital cases, and that the rights that they have enjoyed since the Conservative Government's 1990 Act will continue.

Mr. Vaz: I thank the hon. Member for Surrey Heath (Mr. Hawkins) for his kind comments, although we should now draw a line under all the congratulations from both sides of the House—or, in 100 years, people reading today's *Hansard* might think that there was something of a love-in going on. His congratulations, for which I thank him, must be the end of it. I thank him also for moving amendment No. 98 in the way that he has—although I had to pinch myself, as I never thought that I would see the day when a Conservative Front-Bench spokesman quoted Shelter in defence of his case.

As the hon. Member for Surrey Heath said, the amendment would allow conditional fee agreements to be used in bringing criminal prosecutions under section 82 of the Environmental Protection Act 1990.

A similar amendment was tabled in Committee. As my predecessor said then, section 82 of the Environmental Protection Act 1990 provides for summary criminal proceedings by someone complaining of a statutory nuisance. Proceedings under section 82 are criminal proceedings. As such, in principle, they would be excluded under the general exception in section 58(10) of the Courts and Legal Services Act 1990 of criminal proceedings from proceedings in which conditional fees may be used.

I accept that part of the effect of the decision of the Court of Appeal in the case of Thai Trading Co. *v.* Taylor—a case decided last year, in which the Court of Appeal ruled that lawyers may agree with their clients that they will charge less than their normal fees, or no fee at all, if they are unsuccessful on behalf of their client—was to approve the use of conditional fee agreements in cases under section 82.

As the House will know, the decision in Thai Trading overturned an earlier decision, in the case of British Waterways Board *v.* Norman. In the latter case, an agreement between the solicitor and the client that, if the prosecution under section 82 were unsuccessful, the solicitor would not seek to recover costs against the client was held to be unlawful and unenforceable.

The question, therefore, is whether, in bringing the effect of the decision in Thai Trading into statute, we should reflect that decision in its entirety or make it subject to the general principle that conditional fees, with or without enhanced fees, may not be used in criminal proceedings.

There had been some concern, in Committee and elsewhere, about the need to restrict the scope of conditional fee agreements. For that reason, having given the matter very careful thought—and I mean very careful thought; I am sympathetic to what the hon. Member for Surrey Heath said—we have concluded that it would not be right to breach the general principle that conditional fees are not appropriate in criminal proceedings.

Amendment No. 98 proposes a single exception for criminal cases under section 82 of the EPA. There is nothing unique about that provision. There may well be provisions elsewhere in the criminal law with similar effect so that conditional fees might be a possibility. If we are to consider breaching the general principle, it is important that that is undertaken on a logical basis and is not piecemeal. Moreover, such a breach can be undertaken only after very careful thought about the impact of conditional fees—regardless of whether enhanced fees are being sought—in the criminal justice process.

The Government do not believe that such a careful consideration of the issues is possible in the time that the Bill will be considered by the House. We believe that it would be most inappropriate, and possibly unjust, to make a single exception of that type.

The hon. Member for Surrey Heath should not look so sad, because the Government are not unsympathetic to the concerns that lie behind the amendment or to concerns that tenants should be able to ensure that statutory nuisances are dealt with. However, we have to balance those concerns with the potential effect of allowing conditional fees in criminal cases.

Mr. Gareth Thomas (Clwyd, West): I understand the argument that my hon. Friend the Minister is making, but perhaps I could press him on one matter. How does he anticipate that those rather important cases brought under the Environmental Protection Act 1990 will be financed in future?

10.45 pm

Mr. Vaz: In the way in which they are financed at present. Several agencies, including law centres, could help people in that position. My hon. Friend does not have to press me too much, because we are sympathetic, but we do not feel that it is appropriate to breach the general principle now.

I do not accept that the Bill would result in people ceasing to have access to the remedy afforded by section 82. Those with a strong case will continue to be able to prosecute successfully the person or body causing the statutory nuisance and to obtain a costs order in their favour, perhaps using the agencies that I have mentioned. There may be other remedies in the civil courts that they could pursue, for which conditional fees would be available. The procedures put in place by all local authorities that allow their tenants to have defects to their property put right remain.

The issue is raised in my constituency case bag and I am sure that other hon. Members have the same experience. I have set out the Government's view. We are not unsympathetic to the points that have been made, but we are concerned that if we breach the general principle, we shall find ourselves in all kinds of difficulty. In view of the sympathetic comments that I have made, I invite the hon. Member for Surrey Heath to withdraw the amendment.

Mr. Hawkins: I thank the Minister for expressing sympathy with the principles of the points that I have made and with the comments of the hon. Member for Clwyd, West (Mr. Thomas), who is also concerned about the matter. The Minister has promised to continue to look at the issue carefully, and has said that the Government may find another legislative opportunity soon to deal with that and other aspects of the criminal law to allay the concerns of the Law Society and organisations such as Shelter. In view of that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 27, in page 19, line 25, leave out 'enhanced fees' and insert 'a success fee'.

No. 28, in page 19, line 38, leave out from beginning to 'any' in line 42 and insert

'A costs order made in any proceedings may, subject in the case of court proceedings to rules of court, include provision requiring the payment of'.

No. 29, in page 19, line 43, leave out

'the payment of enhanced fees'

and insert 'a success fee'.

No. 30, in page 19, line 45, leave out 'taxing' and insert 'assessment'.

No. 31, in page 19, line 47, leave out

'the payment of enhanced fees'

and insert 'a success fee'.—*[Mr. Vaz.]*

Clause 28

LITIGATION FUNDING AGREEMENTS

Amendment made: No. 32, in page 21, line 19, leave out 'taxing' and insert 'assessment'.—*[Mr. Vaz.]*

Clause 32

RECIPIENTS OF DISABILITY WORKING ALLOWANCE

The Solicitor-General: I beg to move amendment No. 33, in page 22, line 4, leave out 'disability working allowance' and insert 'disabled person's tax credit'.

Mr. Deputy Speaker (Mr. Michael Lord): With this, it will be convenient to discuss Government amendment No. 82.

The Solicitor-General: These technical amendments arise from the inter-relationship between this Bill and the Tax Credits Bill. As currently drafted, clause 32 of this Bill amends the Legal Aid (Scotland) Act 1986 to allow advice and assistance to be provided, without a means test or contributions, to recipients of disability working allowance. That is already the case for recipients of family credit. It is also already the case for recipients of both benefits in England and Wales.

The Tax Credits Bill, which we considered earlier today, provides for family credit and disability working allowance to be replaced by the working families tax credit and the disabled persons tax credit. That Bill also makes consequential amendments, including to the 1986 Act in relation to family credit.

Amendment No. 33 replaces the term "disability working allowance" with the term "disabled person's tax credit" in clause 32. Amendment No. 82 is a transitional provision to allow for the possibility that this Bill will come into force before the Tax Credits Bill.

Amendment agreed to.

Clause 36

RIGHTS OF AUDIENCE: EMPLOYED ADVOCATES

Mr. Vaz: I beg to move amendment No. 34, in page 24, line 31, leave out 'an advocate,' and insert

'a Crown Prosecutor or in any other description of employment,'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 35 to 37.

Mr. Vaz: The purpose of the amendments is to clarify the drafting of clause 36, which enables all employed advocates, including Crown Prosecutors, to appear as advocates in the higher courts if otherwise qualified to do so. It disapplies any professional rules designed to prevent them from exercising rights of audience because of their status as employed advocates.

Amendments Nos. 34 and 37 make it clear that the clause applies to all employed lawyers, not solely to those employed principally as advocates. If suitably qualified, an employed lawyer may exercise rights of audience on even the most occasional basis.

Amendments Nos. 35 and 36 clarify an issue that my noble Friend the Lord Chancellor addressed in another place. The word "capacity" in subsection (2)(a) could be interpreted as enabling an employed advocate to offer their services direct to the public or to the clients of their employers, as distinct from their employers themselves.

Although the Government do not rule out that option in future, as the Lord Chancellor has explained, it is not our intention to authorise that development by means of this clause. The word "capacity"—as the amendments now make clear—was intended to strike down those professional rules which prevent an employed lawyer from appearing as the sole or leading advocate in a substantive case on behalf of his employer.

This is an important clause and is at the heart of the Government's policy on rights of audience. The amendments will help to ensure that the policy cannot be misinterpreted or mistaken.

Mr. Hawkins: It gives me great pleasure to respond to the Minister's helpful clarification of the amendments. As I declared in Committee, when I spoke from the Back Benches, I am a former chairman of the corporate counsels' organisation—the Bar Association for Commerce, Finance and Industry—and in that capacity I welcomed the Government's long-awaited removal of the bar on employed counsel and employed lawyers generally appearing in court on behalf of their employers. It is something for which the organisation that I used to chair campaigned for many years and it is a welcome change.

Some will wish the Government to go even further, and I am grateful to the Minister for indicating that they may be prepared to do so in future legislation, but at this stage the employed Bar generally has got a great deal of what it has long sought.

I think I am right in saying that I am the first corporate counsel ever to be either a Minister or a shadow Minister in any of the legal Departments, and it is therefore with a sense of humility that I speak in that capacity from the Front Bench. Having campaigned for these changes for many years, as a committee member and during my chairmanship of the Bar Association for Commerce, Finance and Industry, I have particular pleasure in welcoming them and the helpful clarification that the Minister has given this evening.

Mr. Dismore: I very much welcome the amendments, particularly those extending rights of audience to employed advocates, particularly solicitors. I am pleased that the clause as amended would get rid of restrictive qualifications, regulations and rules of conduct, but in this context I would highlight the rules relating to court dress, particularly wigs. Unless we have equality of court dress between different advocates there is a risk that although rights of audience may be extended, judges and those trying cases will discriminate between one variety of advocate and another. I therefore urge my hon. Friend the Minister to address that issue.

Mr. Burnett: We support the amendments and the increased rights of audience for the Crown Prosecution Service. In some parts of the country, notably Cornwall, the CPS has enjoyed rights of audience in Crown courts for many years. We also welcome clause 41, which is applicable to all exercising rights of audience, providing for an overriding duty to the court to act with independence in the interests of justice.

The Minister will be aware, however, that we oppose a state defender system. Can he confirm to the House that at the very least the Crown Prosecution Service and the criminal defence service should not come under the aegis of the same Department of State?

Mr. Grieve: The Government are addressing two matters in these amendments. First, they have sought to clarify that employed advocates should appear only on behalf of the person or group employing them and should not sell their services. I am sure that the Minister will find common ground with us in approving of that clarification.

On the second issue, I have one reservation to raise. I do so conscious of the fact that it could also apply to anyone who practises infrequently, whether or not they are employed. The whole thrust of the amendment to allow employed advocates to practise is on the basis that large numbers of highly qualified, employed people are not practising in solicitors' firms or at the Bar, but have all the requisite qualifications to appear in court and should therefore not be denied the opportunity of doing so.

With the change of emphasis introduced by the Parliamentary Secretary and the removal of the word "advocate", it has become quite clear that anyone who may, at one time, have obtained the qualification required to become a barrister or solicitor and who has continued to pay their subscription will be able to appear in court—even if an interval of 30 years has elapsed since they previously did so.

It can equally be said that that problem may arise with people who purport to have practised at the Bar or to have worked for a firm of solicitors and who may not have appeared in court during that period. However, there has at least been the merit of a certain amount of self-regulation or self-criticism within the solicitors' and barristers' profession, which may tend to make it less likely that such people would appear long after their qualifications had become redundant.

The amendment has highlighted the fact that there may well be individuals who will be able, quite easily, to exercise a right of audience in future, claiming all the panoply—including whatever robes may happen to be advocated by the hon. Member for Hendon (Mr. Dismore)—to appear in court, when they are massively poorly qualified to do so, and in circumstances where their employer may not have any capacity to scrutinise their ability to present a case properly.

If we are to go down this road, we will have to start thinking creatively about continuous assessment for barristers and solicitors. Once we get to the point which the Parliamentary Secretary has advocated and almost welcomed, real difficulties will be seen to arise with people who have the nominal qualification, but one that is so old and unused and is being deployed on behalf of so uncritical a client that it will bring the professional qualification into disrepute.

Mr. Garnier: I wish to ask the Parliamentary Secretary one question. Is it the Government's intention—it may be made clear elsewhere in the Bill—to allow employed lawyers to appear in court on behalf of third parties; that is, for people other than their employer? *[Interruption.]*

[Mr. Garnier]

The Solicitor-General appears to be saying no. If that is the case, I will be satisfied. However, the language of the amendments was not as clear as it might have been, although it became marginally clearer as I listened to the Minister, However, the amendments do not deal with the point that I have addressed. If the Minister can give that simple assurance, I will be most grateful.

Mr. Vaz: I am happy to give the hon. and learned Gentleman that assurance.

I congratulate my hon. Friend the Member for Hendon (Mr. Dismore) on his genius in bringing up wigs in the middle of discussions on this amendment. He is incredibly frustrated because his amendments were not called, and he is trying to tempt me down the road of court dress, to which the hon. Member for Beaconsfield (Mr. Grieve) also alluded. I will not go down that road. My hon. Friend and I can have many happy discussions about wigs, but there is no change at the moment.

The hon. Member for Torridge and West Devon (Mr. Burnett) is trying to drive a wedge between my hon. and learned Friend the Solicitor-General and me. My hon. and learned Friend is responsible for the Crown Prosecution Service, and the Lord Chancellor will be responsible for the criminal defence service. There is no empire building. Of course an Order in Council could change the way in which Departments operate, but the Government have absolutely no plans for that and it would be daft of any Government to want to do that in the future.

11 pm

I thank the hon. Member for Surrey Heath (Mr. Hawkins) for his comments, although I said that I would stop thanking and congratulating him. He is very knowledgeable about these issues and I know that during his time as a member of the Bar Council he campaigned hard for these measures. In a spirit of generosity, as we have named some provisions after the hon. and learned Member for Harborough (Mr. Garnier) and the inquest provision is named after my hon. Friend the Member for Hendon, we will name this provision after him.

Mr. Grieve *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman has already made a contribution to this debate.

Amendment agreed to.

Amendments made: No. 35, in page 24, line 37, leave out '[illegible]acity'.

No. 36, in page 24, line 39, leave out 'as advocates' and insert

'or limit the circumstances in which that right may be exercised by them by requiring them to be accompanied by some other person when exercising it'.

No. 37, in page 24, line 43, leave out from beginning to end of line 2 on page 25 and insert 'employed.'.— *[Mr. Vaz.]*

Clause 46

PUBLIC NOTARIES: ABOLITION OF SCRIVENERS' MONOPOLY

Mr. Peter Brooke (Cities of London and Westminster): I beg to move amendment No. 94, in page 27, line 36, at end insert—

'( ) No person shall take or use any name, title or description implying that he is certificated as a notary by the Incorporated Company of Scriveners of London unless he is qualified to practise as a Scrivener notary in accordance with the rules and ordinances of that Company.

( ) A person who contravenes the preceding subsection shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale'.

I immediately declare an interest as a former client of two firms of notaries which, prior to the Bill, were among those to enjoy the central London monopoly. In 1964, I employed the first in Portuguese when I was married by proxy in Brazil. A third of a century later, I employed the other in Spanish when I was a trustee of an archaeological-ecological project in the Andes in Peru. That said, the hour obliges me to speak telegraphically.

My interest in this debate is a constituency one, but in more senses than one. My hon. and learned Friend the Member for Harborough (Mr. Garnier), now the shadow Attorney–General, on which I richly congratulate him—if the Parliamentary Secretary, Lord Chancellor's Department does not rule me out of order—served as a harbinger of my speech when he spoke on the subject in Committee. I am grateful to the Parliamentary Secretary for having written to me on the strength of that speech.

I apologise to right hon. and hon. Members who may have been caught in the crossfire between two of my constituents, the Association of Solicitor Notaries of Greater London and the Incorporated Company of Scriveners of London, although members of the former have acknowledged to me that they have done most of the firing, some of which, including one inaccurate allegation about myself, has been mildly disobliging. The most vehement address, admittedly from someone who is not my constituent, has asked hon. Members to vote against any amendment that I might table, whatever its terms, which seems—I remark neutrally—an eccentric index of notarial professionalism.

The issue of the monopoly came up last year during consideration of the Competition Bill, provoking the Lord Chancellor's Department into accelerated consultation. I do not quarrel with the Lord Chancellor's conclusion, but I hope that he would not quarrel with my observation that the scale of the consultation was limited and that, judging by the parliamentary answer given by the then Minister of State, Lord Chancellor's Department on 2 March, those who were consulted did not include the users of notarial services in my constituency. It was because the consultation was slenderish that I tabled the amendment.

The amendment draws attention to the specialist role of the scrivener notaries, who have long had an interface with continental law; so much so that the society was admitted to the International Union of Latin Notaries at a ceremony in Buenos Aires last September—the first body in the world from a common law jurisdiction to be admitted to the union, which represents something of a triumph for the United Kingdom. The company sets similar admission requirements to those of its European counterparts.

Like many livery companies, the Worshipful Company of Scriveners has been the guardian of the art and mystery of its calling and has played a notable part in education in the profession. The faculty office of the Archbishop of Canterbury, discharging a responsibility in the profession that goes back to legislation in the reign of Henry VIII—an era that coincided with the alternative reign of Cardinal Wolsey—has made much use of the society in the devising, preparation and marking of notarial examinations. It is an irony that in that regard the society may have worked itself out of a job, because examining is passing into other hands and clause 46 will likewise remove it from the role of regulation in my constituency and more widely in central London.

The society's professional expertise has been recognised by the Lord Chancellor's Department which has expressed the view that, if its members have a professional edge, they will be able to demonstrate it in the marketplace. Branding is a reasonable challenge to the society, including perhaps the development of a kite mark, but the world outside—including Europe—has for centuries associated notarial activity in the City of London with the scrivener role, and it is therefore important that the definition and significance of that role can be protected against anyone seeking to arrogate to themselves the renown of scriveners by borrowing the name without justification or, in particular, membership of the company; if not, continental clients may cease to turn to London for those skills.

I said that I did not argue with the Lord Chancellor's conclusion. Ironically, the competition that he is ushering into central London in this regard may be matched by competition provided by the society's member firms outside central London, the society having hitherto felt that its role as a regulator in central London precluded it from competing outside. All would thus be winners, including clients of the various firms.

I hope that the Solicitor-General will indicate that he understands that the strength of the City of London is its multi-layered resource of skills and that that cannot be preserved if, in promoting competition through an afterthought to the Bill—as I am sure he will acknowledge—one risks tarnishing the family silver by removing the reasonable, traditional and honourable hallmarks of quality. The provision in amendment No. 94 should be welcomed as a protection for users. It in no way impedes the legitimate provision of notarial services at any level or description in the City or elsewhere.

Mr. Grieve: I welcome amendment No. 94, because it both meets the issue that the Lord Chancellor was trying to address in removing the monopoly, which appears to be archaic and unnecessary, but at the same time provides some measure of protection to the Incorporated Company of Scriveners in maintaining its identity in so far as the marketplace wishes that identity to be maintained.

The information provided by the Incorporated Company of Scriveners suggested that there are different roles for the notary public and the scrivener notary. In those circumstances, there is a clear entitlement for that distinction to be protected in their titles. I hope that the Government will accept amendment No. 94 because it appears to satisfy the company's just desire that people should not be misled about the different roles.

The Solicitor-General: It is always a pleasure to listen to the right hon. Member for Cities of London and Westminster (Mr. Brooke) and to learn a little more history, both generally and about the Brookes. However, the Government will resist the clause. I should explain briefly the background to the issue as it may not be familiar to every hon. Member.

Notaries authenticate certain legal documents, mainly for use abroad, by signing and sealing them. They may also prepare legal documents for use abroad, undertake conveyancing and probate work, translate foreign legal documents, administer oaths and take affidavits.

The Incorporated Company of Scriveners currently holds a monopoly over notarial work in the City of London and the surrounding three miles. Clause 46 will end that restrictive practice and, we hope, increase competition.

I have three general points to make in relation to the amendment. First, I emphasise that the Government's proposals go no further than abolishing the monopoly. They will not prevent notaries from being members of the scriveners' company if they wish, nor will they prevent members of that company from offering a competitive service compared with other notaries. There will be nothing to prevent notaries from advertising their adherence to the company, if they believe that that is an assurance of quality to the public. Those clients who want the specialist services that scrivener notaries provide will continue to be able to obtain them.

Secondly, I am not convinced that the public could be protected only by the creation of a new offence. Due to the specialist nature of the notarial work, scriveners' clients are not an uninformed group. They include financial and banking institutions and other large commercial organisations. If such clients had any doubt about whether someone was a scrivener notary, it would be open to them to check with the incorporated company.

Moreover, there are existing safeguards for the public against those who seek to misrepresent their position. I make particular reference to section 14 of the Trade Descriptions Act 1968, which covers false or misleading statements as to services. One of the leading cases under that section is Queen *v.* Breeze, which involved a person claiming to be an associate of the Royal Institute of British Architects. That was not true, and the Court of Appeal found that an offence had been committed under the 1968 Act; so the incorporated company may be able to take advice on the protection afforded by that section.

My third general point may be of interest to the House. The titles of "barrister" and "legal executive" are not protected. Under the Solicitors Act 1974, there is an offence similar to the one proposed. It covers people who pretend to be solicitors. However, it applies generally to solicitors, not to any single group. It does not apply, as would the amendment, to a special group of notaries.

Finally, there is no hard evidence that non-scriveners provide any lesser service than scriveners. The Archbishop of Canterbury's faculty office oversees the entire notarial profession and has made it clear that all notaries are qualified to do all notarial acts. The scriveners' monopoly is geographical and limited to certain areas of London. I therefore urge the right hon. Member for Cities of London and Westminster to withdraw the amendment.

Mr. Garnier: I seek clarification from the Solicitor-General. Did he say that section 14 of the Trade

[Mr. Garnier]

Descriptions Act 1968 protects members of the company as a matter of law, or simply that they should take advice about whether it does? I think that we are entitled to the Solicitor-General's opinion.

The Solicitor-General: I give advice to the Government, not to private individuals. However, I urge the society to examine that section of the 1968 Act closely, as its authority bears directly on the matter raised.

Mr. Grieve: The Solicitor-General has advised the House to reject the amendment. One of his reasons is that the protection that it offers is not needed because another is available. In the circumstances, that opinion appears rather pertinent.

11.15 pm

The Solicitor-General: I cited a leading Court of Appeal decision, which the hon. Gentleman should read closely.

Mr. Garnier: Is there a reference?

The Solicitor-General: Yes, it is 1973, Queen's Bench. The hon. Member for Beaconsfield (Mr. Grieve) should receive reassurance from that.

Mr. Brooke: I am grateful to the Solicitor-General for his response. He may not be aware that he made a mild slip of the tongue at the beginning of his speech when, instead of saying that he would resist the amendment, he said that he would resist the clause. As I had graciously said that I would not do so, I thought that position slightly perverse. I mention it merely to show that I was hanging on his lips throughout his speech.

I am grateful for the reference to the Solicitors Act 1974. I had been tempted to include a reference to the definition of solicitors, but the Solicitor–General clearly would have rebuffed me, and I have saved my breath intelligently. I am grateful for the spirit in which he has addressed the society's predicament and for the pointer that he offered, even if he came under sniper fire from elsewhere in the House about the possible paradox or contradiction in his advice. What he said will be helpful to my constituents, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Ordered,

That clause 54 be transferred to end of line 32 on page 33.—*[Mr. Vaz.]*

Ordered,

That clause 59 be transferred to end of line 5 on page 31.—*[Mr. Vaz.]*

Ordered,

That clause 60 be transferred to end of line 32 on page 33.—*[Mr. Vaz.]*

Clause 70

ENFORCEMENT OF COMMUNITY ORDERS

Amendment made: No. 1, in page 39, line 14, leave out from '(which' to 'has' in line 16 and insert

'makes provision about the enforcement of community orders by the Crown Court)'.—*[Mr. Cranston.]*

Ordered,

That clause 70, as amended, be transferred to end of line 32 on page 33.—*[Mr. Vaz.]*

Clause 74

GREATER LONDON MAGISTRATES' COURT AUTHORITY

Amendment proposed: No. 100, in page 44, line 34, leave out from beginning to end of line 10 on page 46 and insert—

'Funding

59B.—(1) The Lord Chancellor may pay grants to the Greater London Magistrates' Courts Authority in respect of the Authority's expenditure.

(2) Grants under this section shall be paid at such times, in such manner and subject to such conditions as the Lord Chancellor may with the concurrence of the Treasury determine.

(3) Each London local authority shall pay to the Authority such amount in respect of—

(a) any kind of the Authority's expenditure in any year; or

(b) if less, such amount as may, in relation to that kind of expenditure and that year, be for the time being determined by the Lord Chancellor,

as may be determined in accordance with regulations made by the Lord Chancellor by statutory instrument.

(4) The Lord Chancellor may by regulations made by statutory instrument make provision as to the making of payments under subsection (3) above, including provision—

(a) as to whether payments are to be made by instalments or otherwise;

(b) as to the time when payments are to be made;

(c) conferring a right to interest on anything unpaid; and

(d) permitting a London local authority to anticipate a payment under this section when making calculations in accordance with section 32 of the Local Government Finance Act 1992 (originally or by way of substitute).

(5) The Lord Chancellor may with the consent of the Treasury make provision by regulations made by statutory instrument as to how any kind of the Authority's expenditure is to be determined.

(6) Subject to any such regulations, the Lord Chancellor may direct that in determining any kind of the Authority's expenditure there shall be taken into account or disregarded, to such extent as may be specified in the direction, such items as may be so specified.

(7) A statutory instrument containing regulations made by virtue of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Mr. Vaz.]*

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 101 to 103 and 105 to 118.

Mr. Garnier: I rise merely to ask—perhaps it should have been a point of order—why the Minister considers it appropriate to move these lengthy amendments formally.

Mr. Deputy Speaker: That is not a matter for the Chair. If the Minister chooses to move them formally, that is a matter for him. If the hon. and learned Gentleman wishes to debate the amendments, he may do so.

Mr. Garnier: I merely seek an explanation from the Minister about what he intends. The Government have

proposed legislation and Ministers are present. It is their duty to explain to the House, and therefore to the public, what they propose to do.

Mr. Deputy Speaker: That is a matter for the Minister, but he has chosen to move the amendment formally.

Amendment agreed to.

Amendments made: No. 101, in page 46, line 14, after 'The' insert 'Greater London Magistrates' Courts'.

No. 102, in page 46, line 38, leave out from 'fund;' to 'arrangements' in line 42 and insert 'and

(b) make'.

No. 103, in page 46, line 45, after 'applying' insert—

'(a) Part VIII of the Local Government Finance Act 1988 (financial administration); and

(b)'. —*[Mr. Vaz.]*

Clause 98

COMMENCEMENT

Amendments made: No. 91, in page 62, line 16, leave out '61,' and insert

'61(2), section 70 and Schedule 10 and section (*Adjournment of inquest in event of judicial inquiry*),'.

No. 3, in page 62, line 17, after & 75' insert

', (*Code of conduct*)'.—*[Mr. Vaz.]*

Clause 99

EXTENT

Amendment made: No. 104, in page 62, line 28, after 'Sections' insert

'(*Judges holding office in European or international courts*),'.—*[Mr. Vaz.]*

Schedule 7

POWERS OF LAW SOCIETY

Amendments made: No. 92, in page 88, line 28, leave out 'necessary' and insert 'appropriate'.

No. 70, in page 88, line 29, leave out 'the rules' and insert

'the provisions of rules made, or of any code or guidance issued, by the Council,'.

No. 71, in page 88, line 30, at end insert—

'. In—

(a) section 32(4) of that Act (power of Council of the Law Society to disclose report or information about solicitor's accounts to Director of Public Prosecutions for investigation and prosecution of offences), and

(b) paragraph 3 of Schedule 2 to the Administration of Justice Act 1985 (corresponding provision in relation to accounts of incorporated practices),

omit "to the Director of Public Prosecutions" and ", if the Director thinks fit,'.

No. 72, in page 88, line 31, leave out

'After section 33 of that Act'

and insert

'In the Solicitors Act 1974, after section 33'.

No. 73, in page 88, line 43, leave out

'to the Director of Public Prosecutions'.

No. 74, in page 88, line 45, leave out

', if the Director thinks fit,'.

No. 75, in page 89, line 4, leave out '(incorporated practices)'.

No. 76, in page 89, line 10, leave out

'to the Director of Public Prosecutions'.

No. 77, in page 89, line 11, leave out

', if the Director thinks fit,'.

No. 78, in page 89, line 13, at end insert—

'Intervention for breach of rules on practice, conduct and discipline

. In Schedule 1 to the Solicitors Act 1974 (intervention in solicitor's practice), in paragraph 1(1) (circumstances in which Law Society may intervene), in paragraph (c) (failure to comply with rules made by virtue of section 32 or 37(2)(c)), after "section" insert "31,".'.

No. 79, in page 89, line 15, leave out 'the Solicitors Act 1974' and insert 'that Act'.

No. 80, in page 89, line 45, at end insert

'and

(b) whichever of the Society and the Tribunal made it may at any time revoke it.'.

No. 81, in page 90, line 9, at end insert—

'. In section 44(2) of that Act (breach of order by solicitor), for the words from "an order" to the end of paragraph (b) substitute "an order under section 43(2) is in force in respect of a person".'.—*[Mr. Cranston.]*

Schedule 10

ENFORCEMENT OF COMMUNITY ORDERS MADE BY CROWN COURT

Amendment made: No. 4, in page 106, leave out lines 11 to 13.—*[Mr. Cranston.]*

Ordered,

That Schedule 10, as amended, be transferred to end of line 36 on page 91.—*[Mr. Cranston.]*

Schedule 11

GREATER LONDON MAGISTRATES' COURT AUTHORITY

Amendments made: No. 105, in page 106, line 20, leave out from beginning to '(definition' in line 19 on page 107 and insert—

'The Public Works Loans Act 1965 (c.63)

. In section 2(1)(a) of the Public Works Loans Act 1965 (authorities to which Public Works Loans Commissioners may make unsecured loans), after sub-paragraph (iv) insert "and

(v) the Greater London Magistrates' Courts Authority;".

The National Loans Act 1968 (c.13)

. In paragraph 1(a) of Schedule 4 to the National Loans Act 1968 (authorities to which local loans may be made), after sub-paragraph (iv) insert "and

(v) the Greater London Magistrates' Courts Authority,".

The Road Traffic Offenders Act 1988 (c.53).

. In section 82(2A) of the Road Traffic Offenders Act 1988'.—

No. 106, in page 107, line 22, at end insert—

'The Local Government and Housing Act 1989 (c.42)

. The Local Government and Housing Act 1989 has effect subject to the following amendments.

. In section 39(1) (authorities to which provisions about revenue accounts and capital apply), after paragraph (e) insert—

"(ea) the Greater London Magistrates' Courts Authority;".

. In section 67(3) (authorities to which provisions about interests in companies apply), after paragraph (g) insert—

"(ga) the Greater London Magistrates' Courts Authority;".'.

No. 107, in page 107, line 24, leave out second 'of' and insert 'to'.

No. 108, in page 107, line 40, at end insert—

'The Local Government Finance Act 1992 (c.14)

. In section 19(2) of the Local Government Finance Act 1992 (exclusion of Crown exemption in relation to certain authorities), after paragraph (e) insert—

"(ea) the Greater London Magistrates' Courts Authority;".'.

No. 109, in page 108, line 1, leave out 'of the Justices of the Peace Act 1997'.

No. 110, in page 108, line 6, leave out 'of the Justices of the Peace Act 1997'.

No. 111, in page 108, line 14, at end insert—

'. For section 50 substitute—

"Pensions of employees of GLMCA

50.—(1) The Lord Chancellor may, with the consent of the Minister for the Civil Service, make provision by order made by statutory instrument for section 1 of the Superannuation Act 1972 (pensions of civil servants etc) to apply to persons employed by the Greater London Magistrates' Courts Authority (and may make such provision by amendment of that Act).

(2) An order under subsection (1) above may provide for the Authority to pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of the increase attributable to such provision in the sums payable under the Superannuation Act 1972 out of money provided by Parliament.

(3) Where an order under subsection (1) above is made, the Minister for the Civil Service may, to such extent and subject to such conditions as he thinks fit—

(a) delegate to any person the function of administering a scheme made under section 1 of the Superannuation Act 1972, so far as relating to employees of the Authority; or

(b) authorise the exercise of that function (so far as so relating) by, or by employees of, any person.

(4) A person to whom the function of administering a scheme made under section 1 of the Superannuation Act 1972 is delegated under subsection (3)(a) above may, to such extent and subject to such conditions as he may determine, authorise the exercise of that function by, or by employees of, any person.

(5) Where a person is authorised under subsection (3)(b) or (4) above to exercise the function of administering a scheme made under section 1 of the Superannuation Act 1972, anything done or omitted to be done by or in relation to him (or an employee of his) in, or in connection with, the exercise or purported exercise of the function shall be treated for all purposes as done or omitted to be done by the person who authorised him.

(6) Subsection (5) above does not apply for the purposes of—

(a) any criminal proceedings against the authorised person (or any employee of his); or

(b) any contract between him and the person who authorised him, so far as relating to the function.

(7) A statutory instrument containing an order under subsection (1) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.".'.

No. 112, in page 108, line 15, leave out 'of the Justices of the Peace Act 1997'.—*[Mr. Cranston.]*

Schedule 12

FUNCTIONS TRANSFERRED TO JUSTICES' CHIEF EXECUTIVES

Amendments made: No. 5, in page 109, leave out lines 25 to 28 and insert—

'2.—(1) Section 13 of the Evidence Act 1851 (proof of previous conviction by copy of record certified by clerk) is amended as follows.

(2) Number the existing provision as subsection (1) and for the words from "under the hand" to "such clerk or other officer," substitute "by the proper officer of the court where such conviction or acquittal took place".

(3) After that subsection insert—

"(2) In subsection (1) "proper officer" means—

(a) in relation to a magistrates' court in England and Wales, the justices' chief executive for the court; and

(b) in relation to any other court, the clerk of the court or other officer having the custody of the records of the court, or the deputy of such clerk or other officer."

The Criminal Procedure Act 1865 (c.18)

2A.—(1) Section 6 of the Criminal Procedure Act 1865 (proof of previous conviction of witness by certificate signed by clerk) is amended as follows.

(2) Number the existing provision as subsection (1) and for the words from "the clerk" to "such clerk or officer," substitute "the proper officer of the court where the offender was convicted".

(3) After that subsection insert—

"(2) In subsection (1) "proper officer" means—

(a) in relation to a magistrates' court in England and Wales, the justices' chief executive for the court; and

(b) in relation to any other court, the clerk of the court or other officer having the custody of the records of the court, or the deputy of such clerk or other officer."

The Prevention of Crimes Act 1871 (c.112)

2B.—(1) Section 18 of the Prevention of Crimes Act 1871 (evidence of previous conviction by record signed by clerk) is amended as follows.

(2) For the words from "clerk of the court" to "such clerk or officer;" substitute "proper officer of the court by which such conviction was made;".

(3) For "clerk or other officer" substitute "proper officer".

(4) At the end of that section insert—

"In this section "proper officer" means—

(a) in relation to a magistrates' court in England and Wales, the justices' chief executive for the court; and

(b) in relation to any other court, the clerk of the court or other officer having the custody of the records of the court, or the deputy of such clerk or other officer.".'.

No. 6, in page 109, line 39, at end insert

'(but that section as modified in relation to Northern Ireland by section 11 of that Act is not so amended)'.

No. 7, in page 134, leave out lines 3 and 4 and insert—

'172.—(1) Section 68 of the Merchant Shipping Act 1995 (power to summon witness) is amended as follows.

(2) In subsection (4) (particulars of fine to be given to clerk), for "clerk" substitute "proper officer".

(3) After that subsection insert—

"(4A) In subsection (1) above "proper officer" means—

(a) in relation to a magistrates' court in England and Wales, the justices' chief executive for the court, and

(b) in relation to a magistrates' court in Northern Ireland, the clerk of the court.".'.—*[Mr. Cranston.]*

Schedule 13

TRANSITIONAL PROVISIONS AND SAVINGS

Amendments made: No. 82, in page 137, line 45, at end insert—

'Legal aid in Scotland

. If section 32 of this Act comes into force before section 1 of the Tax Credits Act 1999, the reference in section 32 to disabled person's tax credit shall, until section 1 of the Tax Credits Act 1999 comes into force, have effect as a reference to disability working allowance.'.

No. 8, in page 141, line 6, leave out

'coming into force of section 74 of this Act,'

and insert

'Greater London Magistrates' Courts Authority becomes the magistrates' courts committee for Greater London,'.

No. 9, in page 142, line 10, leave out

'begins to act as a magistrates' courts committee,'

and insert

'becomes the magistrates' courts committee for Greater London,'.

No. 10, in page 142, line 12, at end insert—

'(2) For the purposes of sections 39A and 39B of the Justices of the Peace Act 1997 (inserted by section (*Code of conduct*) of this Act) the Authority shall be treated as a magistrates' courts committee until it actually becomes the magistrates' courts committee for Greater London.'.

No. 113, in page 143, line 4, at end insert—

'Stamp duty on transfer schemes

.—(1) Stamp duty shall not be chargeable—

(a) on any scheme under paragraph 32, or

(b) on any instrument or agreement which is certified to the Commissioners of Inland Revenue by the Lord Chancellor as made in pursuance of such a scheme.

(2) No such scheme, and no instrument or agreement which is certified as mentioned in sub-paragraph (1)(b), shall be taken to be duly stamped unless—

(a) it has, in accordance with section 12 of the Stamp Act 1891, been stamped with a particular stamp denoting that it is not chargeable with that duty or that it is duly stamped, or

(b) it is stamped with the duty to which it would be liable, apart from this paragraph.

(3) Section 12 of the Finance Act 1895 shall not operate to require—

(a) the delivery to the Inland Revenue of a copy of this Act, or

(b) the payment of stamp duty under that section on any copy of this Act,

and shall not apply in relation to any instrument on which, by virtue of sub-paragraph (1), stamp duty is not chargeable.'.

No. 114, in page 143, line 29, at end insert—

'Pensions of inner London court staff

.—(1) The Lord Chancellor may by order made by statutory instrument make provision about the provision of pensions for or in respect of persons who are or have been members of the inner London court staff.

(2) An order under this paragraph may include provision for, or in connection with—

(a) enabling persons to participate, or continue to participate, in any pension scheme and requiring their employers to make contributions under that scheme, and

(b) the administration or management of pension schemes or pension funds.

(3) Provision of the kind specified in sub-paragraph (2)(a) may—

(a) with the consent of the Minister for the Civil Service, include provision for section 1 of the Superannuation Act 1972 (pensions of civil servants etc) to apply to persons who are or have been members of the inner London court staff, or

(b) include provision for persons who have been members of the inner London court staff but who are employees of the Greater London Magistrates' Courts Authority by virtue of a scheme under paragraph 32 to be regarded as continuing to be members of the metropolitan civil staffs for the purposes of section 15 of the Superannuation (Miscellaneous Provisions) Act 1967 (pensions of metropolitan civil staffs).

(4) An order under this paragraph containing provision of the kind specified in sub-paragraph (3)(a) may also contain provision for such body or person as may be specified in the order to pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of the increase attributable to such provision (so far as referable to that body or person) in the sums payable under the Superannuation Act 1972 out of money provided by Parliament.

(5) Where an order is made under this paragraph containing provision of the kind specified in sub-paragraph (3)(a), the Minister for the Civil Service may, to such extent and subject to such conditions as he thinks fit—

(a) delegate to any person the function of administering a scheme made under section 1 of the Superannuation Act 1972, so far as relating to persons who are or have been members of the inner London court staff, or

(b) authorise the exercise of that function (so far as so relating) by, or by employees of, any person.

(6) A person to whom the function of administering a scheme made under section 1 of the Superannuation Act 1972 is delegated under sub-paragraph (5)(a) may, to such extent and subject to such conditions as he may determine, authorise the exercise of that function by, or by employees of, any person.

(7) Where a person is authorised under sub-paragraph (5)(b) or (6) to exercise the function of administering a scheme made under section 1 of the Superannuation Act 1972, anything done or omitted to be done by or in relation to him (or an employee of his) in, or in connection with, the exercise or purported exercise of the function shall be treated for all purposes as done or omitted to be done by the person who authorised him.

(8) Sub-paragraph (7) does not apply for the purposes of—

(a) any criminal proceedings against the authorised person (or any employee of his), or

(b) any contract between him and the person who authorised him, so far as relating to the function.

(9) An order under this paragraph may provide that any enactment repealed by this Act shall continue to have effect for any purpose specified in the order with such modifications as may be so specified.

(10) A statutory instrument containing an order under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(11) In this paragraph the "inner London court staff" means—

(a) the justices' chief executive employed by the magistrates' courts committee for the area consisting of the inner London boroughs,

(b) any justices' clerk for that area, and

(c) staff of the magistrates' courts committee for that area.'.—*[Mr. Cranston.]*

Schedule 14

REPEALS AND REVOCATIONS

Amendments made: No. 83, in page 145, line 54, at end insert—

'1998 c. 37.	The Crime and Disorder Act 1998.	Section 49(1)(j). Section 50(5). In Schedule 8, paragraph 67.'.

No. 84, in page 146, line 12, column 3, leave out from 'section' to end of line 14 and insert

'32(4), the words "to the Director of Public Prosecutions" and the words ", if the Director thinks fit,".'.

No. 93, in page 146, line 36, column 3, at beginning insert 'Section 9(2)(g).'.

No. 85, in page 146, line 37, column 3, after '2.' insert

'in paragraph 3, the words "to the Director of Public Prosecutions" and the words ", if the Director thinks fit," and.'.

No. 86, in page 147, line 24, column 3, at end insert—

'In Schedule 3—
in paragraph 3, in sub-paragraph (1) the words "with the approval of the Treasury" and, in sub-paragraph (2), the words ", with the consent of the Treasury,",
in paragraph 4(2) the words "given with the consent of the Treasury", and
in paragraph 9(3), the words "with the approval of the Treasury".'.

No. 115, in page 155, line 21, at end insert—

'1965 c. 63.	The Public Works Loans Act 1965.	In section 2(1)(a), the word "and" at the end of sub-paragraph (iii).

No. 116, in page 155, line 24, at end insert—

'1968 c. 13.	The National Loans Act 1968.	In Schedule 4, in paragraph 1(a), the word "and" at the end of sub-paragraph (iii).
1971 c. 56.	The Pensions (Increase) Act 1971.	In Schedule 6, paragraph (d).'

No. 117, in page 155, leave out lines 27 to 35.

No. 118, in page 155, leave out line 44.—*[Mr. Cranston.]*

Ordered,

That Part IV(5) (Enforcement of community orders) of Schedule 14 be transferred to end of line 27 on page 148.—*[Mr. Vaz.]*

Title

Amendment made: No. 119, line 4, leave out from 'appeals' to 'court' in line 8 and insert ', courts, judges and'.—*[Mr. Cranston.]*

Order for Third Reading read.—[Queen's consent, on behalf of the Crown, signified.]

11.21 pm

Mr. Vaz: I beg to move, That the Bill be now read the Third time.

The Bill has been before Parliament since December and has made good progress. We have already paid tribute during its course to the various people who have contributed to it both here and in another place, but I add my personal thanks to the excellent officials of my Department.

As the Lord Chancellor has said, the Bill aims to improve access to justice. We are determined to build structures and to provide services that go further towards meeting people's needs than legal services do at present. That is the purpose of the community legal service. That is why we are introducing contracting for legal services with quality assured suppliers, extending the use of conditional fees and rights of audience, and reforming the magistrates courts system.

Many clever, dedicated, hard working people do their best to meet the needs of legal services. However, the existing system does not meet the needs of ordinary people, those with little money or run-of-the-mill cases. We want to re-orient legal services to make them more customer focused and to base them on a real assessment of need. To that end, the Bill sets up the community legal service, which will have the dual tasks of considering the need for civil and family legal services and putting in place the services required to meet those needs, as far as available resources will allow.

We are creating a criminal defence service to replace criminal legal aid. Publicly funded criminal defence services will continue to be available in all cases where the interests of justice require it. We are making success fees, conditional fee arrangements and insurance premiums recoverable in costs. We intend to extend the use of no win, no fee agreements. No hon. Member has successfully demonstrated that they are not the best possible way to extend access to justice in many cases. They will open up the law to many people to whom legal aid is currently not available.

We are reforming rights of audience by giving full rights to all lawyers who are suitably qualified and we are setting up a system to encourage the regulation of the legal professions to change with the times. We have put in place this very evening a means to encourage professional legal bodies, and in particular the Law Society, to handle complaints from customers much better. We hope never to use them but we would have failed in our duty if we had not acted. We are ensuring that civil appeals will be held at the right level and dealt with in a way proportionate to their weight and complexity.

Lastly, we are changing the organisation and management of magistrates courts, the better to serve the public and help our plans for better co-ordination in the civil justice system. I think that hon. Members will see that this is an impressive agenda for change. The creation of a community legal service is the most innovative part of the Bill and I believe that it will prove to be the most far-reaching proposal. The legal aid system was set up in a different world where recourse to law was far less frequent. The system has since grown substantially in real terms.

A Government bent on modernising and improving the whole range of public services must also look to see whether legal aid is being used in the right way. The

striking feature of our legal aid system is that it is not based on an objective assessment of what is needed. Nor do we know whether the outcome of the expenditure is the best that could be achieved. Of course, many worthwhile cases are supported and will continue to be supported, but other cases are supported in which there must be doubt as to whether pursuing them represents good use of public money. I, for one, would not wish to see taxpayers' money spent on funding legal services where alternatives are available.

Our reforms will enable resources to be concentrated on the greatest need and will maximise the benefit from the money that is spent on legal aid. The use of contracts of civil, legal and family legal services will pay great dividends. For the first time, we will have quality assured suppliers for all those who use legal services. At the moment, those who use publicly funded legal services, indeed all who use legal services, have little way of finding out which suppliers have provided good service and which provide a less good service. Those who use publicly funded services should get the best possible service.

The Access to Justice Bill will enable us to improve legal services in the interests of those who use them. Those who oppose the Bill are lending their support to inflexible services, which do not best meet the needs of those whom they are meant to serve, and to those elements who wish to keep everything as it was. We want, and I believe that we have with the Bill, a modern system of justice for the new millennium. I commend it to the House.

11.26 pm

Mr. Garnier: I join the Minister in congratulating all who have taken part in our debates on keeping their temperature moderate. We had an amusing and sometimes constructive time in Committee and we have had a sometimes enjoyable, sometimes illuminating, but always good-tempered time this evening.

The Minister can be forgiven for much that is in the Bill because he has only recently been able to get his fingers on it. During the Committee stage, when the Bill was amended by the Government and, I am happy to say, at least twice by the Opposition—or at least our suggestions were incorporated in Government amendments that have been made this evening—the Minister played a rather silent role by virtue of his then post as Parliamentary Private Secretary to the Attorney-General. So he cannot be accused of playing a willingly silent role. He was unable for the same reason to speak on Second Reading.

Mr. Vaz: I did speak on Second Reading.

Mr. Garnier: The Minister is right. Indeed, my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) complained that this radical Government were allowing this radical Member to speak to a Bill that belonged to his master's Department. Perhaps the Government could not find a single Back Bencher prepared to speak in favour of the Bill. The Minister was the first member of the parliamentary Labour party to speak in favour of the Bill. Every other Back-Bench contributor spoke sceptically or with qualified support for the Bill.

Mr. Dismore *rose—*

Mr. Garnier: Here we go: the man with the spring in his back. I am glad to see that he is still on form and the spring is still working.

Mr. Dismore: The hon. and learned Gentleman has made that joke before and it was not particularly funny then. I simply point out to him that several Labour Members spoke in favour of the Bill on Second Reading and many more wished to speak, but there simply was not time for them all to be called.

Mr. Garnier: If the hon. Gentleman remembers, the hon. Member for Leicester, East (Mr. Vaz) was the first Back Bencher to speak. It may have been—

Mr. Vaz: I was very senior.

Mr. Garnier: Oh, and very senior too. Top Minister speaks—I am very happy to hear it. I do not think that we need spend too much time on this little history of the Access to Justice Bill. I shall return to one or two of the points that I intended to make.

During the two years since the Government came into office, I have been impressed by the fact that they were full of high intentions—there have been hugely powerful speeches and much rhetoric. However, they have little understanding of what they are doing.

I suggest that all the Government's reforms—both those introduced in the Bill and those introduced outside by the Lord Chancellor and his Department—can simply be described as economically illiterate, politically inept and intellectually confused. Nothing that we have heard during the Bill's passage through the House or during today's debates has persuaded me that my descriptions are inaccurate. Those views were merely reinforced as I watched the Government stumble from day to day. Indeed, there was yet another piece of chaotic business management this afternoon, as a rebellion emerged among Labour Back Benchers that could not be quashed by the Government. The hon. and learned Member for Medway (Mr. Marshall-Andrews) persuaded many of his fellow Back Benchers—I think there were 49, including himself—to sign his early-day motion criticising the removal of personal injury cases from legal aid. A considerable number of those Labour Members joined the hon. and learned Gentleman in the Division Lobby this evening. The Government can claim no credit for producing a Bill that is either popular or right; they have managed to do precisely the opposite.

In his remarks, the Parliamentary Secretary, Lord Chancellor's Department appeared to be attempting to sell anything—it could have been a vacuum cleaner, dog food or some other goods that one could find in a supermarket—but if one thought that he was describing the contents of the Access to Justice Bill, one would justifiably have been confused. As I have said before, the Bill is a Christmas tree or a coat hanger; it contains a huge number of additional powers that the parliamentary Labour party is lamely giving the Lord Chancellor.

[Mr. Garnier]

There will be a huge number of executive powers to make law through secondary legislation. I realise that the Government find it boring when I make such remarks, but the job of the Opposition is to point out to the public that the sniggerers on the Government's Front and Back Benches are doing a huge disservice to the public whom they were elected to serve.

The Bill is called the Access to Justice Bill and, as I have said on several occasions, if I were a frivolous person, I should find that hugely amusing, because it is not an access to justice Bill but a denial of access to justice Bill. When one reads read Parts I, II and III even a casual glance shows that, once those clauses, and the amendments to those clauses and the new clauses that have been discussed today, become law—we are fortunate that a House of Lords still exists and is prepared to reconsider the Bill when it leaves this place—some of them will be deleterious to the interests of justice, damaging to the interests of our constituents, and leading increasingly to a denial of access to justice.

When Labour Members walk into the Division Lobby tonight, some of them may never have read the Bill and some may not have had the advantage of hearing the Minister trying to explain what the Government are about. At their advice surgeries, those Members will learn shortly—although not necessarily next Saturday, or even this year, but next year and the year after—when the number of solicitors providing legal aid has been reduced from approximately 11,000 to 3,000, that solicitors are not available in their towns, cities and villages to assist their most vulnerable constituents.

Labour Members do not need to accept all the blame for that, but in the remaining minutes of the debate, I urge them to think carefully about what they are about to do. They may think that the Bill causes difficulties for lawyers. So what? Any Bill that causes difficulties for lawyers is to be applauded. This, however, is a Bill that will destroy access to part of the welfare state. If the Labour party was elected to do that, it could have fooled me. Many of those who voted in May 1997 for the glorious new regime of this Prime Minister can also justly claim to have been fooled—and judging from the grunts and the groans that I hear emanating from the Treasury Bench, I suspect that many Ministers have been fooled also.

I can demonstrate the damaging effect of the Bill by considering only a few of its aspects. While we support the creation of the community legal service in clause 4, the Opposition are concerned about the Government's total inability to realise the mistake that they are making in failing to investigate and assess what is necessary to make that service work properly. The least able and the most vulnerable in our society must have some chance to fend for themselves by bringing actions in law with the assistance of the state.

The hon. and learned Member for Medway pointed out that personal injury cases funded by the state make the Government a profit. This self-righteous Government are destroying the ability of litigants in certain categories of personal injury cases to access state funds. The Government think that they are doing a good thing but the opposite is true. Personal injury cases cost the Government nothing, yet this Treasury-driven Bill is designed to save the Government money.

In clause 12, the Government have decided to introduce a criminal defence service that will allegedly be a mirror image of the Crown Prosecution Service. The CPS had teething troubles and goodness only knows what will happen with the criminal defence service. That will create a situation that used to exist only in communist China and Soviet Russia, where the state prosecutes and defends people.

If Government Members think that is a matter for levity, they should heed the words of Sidney Kentridge, a member of the South African Bar and a distinguished member of the Bar of this country. In a recent lecture, he pointed out that in apartheid South Africa the only thing that stood between the oppressive state regime and the independence and freedom of citizens was the independent Bar and the criminal defendant's knowledge that the lawyer representing him was free from the influence of the state.

This charming new Labour Government are trying to persuade their followers that a criminal defence service, comprising state-employed lawyers, will not be influenced by the need to kow-tow to its employer or by the fact that the next promotion depends on pleasing the Government. The Government cannot pretend that that will not have a damaging effect upon the service's ability to act fiercely and freely as an advocate on behalf of its clients.

On part II of the Bill and the dangers associated with the conditional fee arrangements, the Government claim that conditional fee arrangements are the complete answer to the destruction of legal aid. The Conservative party does not oppose the introduction of conditional fee arrangements—indeed, we introduced them ourselves. However, we are concerned about the gay abandon with which the Government have abolished legal aid and replaced it with conditional fee agreements. They know—or they should know—that the use of conditional fee arrangements, without proper insurance and a mature insurance market to support them, will simply not work.

It is no good saying that legal aid helped the poor, and those with discretionary income could make their own decisions, but middle England was unable to get to the courts. It is no good the Government saying that they have corrected that problem if, in so doing, they have created another by taking away from the poor, the vulnerable, the elderly, the injured and the disabled the ability to get hold of a conditional fee agreement.

In the circumstances that the Bill will create, conditional fee agreements will not be available for all to use. It is unthinkable that the people who now use legal aid will run up and down the high streets of England and Wales market-testing conditional fee agreements or checking the portfolio of risk of one firm of solicitors against another. That is naive and unreal.

Having outlined some of our concerns, may I make it clear that we agree with parts of the Bill? Parts IV, V, VI and VII are largely uncontroversial. Although they have not received the scrutiny that some of the more controversial parts of the Bill have been given, they have been considered, and I hope that they will be further considered in the other place when the Bill returns to it.

My overriding complaint about the Bill is that it seeks to do the wrong thing in the wrong way. It seeks to persuade the gullible hon. Members who will support it that it creates no problems for which they need feel in the

least bit responsible. Let me warn them that over the next two years the Bill will turn their majorities to dust. I invite my right hon. and hon. Friends and others of good will in the House to join us in voting against Third Reading.

11.42 pm

Mr. Dismore: I should to declare an interest as a solicitor who has practised in the field of personal injury law for 20 years or more.

I welcome the extension of conditional fees and the proposals for the recovery of the success fee and insurance premium. Unlike most of those who have criticised the extension of success fees and related matters, I have practical experience, and I am sure that the provisions will be successful. I also welcome the assurances given today by my hon. Friend the Minister on the fallback position—the protections that will remain for personal injury victims in the legal aid scheme for cases that are expensive to investigate or are in the public interest. I look forward to seeing that protection even more fleshed out in the funding code that is in the Bill.

I welcome the debate that we had in Committee on Queen's counsel, and I claim a mini-triumph—I see from the Government amendment for which I have been lobbying that QCs are to pay the full cost of administering the QC system through the more generous application fees that they will have to pay. I acknowledge the Government's response to the concerns that I expressed in Committee about the way in which QCs are remunerated, and the assurance that the Government are prepared to consider further steps to end the fat-cattery, perhaps turning the dangerously obese lawyers into those who are merely seriously overweight. We have already discussed proportionality, double manning and the rate for the job.

I welcome one of the new clauses introduced tonight, which there was no time to debate and which my hon. Friend generously called the Hendon clause. That is the one that relates to the telescoping of the inquest and inquiry procedure, following major disasters. For too long we have put the relatives of victims through far too much distress, duplication of hearings, delay and expense by making them relive the same experiences over and over again.

Mr. Vaz: My hon. Friend knows that QCs throughout the country quiver when they hear his name. He also knows that my noble and learned Friend the Lord Chancellor has made a number of improvements to the silk system and will always try to find ways to improve it further.

Mr. Dismore: I am grateful to my hon. Friend for that assurance. No doubt we can continue our dialogue in an attempt to sort out the issue of remuneration, even if I cannot quite convince my noble and learned Friend the Lord Chancellor that QCs should be abolished altogether.

The new clause on inquiries is important. It means that we can now look after victims' relatives and victims themselves far more effectively. This is the first stage in that regard and I look forward to further reforms in due course.

11.45 pm

Mr. Burnett: I congratulate and thank all those who have taken part in the debates on the Bill leading up to tonight, and especially officials of the House.

I have highlighted tonight and at earlier stages of the Bill Liberal Democrats' grave misgivings with parts of it. The abolition of legal aid for personal injury cases except criminal negligence is a grave mistake and the Government will have much time to rue the day that they railroaded the provision through the House. It saves no money and it prejudices the poor and vulnerable.

I hope that the Minister will find some time to read the paper so ably and clearly written by Matthias Kelly, secretary of the Personal Injuries Bar Association, entitled "The cost of legal aid in personal injury litigation in England and Wales". It demonstrates clearly and unambiguously that the provision will not save money. Rightly, many conscientious Labour Members have opposed the measure.

Another regrettable feature of the Bill is the power, often unfettered, which it gives the Lord Chancellor to set up the criminal defence service. That is another example of the inherent conflict of interest which also characterises conditional fee agreements.

We have to ask whether quality legal services and access to justice will be available throughout the country when the Bill is enacted, which no doubt it will be. We shall have to wait and see, but I have my doubts. The Bill is deeply flawed and we shall vote against it.

11.47 pm

Mr. Grieve: I, too, preface my remarks by saying that the Bill's passage through its various stages has been an education, during which a number of changes have been made to it. Moreover, the presenter of the Bill has changed from the Minister of State, Foreign and Commonwealth Office, the hon. Member for Ashfield (Mr. Hoon), with his academic cynicism and discourse, to the present Minister who, with his courteous emollience, has brought it finally to its close before the House.

If ever there has been a missed opportunity, it is this Bill. There are aspects of it that I can welcome, just as my hon. and learned Friend the Member for Harborough (Mr. Garnier) did, but there are also aspects where we have grievously failed to address some of the principal issues which concern the difficulties over access to justice.

Bearing in mind conditional fee agreements, which we have debated again this evening, and the problems of legal aid, especially for the most disadvantaged, it is extraordinary that the whole area of contingency legal aid, despite having been touched on in Committee, and despite the fact that there has been a hint at times that it may be considered in future, and that it might provide a real alternative for ensuring that all could obtain access to justice on the same principles as those that existed in terms of accessibility under the old legal aid system, even though there might be some financial forfeit, has never been properly considered. Instead, we have gone down a road which, while it may bring certain advantages to some, will undoubtedly be a massive disadvantage to the most vulnerable within our society. I deeply regret that. If anything makes this legislation flawed, it is that.

[Mr. Grieve]

I reserve my gravest reservations for the principle of the criminal defence service. We have moved progressively towards a situation where the provision and the services of the justice system are, in a curious way, being nationalised.

It is extraordinary that, although the Labour party has apparently embraced the idea that privatised services may be of some benefit, we are moving towards a continental criminal justice system—which, taken to its ultimate expression, existed in the old communist countries. The lawyer was simply the state functionary who was sent off to represent one element or other—whether as a prosecutor or a defender—and was always regarded as a lowly cog in the machine.

I simply do not see where the advantages lie in establishing the criminal defence service and it was made clear in Committee that there might be circumstances in which individual choice in respect of getting a lawyer from outside the CDS would be restricted. That fills me with foreboding. That measure has been introduced by the Government who had the courage to incorporate the European convention on human rights into our law, which strikes me as shocking. One can conclude only that the Government have absolutely no regard for civil liberties or the rights of accused people in respect of the criminal justice system. That seems to have been emphasised by the suggestion that there is worse to come with the denial of the right to trial by jury for certain categories of offence. I deeply regret that.

Those are the principal reasons why I cannot lend support to the Bill, even though parts of it have much to commend them. The Government will come to regret the way in which they were driven down this road, whether by financial considerations or simply by lack of any regard for established systems. Although those systems may be imperfect, they have nevertheless delivered justice of good quality.

I have always acknowledged, however, that there have been problems over expense. As I said on Second Reading, we have started to throw the baby out with the bath water and I am afraid that we will regret having passed the Bill.

11.52 pm

Mr. Hawkins: I shall speak briefly before the Minister concludes the debate. On behalf of the official Opposition, I echo the words of my hon. Friend the Member for Beaconsfield (Mr. Grieve). My hon. and learned Friend the Member for Harborough (Mr. Garnier) described the Bill as being either a Christmas tree or a coat hanger. I prefer to call it an attempt by the Government at a portmanteau Bill.

There was much debate in Committee about the combination of Henry VIII clauses, which we deeply regret and opposed, and the fact that the Lord Chancellor has often been compared with Henry VIII's ultimately most unsuccessful Lord Chancellor, Cardinal Wolsey. The Bill attempts to combine the worst features of Henry VIII and Cardinal Wolsey, which is a feat in itself. My hon. and learned Friend the Member for Harborough rightly said that some of the Bill fits in with what George Orwell called newspeak, in which words mean exactly the opposite of what the Government claim.

On Second Reading, I referred at length from the Back Benches to the criticisms of the Bill made by Baroness Kennedy of the Shaws, the distinguished Labour lawyer, in the other place. None of her concerns about the Government's proposals for a criminal defence system adopting the worst excesses of the United States public defender system have been addressed at any stage.

When the Solicitor–General wound up the debate on Second Reading, he said, rather desperately:

"On the whole, my hon. Friends welcome the Bill."—[*Official Report*, 14 April 1999; Vol. 329, c. 321.]

He said that even though almost every Labour Back Bencher who had spoken had attacked him and the then Minister.

As my hon. and learned Friend the Member for Harborough said, we welcome some aspects of the Bill—in particular, in respect of the inquest point referred to by the hon. Member for Hendon (Mr. Dismore), which we did not have time to debate at length—but there are still a lot of bad things in it. As my hon. and learned Friend said, this is a denial of access to justice Bill in so many regards. I invite the 20 Labour Members who voted with us on the personal injury matter to join us and hon. Members from both sides of the House, in the Lobby to vote against the Bill's Third Reading.

I ask the Minister to correct an uncharacteristically ungracious remark that he made earlier. He said that it was surprising to hear a Conservative spokesman using the arguments of a charity such as Shelter. That remark was not characteristic of him and I invite him to withdraw it. I encourage hon. Members of all parties who have a conscience to oppose the Bill.

11.54 pm

Mr. Vaz: With the leave of the House, Mr. Deputy Speaker.

This is the right Bill at the right time. We have a radical and reforming Lord Chancellor, and the Bill will help us to modernise justice in Britain. I commend it to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 301, Noes 151.

Division No. 217] **[11.54 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Blackman, Liz
Blears, Ms Hazel
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*

Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Cleland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mrs. Anne McGuire and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chope, Christopher
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen

Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mrs. Jacqui Lait.

Question accordingly agreed to.

Bill read the Third time, and passed.

NORTHERN IRELAND GRAND COMMITTEE

Ordered,

That—

(1) the matter of the Review of the Criminal Justice System in Northern Ireland be referred to the Northern Ireland Grand Committee for its consideration;

(2) at the sitting on Thursday 8th July—

(i) the Committee shall take questions for oral answer and shall then consider the matter referred to it under paragraph (1) above;

(ii) the Chairman shall interrupt proceedings at 5 o'clock; and

(iii) at the conclusion of those proceedings, a motion for the adjournment of the Committee may be made by a Minister of the Crown, pursuant to Standing Order No. 116(5).—*[Mr. Jamieson.]*

Metropolitan Police

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

12.8 am

Mr. Charles Wardle (Bexhill and Battle): In this debate I intend to question the accountability of the Metropolitan police over their arrest of Mohamed Al Fayed last year. I shall also question the accountability of the security services, which influenced the decision to arrest him because he had openly challenged their role over the death of his son in Paris. I shall also touch in passing on his citizenship application, but only in so far as it is linked to the arrest.

The subject is highly controversial. I hope that the Minister will allow me to take a few moments to place my involvement in context and explain how I came to write to Sir Paul Condon about these matters last year. I have already referred a Home Office official to my letter to Sir Paul and I apologise to the Minister if that did not filter through to her.

On 4 June 1997, I introduced an Adjournment debate on the unfairness of Department of Trade and Industry inquiries. One of the case studies that I used to demonstrate the inequities of the system was the House of Fraser inquiry. I said that the inspectors' investigation into the House of Fraser takeover had been so contaminated by the late "Tiny" Rowland's lies and interference that the Fayed brothers had been well and truly stitched up. The interests that I declared in that debate apply here.

After the debate, the Home Office decided to drop its previous objections to the Fayeds which arose directly from the discredited House of Fraser report, but not before I had taken the opportunity to impress on Ministers and officials the depth and extent of Rowland's corrupt influence. After the debate, Mohamed Al Fayed asked to meet me at the House of Commons, and protested about Rowland's malign influence. I then presented my own analysis of various facets of the Fayeds' citizenship case at a private meeting with the Home Secretary at Queen Anne's gate.

Thereafter, I began a voluntary intermediary role between the Home Office and Al Fayed and his lawyers—mainly, but as it turned out not exclusively, concerned with the DTI inquiry. This ended when the Home Secretary approved Ali Fayed's citizenship application, having set aside the DTI findings, but refused Mohamed Al Fayed. Throughout the exercise I reported my meetings and correspondence to Sir Gordon Downey and then to Ms Filkin and briefed parliamentary colleagues and Lobby journalists whenever they expressed an interest.

Having been directly involved in the Home Office's earlier consideration of the applications, I was not in a position to make my own recommendations. At no stage did I try to lobby anyone, as the Home Office will confirm, but I will tell the House what I told the Home Secretary privately after he announced his decision. I said that, whereas I could not comment on his interpretation of the cash-for-questions issue, I disagreed most emphatically with his eleventh hour objection to Al Fayed's alleged lack of probity over Rowland's vicious little scam involving stolen gems that never were in a safety deposit box. It is Rowland's safety deposit box snare and the subsequent behaviour of a few senior Metropolitan police officers who engineered the deliberately public arrest of Al Fayed, prompting a jamboree of media speculation and hostility that I wish to address first, as it raises clear questions of accountability.

Mr. Gerald Howarth (Aldershot): Will my hon. Friend give way?

Mr. Wardle: No. I have no intention of giving way, as my hon. Friend did not approach me beforehand.

Well before that arrest was made, those senior police officers and the Crown Prosecution Service had in their possession clear evidence that Rowland had paid hundreds of thousands of pounds into the Jersey bank account of the key prosecution witness and his common-law wife, but the police refused to consider that evidence until after the extremely damaging and high-profile arrest of Al Fayed. Shortly before he died, Rowland admitted his covert payments to the key witness in the discovery process for the civil action that he began after the police case collapsed.

Al Fayed's counsel, a former first Treasury counsel who regularly prosecuted for the Crown, insisted that the payments should first be investigated, on the ground that, if there had been payments, they would jeopardise the entire validity of the prosecution and no arrest should properly be made. Burton Copeland, Al Fayed's solicitor, showed Scotland Yard that Rowland's allegations that valuables had been stolen from his deposit box were weak in the extreme. Rowland was unable to verify that he had ever owned what he claimed to be stolen—let alone that he had placed it in the box 30 years earlier. Burton Copeland gave Scotland Yard the details of Rowland's payments to Robert Loftus, a disaffected ex-employee of Harrods, but the police deferred the investigation of payments to Loftus, arrested Al Fayed and released him on bail which was periodically renewed amid frenzied media speculation.

The safety deposit box scam developed into a tributary inquiry of my intermediary role. I am a lifelong admirer of the police and I was proud to assume responsibility in the House of Commons for police business as a Home Office Minister, but the blatantly unfair conduct of the safety deposit box inquiry prompted me to speak to the Commissioner of Police of the Metropolis and to write to him on 27 February last year in the following terms:

"I am sure your officers will do their job with absolute fairness. But if their actions give rise to public humiliation and the allegation of theft turns out to be unfounded, I shall return to the subject with the vigour you would expect of me."

Hence this debate.

Why did the police, who had done little or nothing about Rowland's patently false allegation from May to November 1997, suddenly acquire fresh enthusiasm for the case at the end of that year? Why did they arrest Al Fayed with a prior tip-off to the media in March 1998, despite having known for weeks about the bribery of the key witness, to which Rowland himself later admitted?

Burton Copeland voiced the same concern in a letter of 5 May 1999 to Assistant Commissioner Veness, who was in charge of the case. He wrote:

"Your officers were investigating an allegation that was dependent on the evidence of Messrs. Loftus and Rowland. On 29 January 1998 your officers were given information indicating

[Mr. Wardle]

that Rowland was secretly paying vast sums of money to Loftus. . . . Having been put on notice, as your officers were, for them to ignore the material and its potential ramifications and to proceed with arrests and interviews would in any case, I submit, be perverse and unreasonable, let alone in a case of such obvious sensitivity with such a dubious backdrop. My clients might be forgiven for thinking that the prime objective was to put them, and Mr. Al Fayed in particular, through the indignity and public humiliation of arrest. "

Significantly, Al Fayed's solicitors now have in their possession a note from Rowland's solicitors, Cameron Markby Hewitt, reporting that Rowland told them on 2 February 1996 that he had been involved in activities for MI6 immediately after the war and had committed various unlawful acts.

The Scotland Yard and Home Office grapevine—which no one in Whitehall will discount—makes no secret of one interpretation of events. It is that Al Fayed had incurred the wrath of the Security Service, and its stringers in the press and elsewhere, after the tragic deaths in August 1997 of Diana, Princess of Wales, Dodi Fayed and their chauffeur Henri Paul. Al Fayed had given offence by his increasingly vocal protest that the Security Service—with which Veness has liaison responsibility at Scotland Yard—had not been sufficiently open about its activities in Paris when the tragedy occurred. The grapevine quotes a top police officer as saying:

"I don't care what the evidence is. I want that man arrested."

Eventually, the Metropolitan police admitted to Al Fayed's solicitors that the only offence they could find had been criminal damage to a paperclip. Bail was lifted and proceedings dropped, but the media humiliation had served its purpose. The press hatred and dishonesty had known no bounds. It had been open season for the media, thanks to Rowland's lies in the DTI inquiry and then the safety deposit box scam leading to Al Fayed's arrest.

The Home Office official in charge of the Fayed citizenship applications, Andrew Walmesley, said that he had followed the safety deposit box saga and, in the end, had discounted it. On the telephone last October, he told Al Fayed's citizenship solicitors D.J. Freeman that the criminal investigation and civil proceedings were no longer of concern. Yet when the citizenship file came before the Home Secretary this year, the safety deposit box incident—disregarded by Walmesley—re-emerged as a question of probity. That was particularly surprising in view of Christopher Carr QC's demolition of the probity argument in the re-submission to the Home Office.

It was as if the dropping of the discredited DTI report as evidence against Al Fayed had to be balanced by the late inclusion of the safety deposit box affair—a second barrel, along with the debatable objection to cash for questions, with which to shoot down the application. After a delay of 15 months, the Home Secretary had complied with Lord Woolf's Appeal Court ruling that reason for refusal be given by declaring that the safety deposit box was such a reason.

Whether that would have seemed to the Home Secretary a really convincing reason had it not been for Al Fayed's arrest and prolonged bail and the media onslaught is an interesting question. If the alleged want of probity marked another reason for refusal—namely, the antipathy of the Security Service and others towards Al Fayed—the Home Secretary should have said so openly if he was not to fall foul of Lord Justice Woolf. However, that is a question for the courts, and not for me.

The accountability of the Metropolitan police for their perverse conduct of the criminal investigation should be a matter of concern to this House. There are other sources of information that indicate a cover-up of events before and after the Paris tragedy that raise questions of accountability for the Security Service as well.

I do not subscribe to conspiracy theories. I draw no conclusions about what happened on that fateful day. I have no inclination to question the conduct or anticipate the outcome of a French judicial inquiry into a car crash in France. Judge Stephan has proved to be more than a match for the British press by declaring that the Mercedes was travelling at 62 mph, and not 113 mph as was previously reported as fact in Britain. It is possible, but not certain, that the judge will admit fresh evidence that throws doubt on Henri Paul's blood test. It is not known whether the final report, which is likely to be published in the early autumn, will be detailed or not.

It is surely inconceivable that once the French report has been produced, there will not be an opportunity in this country as well to explore questions about the circumstances leading to the sudden and violent death of the Princess of Wales and the man the entire world could see was her lover. The overwhelming public response at Diana's funeral could leave no doubt about the natural justice of allowing some form of British inquiry. The hostile response from some quarters to awkward questions about the Paris tragedy can never put the lid on worldwide demands for a thorough explanation of events.

It would be better for Parliament to treat with the questions and deliver the answers than to allow suspicion to fester and speculation to grow. It is in this context that other sources of information should be considered, in so far as they throw light on accountability.

The first of these additional sources which challenge Security Service accountability was the Princess herself. As with the other sources that I shall list, there have been those who devalue what she had to say. Her detractors have already called her manipulative and obsessive, but it would be unwise to dismiss what she said on holiday in the south of France.

I told the Home Secretary in my letter of 23 July last year that Al Fayed's much-publicised ideas about a conspiracy in Paris originated from what Diana repeatedly said to him of her fear and resentment at the way she was treated. I have no reason to doubt what I have heard of what Diana said in St. Tropez. In any case, there are many others in whom she confided in a similar vein—for example, Andrew Morton, Martin Bashir, Maggie Rae, Debbie Frank and so on.

Diana's remarks to Al Fayed concerned the royal household's antipathy to her; its habitually close links with the security services; the manipulation, interference and control, as she saw it, exercised by officials of the household; her conviction, based on what she said that she had been told, that Barry Mannakee's death was not an accident; and her apprehension that she, too, would be assassinated.

Three other sources of information could easily be discredited as disreputable, unreliable witnesses, but it may be short-sighted to ignore what they have to say, because they cast doubt on key questions of accountability. One is James Hewitt, in a recorded, but not televised, interview with Nick Owen. Major Hewitt's

shabby reputation will count against him but his remarks relating to the Princess of Wales cannot be dismissed altogether.

Hewitt said that he received threats to his life. Patrick Jephson, a private secretary, said that his safety could not be guaranteed. Members of the household told him that his safety would be in peril if he did not back off. Anonymous telephone calls warned him that he would meet the same fate as Barry Mannakee. He said that the Princess of Wales took the threats seriously and told him that Mannakee had been murdered.

Another such source is David Shayler, also in recorded but not televised remarks to Nick Owen. He said that Henri Paul could well have been a paid agent and that assassination attempts were certainly made by the security services. He said that MI6 is less accountable, with less supervision, than MI5, operating abroad with very different personnel from those who work for MI5; that MI6 regularly uses journalists and photographers as agents or stringers; and that MI6 operations and plans are by no means always communicated to Ministers—not even the Prime Minister.

Finally, and most controversially, there is Richard Tomlinson, a fugitive from Britain. I know little about his dispute with the security services but I have seen his sworn affidavit to Judge Stephan's inquiry in Paris, in which he asserted that MI6 files recorded an informant at the Ritz, almost certainly Henri Paul. He named—I shall not—two experienced, undeclared MI6 officers in Paris at the time of the crash. He also named an MI6 officer who in 1992 had a fully typed plan attached to a yellow minute board outlining a plan to kill Slobodan Milosevic in a tunnel car crash. The document was circulated to four other MI6 officers whom he named, but I shall not.

Tomlinson said that MI6 used part-time agents from UKN for surveillance and photography, including paparazzi who routinely followed the princess. He said that as well as routine MI6-royal household contact via the Foreign Office there was regular unofficial direct contact between senior MI6 officers and the household.

If there is to be clear accountability, there are many questions to be answered. For example, what prompted Scotland Yard to arrange the much-publicised arrest of Al Fayed when it already knew that Rowland had bribed the key witness? Did Veness discuss the safety deposit box allegations with the security services? Have the security services recorded with the Home Office an opinion about Al Fayed' s citizenship re-submission? If so, what did they say and when? Has the royal household ever expressed a view to the Home Office about Al Fayed's citizenship?

Do records exist of the royal household's communications with the security services relating to the Paris tragedy? Why was Mannakee transferred out of royal protection duty and what is known about the circumstances of his death? Which members of the royal household made threats to Hewitt? What reasons does Jephson give for his advice to Hewitt? Was Henri Paul employed by MI6? Are there assassination plans on file at MI6?

To whom and to what extent does MI6 account for its operations? What were the operational duties of the undeclared MI6 officers in Paris at the time of the tragedy? Were any of the paparazzi pursuing the Mercedes employed by MI6? What records of telephone messages, telegrams and memorandums exist on MI6 files concerning the events before and immediately after the Paris tragedy?

There are a great many more pertinent questions that should be dealt with openly and frankly in some form of parliamentary inquiry, to be conducted either by the Intelligence and Security Committee or by a special Select Committee appointed for the purpose.

There will be people who will try to rubbish as unreliable the sources of information that I have disclosed to the House, but if the Government or Parliament itself do not launch an inquiry, they will be shutting the door on precisely the sort of openness about the security services already advocated by the Liaison Committee and now being recommended by the Home Affairs Committee, and making a mockery of the Government's enthusiasm for freedom of information. Worse still, if an inquiry is refused and factual evidence implicating the security services in any way in the Paris tragedy trickles out later, the House will be seen to have failed in its responsibilities.

12.24 am

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): I congratulate the hon. Member for Bexhill and Battle (Mr. Wardle) on securing an Adjournment debate on the accountability of the Metropolitan police service and other services, and on using it to draw the House's attention to a matter in which he has taken a long-standing interest.

I shall set out the general arrangements for accountability for the police service. As the hon. Member for Bexhill and Battle will know, policing in England and Wales is undertaken within the framework of the tripartite relationship of the chief officer, police authority and Home Secretary. The framework has proved resilient and capable of accommodating changing demands. It provides a service that is efficient and effective, but also accountable.

The chief officer is responsible for the direction and control of the force. He or she has operational independence and has flexibility in how the local police service is delivered. However, the chief officer must operate with regard to the policing plan, which is owned by the police authority.

The authority oversees the police force, holding the chief officer to account for his or her actions and monitoring performance as necessary. The police authority also provides local democratic accountability through its members, the majority of whom are local councillors.

The Home Secretary is answerable to Parliament and the public for the provision of an effective and efficient police service. He has a strategic role in setting ministerial priorities for the service and performance targets for those priorities. The hon. Member for Bexhill and Battle referred a great deal to the Metropolitan police service; the present arrangements for the accountability of that service are somewhat different. In particular, the Home Secretary is also the police authority.

The House will know that we have plans to bring the arrangements in London closer to those that apply in the rest of England and Wales, through the Greater London Authority Bill. Although it is clear that the arrangements

[Kate Hoey]

for the democratic accountability of the Metropolitan police service can be improved, there is already a substantial degree of effective accountability.

The hon. Member for Bexhill and Battle made many allegations and raised several points, and I am sure that he would not expect me to reply to them all this evening. It is also worth pointing out that matters relating to the security services are the direct responsibility of my right hon. Friend the Home Secretary. However, the hon. Gentleman raised, among other questions, the issue of whether the Metropolitan police have operated objectively and fairly in deciding whether to investigate certain allegations, and in the conduct of the subsequent investigations.

I must emphasise that the police retain, as they must, independence in such operational decisions. That is necessary in the interests of the impartial maintenance of the law. However, it is vital that the police should be properly accountable for their operational decisions and investigations. They are, of course, answerable to the courts, but there are also special arrangements in place for making complaints against the police and for the investigation of such complaints.

I cannot comment on the questions about reported operational decisions and actions by the Metropolitan police. The conduct of operations is and must be a matter for the police in London under the direction of the Commissioner. Subject to that, I can confirm that my right hon. Friend the Home Secretary was made aware of the concerns of the hon. Member for Bexhill and Battle about the safety deposit box scam, as he calls it. My right hon. Friend, in a letter of 26 February, explained to the hon. Gentleman that he had drawn those concerns to the Commissioner's attention, and that the Commissioner had assured my right hon. Friend that every endeavour was being made to balance the needs of the investigation with scrupulous fairness.

In subsequent correspondence, my right hon. Friend the Home Secretary also confirmed that the Commissioner was fully aware of the representations made by Al Fayed's solicitor about the security box investigation. The hon. Member for Bexhill and Battle promised that he would return to the subject with vigour if the actions of officers in the Al Fayed investigations gave rise to public humiliation and the allegation of theft turned out to be unfounded. True to his word, he has done so tonight in this debate.

The hon. Member for Bexhill and Battle knows that special procedures exist for making complaints about the police. He and others may wish to consider those procedures, and he will know that the Government at present are acting on many of the suggestions made by the Select Committee on Home Affairs. We hope to bring about changes in the police complaints process as soon as possible.

The hon. Member for Bexhill and Battle will appreciate that I cannot give an answer tonight to a number of the matters that he has raised. However, I shall draw this debate to the attention of my right hon. Friend the Home Secretary. I am sure that we shall write to the hon. Gentleman about any matters that have not been covered fully this evening.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to One o'clock.

House of Commons

Wednesday 23 June 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Capital Punishment (Caribbean)

Motion made, and Question proposed, That this House do now adjourn.—*[Mrs. McGuire.]*

9.33 am

Mr. Gerald Kaufman (Manchester, Gorton): Thank you for giving me an opportunity to raise this issue in the House today, Madam Speaker, during a period of particular crisis caused by the hangings that have taken place in Trinidad and Tobago and the possibility of a large number of hangings in other parts of the Caribbean.

I have always been strongly opposed to capital punishment, but this is not just about capital punishment and the hanging of people who may or may not be guilty because the process of justice is not what it ought to be in some Caribbean countries. It is about human rights. I am not just a British Member of Parliament with not much else to do poking his nose into the affairs of other sovereign countries. Many people and organisations have expressed deep concern and sought to intervene in the attempts to carry out—and now, sadly, the carrying out of—executions in the Caribbean. The United Nations Commission on Human Rights has condemned Jamaica. One of Her Majesty's inspectors of prisons went there and reported that the prison conditions were the worst that he had ever seen. My hon. Friend the Member for Sunderland, South (Mr. Mullin) and I have visited Ministers and the Secretary General of the Commonwealth, who expressed his concern and told us of how he had sought to intervene. These are matters of universal concern to all who are troubled by the human rights records of several countries.

At their Edinburgh meeting in October 1997, the Commonwealth Heads of Government

"reaffirmed their commitment to the fundamental values of the Commonwealth . . . and emphasised that democracy, good governance, sustainable development and respect for human rights and fundamental freedoms were interdependent and mutually reinforcing."

I am sorry to say that a considerable number of those who signed that communiqué did so hypocritically, because they are not maintaining such standards in their country. The situation in Jamaica and Trinidad is particularly troubling. The hypocrisy involved in the way in which the matters are dealt with is almost as troubling. For example, Caribbean Justice, which is working hard on the issues, told me that because approximately 30 per cent. of the population of Trinidad and Tobago is Catholic and the Catholic Church there is opposed to the death penalty, the executions earlier this month were timed to avoid the feast of Corpus Christi. I do not know why the Government bothered.

I shall use one case as an example of the hypocrisy and violation of human rights in Caribbean countries. Anthony Briggs was due to be hanged yesterday in Trinidad. I have made inquiries about what has happened in that case. On Sunday 20 June an Associated Press report said:

"The Trinidad and Tobago Appeals Court of Appeals agreed Saturday with a lower judge's ruling that killer Anthony Briggs' motion"

to avoid execution

"was 'plainly hopeless, bound to fail.'"

The report went on:

"On Friday, his lawyers appealed, saying he still had a petition pending before the Inter-American Human Rights Commission."

I shall return to that body later. The report continued:

"Judge Nolan Bereaux said at midnight Friday there was no evidence that the appeal was ever made. 'I thus rule the constitutional motion is plainly hopeless, bound to fail,' he ruled. 'It is an abuse of process and it is frivolous and vexatious, and I refuse the application for a stay.' The appeals court, headed by Chief Justice Michael de la Bastide, agreed several hours later"

that Mr. Briggs should hang.

Mr. Briggs is one of between 70 and 100 people on death row in Trinidad, which has a population of just over 1 million. It is as though there were 5,000 people on death row in this country.

The next day, an agency report said:

"Killer Anthony Briggs got a temporary stay of execution from the British Privy Council Monday, one day before he was scheduled to be executed.

The Privy Council . . . said it would give a temporary stay of execution until a date next month when it will hear full arguments."

The report continued:

"Lawyers representing Briggs said an order imposed on the Trinidad and Tobago government last year by the Inter-American Human Rights Court was never lifted.

The order was imposed following moves by the government to hang Briggs who had a petition before the Inter-American Commission on Human Rights. The Commission ruled on the petition in March and recommended to the government that Briggs be paid compensation or be considered for either an early release or commutation of his death sentence.

The Commission said that Briggs had remained in jail too long before he went on trial for the 1992 murder of Shammi Ramkissoon."

The courts in Trinidad were perfectly ready to authorise the execution of Mr. Briggs. Indeed, if they had had their way, they would have executed him even though the Inter-American Commission on Human Rights said that he should be paid compensation and released. That is what I am dealing with in today's debate; it is not simply some kind of bleeding-heart opposition to capital punishment, although I admit that I am strongly opposed to it.

There are other examples. The last hanging in Trinidad was in 1994 when a man called Dan Ashby was hanged while the Privy Council was considering his case.

I have worked closely with my hon. Friend the Member for Sunderland, South on issues relating to capital punishment in the Caribbean for many years. A number of men on death row in Jamaica took to writing to me. Some of them have been on death row for nearly 20 years. They started there as young men and have reached middle age while waiting on death row.

Until the Pratt and Morgan ruling by the Privy Council, there were some 270 people on death row in Jamaica. That is another example of the violation of human rights.

[Mr. Gerald Kaufman]

The Pratt and Morgan ruling said that keeping men on death row for more than five years was cruel and inhuman treatment. When I went to Jamaica, I met the Governor General, who said that men on death row should be executed or released.

After the Pratt and Morgan ruling, the number of people on death row in Jamaica was gradually reduced, though not as speedily as it should have been in accordance with the Privy Council ruling.

I went to Jamaica and visited all the prisons in Kingston where I met the men who had been writing to me. I was appalled, not only by the abominable conditions, especially on death row, but by the way in which those in charge of the prison conducted themselves. When I was talking to two of the men who had been writing to me, the man who was in charge of prisons and who had insisted on accompanying me to all my meetings was abusive to them in my presence. That led me to wonder how they were treated when not in the presence of a visiting British Member of Parliament, given their treatment when I was actually there.

The conditions on death row in particular were unspeakable. Prisoners have no furniture and no eating implements. They have a theoretical short exercise period which to a considerable degree is not observed, so they rarely see daylight because there is no lighting in their tiny cells. As a result, they have eye problems, but they are denied access to a doctor. Their only access to any hygiene is a stand pipe outside the death row block, which they have to use for washing and cleaning food. The conditions in other prisons, where people are not being held ready for eventual execution, though not quite as bad, are still dreadful.

My hon. Friend the Member for Sunderland, South, who has also had correspondence with people on death row, told me what I had already guessed—that those on death row had been made to clean the place up before I arrived. If that was what it was like when it was cleaned up, I shudder to think what it was like when there were no visitors.

Like others, I was rather complacent in believing that hangings would not be resumed in the Caribbean. I thought that the saga would continue and that many would be held in intolerable conditions but not executed. Trinidad has shown that that complacency was totally unjustified and we now hear reports that Jamaica, where there are still some 50 men on death row, is preparing to conduct hangings.

It was reported in *The Independent* yesterday, that

"Percival Patterson, the Jamaican Prime Minister, said during a visit to Canada that the Trinidad nine"—

there were nine executions there—

"had set an important precedent."

The zeal for hanging has been stimulated by what has taken place in Trinidad.

Trinidad and Jamaica are not the only countries involved. It is difficult to find the exact figures, but it appears that there are 300 people on death row in Caribbean countries. Helping them presents great problems because there is very little opportunity for pro bono work by lawyers in those countries. There are some very brave lawyers, one of whom I met when I was in Jamaica.

The Commonwealth Caribbean death penalty project, which is one of a few projects that provide help for men on death row, has run out of funds. I wrote to my right hon. Friend the Secretary of State for International Development, whose work on this matter I very much respect, asking whether overseas development funds could be provided. She wrote back saying that it was not within the scope of her Department. I very much hope that the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), whose answers to parliamentary questions show his concern, will be able to say that at least some finance will be made available for that project.

There are several eminent firms of solicitors in London who do pro bono work for death row prisoners in the Caribbean. I recently gave an affidavit to one who was seeking to assist a death row prisoner. I repeat what I said at the beginning of my speech: when firms like Simons Muirhead and Burton and Clifford Chance do pro bono work, it demonstrates that it is a matter not simply of nosey parker Members of Parliament interfering, but of important areas of concern to everyone who cares about the rule of law.

I received a letter from Simons Muirhead and Burton describing the problems of those on death row or in Jamaican prisons relating to access to legal advice. It said:

"There are approximately 300 prisoners under sentence of death in the Caribbean. Legal aid is not available to enable such prisoners to appeal against conviction and sentence to the Judicial Committee of the Privy Council, nor is legal aid made available for domestic or international human rights challenges . . .

Prisoners under sentence of death in the Caribbean do not have the financial resources to challenge their convictions at the JCPC, or to establish violations of their domestic or international human rights. There are very few lawyers in the Caribbean prepared to represent prisoners on a pro bono basis".

I wish to pay tribute to the London firms and solicitors who are doing this work, which is difficult.

Any of us with constituents in jail will be well aware that there are large numbers of people in jail who claim their innocence—whether accurately or not. However, owing to the rough and ready systems of justice in these countries, not only are people who will have undoubtedly committed murder liable to be hanged after suffering bad conditions in prison, but it is quite likely that innocent people are suffering in the same way. After all, if we in this country can keep people in prison for 14 years who were wrongly found guilty of murder—I pay tribute to my hon. Friend the Member for Sunderland, South at this point—I do not rule out that the same is likely to have happened in these countries.

All over the Caribbean, the reintroduction of hanging—or the danger of it—is prevalent. In Barbados, there is an intention to reintroduce hanging. Last year, St. Kitts had its first hanging since 1981. In the Bahamas, Trevor Fisher and Richard Woods were hanged on 15 October 1998, notwithstanding the fact that each had petitions pending to the Inter-American Commission on Human Rights, claiming that their rights, enshrined under the American declaration on the rights and duties of man, had been violated. These were the first executions in the Bahamas for three years, and were carried out despite a démarche from the EU—which has been active on these matters—on both cases, and a request from the IACHR that the Government preserve their lives, pending its decision on the petitions submitted by the two men on

7 June 1996 and 28 August 1996 respectively. A recognised legal process was involved, but the hangings took place all the same.

My hon. Friend the Member for Sunderland, South has been particularly concerned about the situation in Belize, and has been active on that matter. My right hon. Friend the Secretary of State for International Development, in a recent letter to me, said that she was working with Penal Reform International in Jamaica and Belize. That is another country causing deep concern.

Those countries are so keen to carry out hangings that they are revoking international agreements to do so. They are withdrawing from international bodies which provide recourse to the possibility of executions being prevented or postponed.

Mr. Chris Mullin (Sunderland, South): Is my right hon. Friend aware that, until recently, Belize had a Lord Chief Justice who professed to hear messages from God?

Mr. Kaufman: I once had a chief constable who said the same thing for a while. It appears to have spread from one continent to another. One of the messages from God that Moses brought down from Mount Sinai was "Thou shalt not kill." There was no proviso in that commandment that it should exclude judicial killing.

Mr. Mullin: This Lord Chief Justice was hearing the opposite messages from God.

Mr. Kaufman: I cannot regard myself as the greatest expert on religion, but it seems to me that the ten commandments were unequivocal.

Governments in the Caribbean are withdrawing from international agreements to carry out hangings. On 16 December last year, Guyana informed the United Nations Secretary-General of its withdrawal as a party to the optional protocol to the international convention on civil and political rights. Like Trinidad and Tobago, it then immediately reacceded, with a reservation purporting to exclude the UN Human Rights Committee from considering petitions brought by people under sentence of death relating to the capital proceedings against them. This course of action was instigated following the decision earlier in the year by the Human Rights Committee on a petition brought by two men under sentence of death.

The Human Rights Committee concluded that both men had been deprived of a fair trial and thus, if executed, would be arbitrarily deprived of their lives. It recommended not only that their death sentences be commuted, but that they should be released. The Guyanan Government said that they would not follow the recommendation. If one does not like a verdict, get rid of the judge—that appears to be their attitude.

Trinidad and Tobago has done the same thing. The Government set strict timetables for the Human Rights Committee and the IACHR to consider petitions made on behalf of people under sentence of death. In May 1998, Trinidad and Tobago notified the secretary general of the Organisation of American States of its intention to withdraw as a state party to the American convention on human rights, which came into force last month. That unprecedented step removed the obligation on the Government to guarantee the rights enshrined in the treaty to people within its jurisdiction.

Last August, Trinidad and Tobago's withdrawal from the optional protocol to the ICCPR became effective. Like other countries that are following that practice, Trinidad and Tobago immediately reacceded as a party to the optional protocol, with a reservation precluding the Human Rights Committee from considering any communications by a person under sentence of death relating to the capital proceedings against them. Jamaica has gone through the same kind of charade, and has paid no attention to requests by Her Majesty's Government to change that position.

We are not dealing with a zeal to hang, obnoxious though that is. We are dealing with deliberate violations of human rights and the rule of law. We are dealing with countries which, where their wish to violate human rights clashes with their international commitments, then withdraw from those commitments in order to be able to carry on with the hangings.

The Commonwealth has made statements about human rights to which these Governments have subscribed. There is to be another meeting of Commonwealth Heads of Government in Durban in November. No doubt these countries will go through the same hypocritical charade and pay their respects to human rights in the communiqué with their fellow members of the Commonwealth—and will then go on violating human rights as they have done.

In Trinidad, one of the bodies entrusted with overriding human rights is called—almost hilariously—the mercy committee, which is chaired by the National Security Minister. It was the mercy committee that ordered the execution of Mr. Briggs, and it would have got away with executing Mr. Briggs if the Privy Council—which had authorised the hangings in Trinidad and Tobago—had not withdrawn that authorisation.

I pay tribute to my right hon. Friend the Foreign Secretary for the firm stand that he has taken on this matter. When it became evident at the beginning of this month that hangings were to go ahead in Trinidad and Tobago, I telephoned my right hon. Friend's office and asked if it would communicate my concerns to the Government of Trinidad. Not only that, but my right hon. Friend wrote to me on 2 June saying:

"I, too was concerned that Trinidad and Tobago was considering resumption of executions after a de facto moratorium of five years. Together with our EU partners, we have made clear to the Government of Trinidad and Tobago on a number of occasions that we oppose the death penalty in all circumstances. Baroness Symons, as Minister responsible for our relations with the Caribbean, has followed up these representations by meetings with the High Commissioner for Trinidad and Tobago in London.

Most recently, Baroness Symons spoke to the Minister of National Security"—

he chairs the mercy committee—

"on 10 May while he was visiting Britain and in repeating our abolitionist views raised the case of Dole Chadee and his associates"—

the men who were hanged. My right hon. Friend continued:

"On 17 May, after these men had lost their most recent appeal, the UK joined other EU partners in démarching the Government of Trinidad and Tobago once again in Port of Spain.

If the executions of Dole Chadee and his associates do go ahead I will be pressing for a public statement by the EU as we did recently when the Philippines resumed executions."

I pay tribute to my right hon. Friend the Foreign Secretary for the firm and clear position he has taken and for the firm and clear position taken by the European Union.

[Mr. Kaufman]

What those countries say to persons such as my right hon. Friend the Foreign Secretary and me, and institutions such as the EU, the UNCHR, the Secretary General of the Commonwealth and all the others, is, "Keep your nose out of our business. We are sovereign countries and we can do as we like. You are intruding on our sovereignty by saying such things." I suppose that there is an argument for that, but they cheerfully allow their sovereignty to be intruded on in other ways. My right hon. Friend the Secretary of State for International Development provided me with details of the financial aid being provided by this country and the EU to Commonwealth countries in the Caribbean which have the death penalty. It is significant that the two countries which receive by far the greatest aid are Trinidad and Tobago, which received £20.4 million in 1997, and Jamaica, which received £45.6 million.

It is of course countries in the Caribbean which have taken a strong stand in insisting on the retention of preferential treatment by the EU for, in particular, their bananas. Our Government have responded to that. If people will not respond to appeals to their better nature, or if they do not have a better nature, it seems to me that we should re-examine the generosity with which we deal with some of their requests for help. My right hon. Friend the Secretary of State for International Development might argue that it would not be fair to the people of the country to punish them for what their Governments do, but we are told by those Governments that they have overwhelming support from the people of their countries. Much as I dislike using such pressure, if that is the only kind of pressure we have, we should use it; and I urge my colleagues on the Front Bench to do so.

Some of us in this House, together with lawyers and other outside agencies, have been a nuisance to the Governments involved for a long time. I intend to continue being as big a nuisance as I can be until we get them to acknowledge that human rights are universal. We have just been celebrating the 50th anniversary of the United Nations declaration on human rights, article 5 of which states:

"No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment."

These countries are undoubtedly inflicting such treatment or punishment, and it is time they stopped.

10.4 am

Mr. Edward Garnier (Harborough): I congratulate the right hon. Member for Manchester, Gorton (Mr. Kaufman) on achieving this Adjournment debate on what is a most important but often neglected subject. I also join him in commending the work of the pro bono solicitors in London who act without charge for the capital defendants before the Judicial Committee of the Privy Council.

I also wish to congratulate my hon. Friend the Member for Tunbridge Wells (Mr. Norman) on his promotion to the Front Bench and I look forward to many contributions from him on foreign policy matters. I am speaking from the Back Benches deliberately because the subject does not fall within my Front-Bench responsibilities, and also because I am speaking from a personal position as a long-time opponent of capital punishment. I have been an opponent since the first time I realised that such things went on, which was in the late 1950s or early 1960s, when I was about 7, 8 or 9 years old. The only exception is that the state must reserve to itself the ability to resort to the death penalty in time of war. However, this Parliament has taken that punishment away and, as I understand the position, we no longer have any form of capital punishment in this country.

Most Caribbean countries that used to be part of the British empire are now completely independent, although they are members of the Commonwealth and it must, therefore, be a matter for the people and Governments of those countries to make up their own minds about domestic criminal justice policy, subject to international convention obligations. I was concerned to learn from the right hon. Member for Gorton that several of those independent Caribbean states are resiling from their obligations under international conventions, albeit rejoining them under some sort of ruse. I deprecate that, but I am not sure what we can do about it—apart from the suggestions made by the right hon. Gentleman—save to note it.

I made a Commonwealth Parliamentary Association visit to three Caribbean states in the autumn of 1996, shortly before the election. I visited Dominica, St. Lucia and St. Vincent. During my visit, I met politicians, lawyers and judges operating in the courts of the east Caribbean jurisdiction. I met the then acting chief justice of the east Caribbean, and I also met a retired chief justice of the east Caribbean who sits from time to time—at least, he did so then—as a member of the Judicial Committee of the Privy Council here in London.

The general rule is, as I discovered when I was in the Caribbean, that elected politicians tend to support the death penalty. It is popular and Governments who execute murderers have a good chance of getting re-elected. To be fair, it may also be the case that politicians believe that capital punishment is a just and proper way to punish serious criminals. It is another generalisation, but I observed that judges and lawyers tend to take a different view. They are broadly opposed to capital punishment, although obviously there are some exceptions, and they wish to keep the Privy Council as the final court of appeal.

The position among lawyers may be changing, as most lawyers in the Caribbean aged under 45 were not trained in London at the Inns of Court, but are trained and qualified in Caribbean law schools and universities. Some are also trained in the US and Canada. There is a difference in attitude towards links with the Privy Council, just as there is a difference in attitude towards the usefulness or otherwise of capital punishment.

It is not my intention this morning to discuss the role of the Privy Council as the court of final appeal. It is to draw attention to the poor facilities available to courts and lawyers in the Caribbean. There are very few law libraries. Lawyers often work alone or in small chambers, and lack proper facilities or books. The jurisdiction of the east Caribbean is huge, stretching from the northern boundaries of south America to the northern Caribbean.

The right hon. Member for Gorton made a stark point about the absence of legal aid. Most defendants charged with capital crimes are poor and many are addicted to drugs. They have no access to the high-quality lawyers whom big bank balances would command. There are as a result huge differences in the fire power available to the

prosecution and the defence: prosecutors have the advantage of funding from the state, whereas defence counsel and defendants generally do not.

The problem identified to me by one senior judge was that he often heard advocates pleading and conducting trials on behalf of capital defendants without even an out-of-date copy of "Archbold", the standard text on criminal law in this country. To appear before any court here with an out-of-date textbook would be deemed negligent in the extreme, but to do so on behalf of a client at risk of his life with no text, not even an out-of-date one, and no law reports is appalling.

The judge to whom I spoke had to deal as fairly as he could with the cases before him. His practice was to return to his chambers at the end of a working day and do all the work himself. He would place himself in the defence counsel's position, look in his own library for the relevant authorities and principles, and reconstruct the defence case. He did that as a matter of duty, as he did not want to be responsible for being in charge of jungle justice—an expression that I do not use lightly.

The judge wanted the job done well, but that was impossible. He urged me to see what this country could do to increase or improve the level of assistance to the judicial systems of those Caribbean states. I made some inquiries of the previous Government when I returned, and discovered an organisation called Bookaid. With the assistance of Sir Nicholas Bonsor, one of the present Minister's predecessors in the Foreign and Commonwealth Office, I contacted that organisation to find out what could be done. I urge the Minister to encourage the work of Bookaid in sending out modern legal textbooks.

Assistance need not be confined to books, which tend to disintegrate in the Caribbean's humid climate, where many lawyers' offices and courts are not air conditioned. However, that does not mean that we can do nothing. Personal or collective access to the internet is available all over the world, and I urge the Government to do what they can to provide internet links. That would give lawyers and judges in the Caribbean direct access to legal judgments, precedents, textbooks and so on. Those resources are available in my chambers at the touch of a button, and they could be just as easily available in the Caribbean.

We complain, rightly, about some of the prison regimes in the United States and about how some states execute capital defendants who for many years have been lingering on death row. Some recent executions have been for crimes committed when the prisoner was under 18. Although we might have moral scruples about the justice system in the United States we have no moral responsibility for it, as that country has been independent for more than 200 years.

However, we have a moral responsibility to the Caribbean, which remained under our governance until relatively recently. We have a responsibility to ensure that the legal system, judges and lawyers are properly equipped to do justice.

The question of whether the Caribbean people require the Judicial Committee of the Privy Council to remain as their final court of appeal is a separate matter. I urge the Government to do all that they can to ensure that books and access to legal knowledge are available as widely as possible to bolster the Caribbean justice system which, as the right hon. Member for Gorton rightly said, is from time to time questionable.

10.16 am

Mr. Chris Mullin (Sunderland, South): I shall make a shorter speech than I originally intended, as my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) has summarised the issues with clarity and force. I shall confine myself to drawing the House's attention to a couple of quotations and asking some questions to which I hope that my hon. Friend the Minister will respond.

As my right hon. Friend the Member for Gorton said, we have worked closely on this issue for a number of years. My interest arises from the pitiful letters that I began to receive from people on death row after the release of the Birmingham Six in April 1991. I receive letters from prisoners around the world, including many on death rows in the United States, but the most pitiful are from the Caribbean. I shall quote from one letter sent by a man in Trinidad who was on death row for more than 10 years before his sentence was commuted as a result of the Pratt and Morgan judgment of the Privy Council.

In a recent letter, the man wrote:

"I thought with the commutation of the death sentence I would have been given the opportunity to advance my education that would enable me to become a progressive and constructive human being so that, if and when I come out of prison, I will not have to return to the life that caused me to hurt other people to survive . . . Briefly, this is how I squander my days in prison . . . I share a cell with ten other inmates, the noise of the other inmates makes it difficult for me to sleep, read, pray or study properly. At 7 am the cell is opened. I am given butter, bread and coco water for breakfast. I then stand in an open yard hoping to get a shower. Around 10.30 am I receive rice and peas water, then I am locked back into the cell. Around 3 pm the cell is again opened and I receive supper of butter, bread and sugar water. My health has deteriorated badly. Brutality controls the prison. A few weeks ago a prisoner who was serving a life sentence was murdered by a prison officer . . . the deceased had lived 30 years of his life in prison . . . I am hoping that I will not be murdered by anyone in this institution. I continue to beg God to forgive me my sins and to forgive those who wrongfully treat me badly."

That is just one of the many similar letters that I receive, and I decline to walk by on the other side of the road.

The other passage that I want to place on record comes from a distinguished Trinidadian lawyer. Several years ago, he told a BBC television programme:

"The legal aid system is a great barrier and a great handicap"

to

"persons on death row getting legal representation. It is very restricted . . . The maximum a lawyer gets if he does a legal aid matter is, I think, the equivalent of around £300. Based on that, you have very young lawyers who are sometimes very inexperienced dealing with capital cases."

The lawyer went on to say that many capital cases

"are based on confessions to the police"—

we are, or at least we used to be, familiar with that phenomenon—

"who do not have any real investigative machinery . . . You have situations where if people are just suspected, they are arrested. They are kept in police stations. They are made to sign confessions. Then you go before a jury in an environment in which you have a high crime rate, which is a lot of pressure on a jury system in a small country—and you have lawyers who are very inexperienced having to defend these people. You have a situation where the dice is loaded against the accused person."

[Mr. Chris Mullin]

The lawyer who made those remarks was Mr. Ramesh Maharaj, now the Attorney–General of Trinidad and playing a leading role in the drive to remove safeguards such as the Privy Council and to speed up application of the death penalty. The hon. and learned Member for Harborough (Mr. Garnier) said that lawyers in the Caribbean tend to be against the death penalty because they know how convictions are achieved, while politicians tend to favour it because they know public opinion. Mr. Maharaj has been both lawyer and politician. As a lawyer, he was strongly against the death penalty. As a politician, he is strongly in favour of it.

A few weeks ago, Mr. Maharaj came to see me. He is charming and courteous, and he cheerfully admits to having reluctantly changed his mind on the death penalty because that is what the voters want. To me, he seems an acute example of a politician willing to do anything for votes. That phenomenon is hardly unique to Trinidad and Tobago, but as, in his case, it involves killing people, I find it particularly distasteful.

I shall conclude with three brief points, all touched on by my right hon. Friend the Member for Gorton. First, we are not talking of far away countries over which we have little influence. We have a lot of influence with many Caribbean Governments, and we should exercise it. Belize—not strictly in the Caribbean, but greatly affected by what happens there—depends heavily on the United Kingdom to help to preserve democracy and to protect it from its neighbours. Belize also receives much aid and other assistance. I welcome the provision of such help, but as my right hon. Friend said, if such countries will accept that much interference with their sovereignty, they must not be surprised when we ask what happens in their jails.

When the high commissioner of Jamaica tells me that his country has a sovereign right to do what it wants, I accept that that is so. However, we have a sovereign right not to provide Jamaica with aid, trade preferences and debt relief. The Government are rightly committed to an ethical foreign policy, seeking to forge a clear connection between the countries that we choose to help and the degree of democracy and civilised behaviour in them. That principle should be applied forcefully in the Caribbean. It is time to make our minds up, because there will be a massive bout of hangings in the Caribbean if certain politicians have their way. We have given Jamaica and Trinidad enormous debt relief over the past year, despite the problems mentioned by my right hon. Friend. Perhaps we should be a little less generous.

Secondly, a two-tier court of appeal has been proposed, comprising a Caribbean court of appeal for death penalty cases—no doubt it will be expected to dispose of cases swiftly—and a civil court of appeal that would remain with the Privy Council. Politicians know that many international companies with which Caribbean countries do business would not accept a Caribbean court of appeal to deal with civil actions. They are anxious to retain the business, so they have sought a device that will enable them to hang as many people as possible as quickly as they can while preserving their commercial arrangements. I hope that we will have no truck with that two-tier idea. It is not the direct responsibility of my hon. Friend the Minister of State, but I hope that he will pass on what I have said to his colleagues.

Finally, I hope that the Minister will express himself strongly against the recent decisions by Trinidad and Jamaica to opt out of the optional protocol of the international convention on political and civil rights. They have opted back in on everything except matters relating to the death penalty. Those decisions are a provocation, and I hope that we shall be robust against them.

I welcome the debate, and I thank my right hon. Friend the Member for Gorton for arranging it.

10.26 am

Mr. Menzies Campbell (North-East Fife): The right hon. Member for Manchester, Gorton (Mr. Kaufman) has done the House a great favour by raising this subject for debate. As it has developed, the debate has justified our allocating another occasion and rather more time to it. A series of complex issues has been raised, and the House ought to consider those issues at more leisure.

Capital punishment has caused me some anxiety in the recent past, not least because I feel discomfort—even repugnance—at the notion that the Judicial Committee of the Privy Council should still have a role when the United Kingdom has finally, once and for all, abolished the last few remaining instances in which the death penalty might be applied. I hope that I do not offend the right hon. Gentleman by saying that he has a personal Richter scale of language, but today the force of his argument and his calm and rational introduction were powerful. He did himself and the House a great deal of justice.

More than half the countries of the world retain the death penalty. Last year, four of them—China, Iran, the Democratic Republic of Congo and the United States of America—accounted for 80 per cent. of all executions. Like the hon. and learned Member for Harborough (Mr. Garnier), my opposition to the death penalty arises from conviction.

I entered professional practice in 1968, three years after the abolition, to all intents and purposes, of the death penalty. I never had the burden carried by others at the Bar—especially when legal aid was less freely available than it is today—of being engaged in what used to be called capital cases. However, I successfully prosecuted and unsuccessfully defended cases in the High Court in Scotland in which, but for the passing into law of the Murder (Abolition of Death Penalty) Act 1965, capital punishment would have applied. Nothing in my experience persuaded me that my conviction that capital punishment was wrong required any revision.

At the time when their independence was gained, politicians of the newly independent countries of the West Indies opted to retain the Judicial Committee of the Privy Council because it provided legal and judicial expertise not available in their domestic legal systems. It was always envisaged that the time would come when that would no longer be so, and that those countries would eventually manage their legal systems without recourse to the United Kingdom.

The constitutions of the Caribbean countries provide that their legislatures can abolish the right of appeal to the Judicial Committee of the Privy Council by a constitutional amendment, usually requiring the approval of a two thirds majority. So the mechanism exists whereby those countries could, as it were, repatriate to themselves the responsibility that now rests with the Privy Council.

In recent times, some powerful arguments have been addressed as to whether that legal connection should be maintained. I commend to the House an article written by David Pannick, QC, in *The Times* of 15 June this year. It was a powerful article by someone whose reputation in these matters is very considerable indeed. He argues that independent nations should be encouraged to develop their own judicial, as well as their political, autonomy. He also argues that colonialism is still colonialism, no matter how benevolent its administration.

I found one passage of that article especially compelling. David Pannick states:

"Our senior judges are put in the unacceptable position of being asked to administer such rules."

That is a reference back to the rules relating to capital punishment. He continues:

"They have responsibility but very limited power."

It is now time for us to ask ourselves whether it is right that the Judicial Committee, and the distinguished judges who make up that committee, should continue to have the responsibility for determining issues in a form of punishment that is regarded by almost everyone in the United Kingdom as barbaric and which is one that we have expunged from our own legal system.

There is a paradox contained in the argument that the Judicial Committee should cease to have any responsibility, in that the risk might be that any influence that we in the United Kingdom have would be substantially diminished. As long as those appeals come before the Judicial Committee, it can be argued that there is a degree of influence. If we repatriate—if that expression is correct—that responsibility to the Caribbean itself and take the Judicial Committee out of the process, it could be argued by some that we would have even less influence than we have at present.

As I said when I began my remarks, I do not pretend for a moment that these are anything other than complex and difficult issues. However, as long as that responsibility remains vested in the Judicial Committee, this House cannot be regarded as exempt, or barred politically or in any other way, from passing judgment on Administrations in those countries that persist in the application of a punishment that we regard as wholly unnatural.

I was interested in the reference made by the hon. Member for Sunderland, South (Mr. Mullin) to the Attorney-General of Trinidad. The Attorney-General was recently quoted as saying that

" it is wrong for any country or group of countries to transplant their legal culture into the Caribbean. We respect their laws of punishment, and they must respect ours."

Very well; but just as we respect their right to pass political comment on the nature of our system, they must, in turn, respect our right to do so as well.

This debate may well cause annoyance in some countries of the Caribbean, but as long as the Judicial Committee of the Privy Council still has a legal responsibility for these matters, this House has a legitimate interest in them, and those countries cannot expect that we will be silent in the face of the continuing use of a punishment which people in this country find so repugnant.

10.34 am

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I share and associate myself with the observations made by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), by my hon. Friend the Member for Sunderland, South (Mr. Mullin) and by the right hon. and learned Member for North-East Fife (Mr. Campbell). During the few minutes available for my speech, I want to speak on a narrower point, but one that is of considerable concern. There is one residual responsibility for Ministers and for the House in respect of dependent territories, especially those in the rather peculiar position in which Bermuda stands on the issues that we are debating.

I refer to Bermuda because, although I hate to do so, I am briefly going down the ministerial memory lane. Rather poignantly and sadly, the last time—as I recall it—that a United Kingdom Minister made a decision that led to the execution of two people was the decision made in December 1977 by the then Foreign Secretary, now Lord Owen, to endorse, or approve, the execution of Burrows and Tacklyn, one of whom had been accused and found guilty of the murder of the then Governor of Bermuda, Sir Richard Sharples. It is sad to recall that last occasion on which a UK Minister made a decision that led to the execution of two people.

At that time, I was the Minister of State for Foreign and Commonwealth Affairs and have vivid memories of the incredibly difficult and awful decisions that were taken. Behind the scenes, painstaking discussions were held with Mr. Gibbon, the then Premier of Bermuda, to try to avoid that outcome. I remind the House that the flawed advice received by my right hon. Friend the then Foreign Secretary was that

"racial harmony, respect for law and order, and the security situation, would suffer . . . if a stay of execution [illegible] granted."—[*Official Report*, 5 December 1977; Vol. 940, c. 1015.]

As a result of the execution, a large part of Bermuda went up in flames; we had to send in British troops to restore law and order; and my right hon. Friend had to make a statement to the House on 5 December 1977.

I refer to those matters because, interestingly, capital punishment in our dependent territories—especially in respect to the position in Bermuda—is referred to in the White Paper on overseas territories that has just been published. As a result of those tumultuous events in Bermuda in 1977, the House approved an Order in Council that abolished the death penalty in the dependent territories. My right hon. Friend the Member for Gorton and my hon. Friend the Member for Sunderland, South referred to Commonwealth countries and former colonies in the Caribbean where people are now being executed. When my hon. Friend the Minister winds up the debate, will he tell us what stance he will take on the issue of capital punishment in any future constitutional discussions with our remaining dependent territories in the Caribbean—if there is to be further constitutional development in those territories.

What is the position of Bermuda? As I understand it, Bermuda is excepted from the present Order in Council. Presumably, therefore, it remains possible for Bermudan courts to pass sentence of execution on people found guilty of murder. What will be the position? I hope that my hon. Friend will give us a clear statement of Ministers' views on that matter.

Where, inevitably, there is a residual responsibility, not only does such responsibility rest with the Judicial Committee, but it also falls on Ministers—as it did on me

[Mr. Ted Rowlands]

in the 1970s—because the final move for anyone threatened with the death penalty is to appeal for clemency to the Queen. There are usually huge appeals for clemency—as there were in the case of Burrows and Tacklyn, when a petition from Bermuda with 6,000 signatures arrived on ministerial desks. Ministers do become involved; it is not only a judicial matter, it becomes a highly sensitive political issue.

On another occasion, as a Minister I refused—and through me, the then Secretary of State refused—to approve the execution of a man in the British Virgin Islands. That led to a most serious situation, when large crowds gathered and put our governor under siege. We had to take appropriate action to safeguard the governor.

We all accept that in the Caribbean these issues are highly emotional, and sometimes they summon the demons from the deep. However, we must take a clear and principled stand. Certainly, in cases in which the British Government, British Ministers and this House retain a residual responsibility for those matters, I hope that we shall take a firm stand, as my right hon. and hon. Friends have said. We must say that, however much we may respect the views and opinions of the peoples of our dependent territories, including Bermuda, when it comes to the death penalty and capital punishment, neither Ministers nor this House will support or approve it—as sadly, in 1977, we once did.

10.40 am

Mr. Archie Norman (Tunbridge Wells): I too offer my congratulations to the right hon. Member for Manchester, Gorton (Mr. Kaufman) on raising this issue, and I commend other hon. Members—notably the hon. Member for Sunderland, South (Mr. Mullin)—for their outstanding contributions to the debate. I am very much in awe of the expertise and first-hand knowledge that they bring to bear, and I was swayed by some of the points that they made during the debate.

The concern raised in this debate is right and understandable. It is to do with the question not just of capital punishment but of human rights, prison conditions and several other matters mentioned by the right hon. Member for Gorton. There can be no defence for cases of miscarriage of justice or inadequate legal support. My hon. and learned Friend the Member for Harborough (Mr. Garnier) mentioned the Briggs case—to which the right hon. Gentleman also referred—and there can be no defence for the prison conditions to which he alluded.

It is important to reflect on the fact that views about capital punishment vary in the House—although apparently not among hon. Members assembled in the Chamber today. I share the convictions expressed by other hon. Members and their opposition to capital punishment. I have opposed it all my political life. It is important to note that we have always made capital punishment an issue of personal conscience and free vote in this country.

The real question at hand is whether, in adopting a foreign policy approach to this issue, there are solutions that, first, are likely to succeed and, secondly, can fit into a foreign policy framework that is consistent and sustainable. In both cases, the balance of judgment is very difficult. This is not an easy matter: it is not simply a question of our expressing our rightful moral concern about the issues involved.

Capital punishment has always been the subject of a free vote in the United Kingdom Parliament and we must appreciate that the Caribbean countries have noted our approach. We must remember that there is a broader context to this debate. There is widespread support in the Caribbean for the continuation of capital punishment. That is not to say that issues of human rights and the legal process are not important and valid, but popular support for capital punishment in the Caribbean is considerable and, according to recent polls, runs at between 70 per cent. and 80 per cent. The issue is generally included in the election manifestos of most political parties in the Caribbean and the vast majority of elected politicians support it—perhaps for the reasons that the hon. Member for Sunderland, South mentioned. It is a fact that it is the democratic will of certain democratic countries that capital punishment should continue. We must therefore consider carefully the manner in which we raise the matter.

We must remember also that the number of people on death row and the high number of executions in Caribbean countries is due to a frightening increase in organised crime. That will affect the Caribbean people's perception of any comments that we may make about the issue. The social context in the Caribbean is very different from that which prevails in this country—that is perhaps obvious, but it is important to recognise that Caribbean countries are no longer idyllic island paradises that are unaffected by crime.

The number of people on death row in the Caribbean reflects, to some extent, the incidence of serious crime in those countries. There were 1,010 murders in Jamaica in 1997 compared with 748 in the United Kingdom, whose population is approximately 24 times as large. The murder rate in Jamaica is among the highest in the world, and even the Bahamas has a higher murder rate than the United States. It is estimated that 90 per cent. of murders are drugs related. This is serious, organised crime so it is understandable that the people of the Caribbean adopt a serious approach to tackling it.

Although they do nothing to mitigate the questions that have been raised about human rights and the legal process in the Caribbean, these are important background factors that should determine and inform our approach to influencing the situation. The increase in organised crime in the Caribbean is continuing at a frightening rate. Perhaps the Minister will explain how we can not only address questions of capital punishment and human rights but help those countries to deal with their crime problem, which lies at the heart of the issue.

As we are dealing with former colonies, it is important that our approach be informed by the background of attitudes in the Caribbean. The Caribbean Community and Common Market—CARICOM—has agreed to establish a Caribbean court of justice, as the right hon. and learned Member for North-East Fife (Mr. Campbell) mentioned, and it is hard to avoid the conclusion that our role in the Caribbean's criminal system is coming to an end. There is thus a danger that our moral outrage will accelerate our diminishing influence. The Privy Council is already deeply unpopular in some quarters in the Caribbean. We have a long history of involvement in this area, but we must recognise that, if our approach is tactless and overbearing, we will diminish rather than increase our influence.

We need to maintain an element of sustainability in foreign policy and consistency in our approach. It has been pointed out in the debate that many other countries have capital punishment. Some 30 out of 50 Commonwealth countries maintain systems of capital punishment, as do 128 countries world wide. Many of those countries, such as Uganda, India and Pakistan, are big recipients of overseas aid from the United Kingdom. In pursuing our foreign policy objectives, we must consider carefully the attitudes that we adopt to capital punishment in those countries—especially since it is often hard to maintain that their systems of justice are perfect. It is a question not of ignoring the problem but of ensuring that we maintain—and are seen to maintain—a degree of consistency.

We have relatively limited leverage in this area because of the background factors and public opinion in Caribbean countries. The aid budget is important and perhaps more could be done through that budget to tackle the crime problem in the Caribbean. Perhaps we could provide the sort of legal support outlined by my hon. and learned Friend the Member for Harborough. There are solutions to these problems and things that can be done to address them. It is right to raise the issues, and we must be persuasive and forthright in so doing. Capital punishment is a disturbing issue and I find convincing, and sympathise with, the points made by right hon. and hon. Members this morning.

We operate, however, in a world where practical results matter. We have granted the Caribbean countries democratic rights and we must respect their decisions. The democratic weight of opinion in those countries is overwhelming, and we must respect the people's views. So our approach must be human rights based. We must do all that we can to influence prison conditions, the treatment of people and the handling of legal cases. There is every reason to adopt quiet persuasion and to consider what can be done through the aid budget and the United Nations. However, as an ex-colonial power, it behoves us to be extremely sensitive and persuasive in our handling of the issue. It may be that a light touch is needed.

10.48 am

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): I strongly welcome the decision of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) to apply for this debate. He raised an important issue, and the quality of contributions this morning—it sounds patronising, but it happens to be true—has been outstanding. Our message will ring across the oceans to each of the Caribbean states mentioned this morning.

I begin with the pleasant task of welcoming the first contribution by the hon. Member for Tunbridge Wells (Mr. Norman) from the Front Bench. I am sure that his thoughtful and well-researched speech has been well received both here and outside this place. He has set himself a high standard to live up to.

The background to the debate is that, after capital punishment had been in disuse for some years, a number of states began to withdraw from some of the important international human rights conventions last year, giving a strong signal of intent to resume capital punishment. The circumstances of that have been detailed by hon. Members. That was followed by executions in the Bahamas and in St. Kitts-Nevis. Earlier this month, there were nine executions, about which the House has heard, in Trinidad and Tobago. As my right hon. Friend the Member for Gorton has said, the comments made by Prime Minister P. J. Patterson a little under two weeks ago suggest that Jamaica is about to take the same course.

We should place it on record that revulsion is felt by any civilised human being at the crime of murder—there is no disagreement about that. Murder is generally considered to be an horrific crime and, in its most extreme cases, revulsion for the crime and the criminal is a natural and understandable human reaction.

I shall not rehearse all the arguments concerning the death penalty. My own views, like those of every hon. Member who has spoken, have been consistent for many years, although I do not have a closed mind and we must constantly re-examine the arguments. It is worth reiterating that taking away a human life by judicial process is futile. All studies suggest that capital punishment has no long-term deterrent effect and, as has been said in the debate, we know where our own judicial processes have been flawed. Happily, capital punishment has not been used recently, although it would have been carried out in certain cases in a previous era. We know that innocent people have been executed and, for them, there can never be any attempt at recompense.

The House has consistently rejected the reintroduction of the death penalty over many years. In 1997, the Government recognised that and Parliament abolished the death penalty for treason and piracy and removed it from armed forces legislation. We have ratified, or will ratify, various protocols, such as protocol 6 of the European convention on human rights and the second optional protocol to the international covenant on civil and political rights. As hon. Members have said, foreign policy has to take account of the principles of human rights and fundamental freedoms. Under the UK presidency of the European Union, we agreed EU guidelines to press for abolition of the death penalty.

The hon. Member for Tunbridge Wells referred to consistency. We have raised specific cases in many countries, including the United States, China, Iran, Sierra Leone, Rwanda, the Philippines and others. We have also made our policy on the death penalty clear in the course of normal contact with many other countries. We are not singling out Caribbean states because they are small or even because of our close and friendly relations. This is an important issue of principle and humanity—principle is universal and non-discriminatory, as is the bond of humanity—so there is no difficulty in saying to the House that we do not need to keep silent on it.

We have a particularly close relationship with the countries of the Caribbean and, at the end of this week, my right hon. Friend the Foreign Secretary will travel to the European-Latin American and Caribbean summit in Rio de Janeiro. He will make a major contribution on the issue of drugs and the need for co-operation across Latin America and the Caribbean and the consumer countries of Europe. Britain already co-operates strongly on a bilateral basis in parts of that region, but we need to improve our response and recognise that, in the modern world, drugs are often the motor for crimes of excessive greed and, in particular, violent crime. I believe that such co-operation is addressing some of the fundamentals which, ironically, dictate what the House is discussing this morning—murder and capital punishment.

[Mr. Tony Lloyd]

A particular concern for the United Kingdom is ensuring that the anxieties of our close friends in the Caribbean are given proper weight in the summit proceedings. It is right that the United Kingdom, of all countries, should shoulder that task. The historical ties that bind us are strong and the links run deep in cities such as Manchester, which I and my right hon. Friend the Member for Gorton represent. Many of our constituents come from the West Indies and their children and their children's children are respected constituents. Their influence is powerful and for the good. We trade extensively with the Caribbean and have close contacts at every level. The Government have taken, and will continue to take, numerous initiatives, beginning with the UK-Caribbean regional forum in Nassau in February last year, to develop and enhance our relationship and reflect the depth and closeness of these links in a modern context.

Sadly, we find ourselves in fundamental disagreement with close friends over the specific issue of capital punishment, but the frequency and depth of our dialogue means that we can seriously engage Caribbean Governments. We understand the context that exists in many Caribbean countries and their particular problems, and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) gave us a graphic account of the strength of feeling that exists. We do not deny that and we do not intend to diminish the impact of violent crime in Caribbean countries.

Crime, and particularly violent crime such as murder, is increasing. A high proportion of murders are domestic—that is the case everywhere—but many are related to the increasing drugs menace. The islands find themselves on the drug trafficking routes from source to user countries, so they are vulnerable to the extraordinary violence that results from that horrific trade. The consequences are tragic.

We have sympathy for the Governments who valiantly attempt to enforce the law and make their communities safer, often with extremely limited resources. We need to be mindful of the fears of citizens, their demands for tough action by Governments and the pressure under which Caribbean Governments are put by the action of other states.

We want to establish that, although we sympathise with the difficulties of Caribbean Governments, we fundamentally disagree that capital punishment is the solution. However, we can do more than stand on the sidelines. We are finding ways of helping Caribbean Governments with the problems of crime and criminal justice. The hon. Member for Tunbridge Wells made that very point. The work of our police advisers and technical co-operation officers in the region involves training Caribbean police forces in modern techniques, and building the capacity of those institutions to improve crime prevention and fight the growing problems of youth crime and violence. That is a practical step towards introducing real deterrence.

We will build on our work on prison reform; I heard the comments of hon. Members on conditions in some of the Caribbean states, in particular Jamaica. When my noble Friend Baroness Symons visited Jamaica in October last year, she raised the issue of prison conditions with the Jamaican authorities. We are working hard in countries such as Belize to find alternatives to prison, because conditions are often horrendous. We will help with the introduction of greater use of non-custodial prisons. That may not help in respect of capital crimes, but it will alleviate the pressure on the prison system. We are assisting with criminal justice reform and helping to simplify court procedures and improve legislative drafting.

A number of suggestions have come from hon. Members. I shall happily discuss with my right hon. Friend the Member for Gorton the funding for the Caribbean death penalty crime project, which he discussed. It will help if we take that forward bilaterally at first and I am more than sympathetic to the concept, which is consistent with what the Foreign Office is doing through the human rights project fund.

I am also sure that we can find imaginative ways of helping to ensure that relevant, up-to-date information is available through modern technology such as the internet, and possibly through the British Council. We can certainly look at those issues. We are funding Caribbean Justice, which is holding a conference on the death penalty that will bring together lawyers and other interested parties. We also intend to help there.

Development assistance was referred to, but I must disappoint my hon. Friends on that. I shall tell them why. We have no bilateral programme with some countries—the question of consistency is important in that—but we are determined to help the most marginal countries out of poverty. Poverty creates the conditions for crime and we would turn our back on the reality of violent crime if we cut all forms of assistance. We are not prepared to cut programmes for those who help with judicial reform.

I have not been able to deal with some issues, and I shall write to hon. Members about them, but the message from this important debate will travel to the Caribbean. Strong feelings are held in this country as well as in the Caribbean and we have done the House and our friends in the Caribbean a service by raising this important issue.

Teenage Pregnancies

11 am

Mrs. Teresa Gorman (Billericay): I am grateful for the opportunity to open a debate on this subject.

The Government have just published a report on teenage pregnancy prepared by their social exclusion unit. The standard of the document makes it easy to read, and it has lots of useful diagrams and heartfelt comments from concerned adults, like the Prime Minister, who talks about our shameful record—rather like a Victorian parson pontificating in the pulpit. The best bits are the quotations from teenagers themselves, which illustrate the reality of their predicament. I fear that the rest of the report is much of the same: it refers to more task forces, more focus groups and more concerned adults who will minister to those teenagers, while studiously avoiding some of the simple remedies offered by the pharmaceutical industry, most essentially, emergency contraception and possibly easier terminations. There are one or two novel bits, such as punishment for teenage fathers, including losing their car or having their benefit cheques docked by £5 a week.

If we are to discuss a subject as serious as this, we must put it into perspective. When devising solutions for perceived problems, it is important to look, first, at the comparison between this country and other parts of the world and, secondly, at the number of people involved. Although it has often been said that we have the worst record in Europe, we do not have the worst record in the world. Other English-speaking countries, particularly the United States, New Zealand and Canada, have higher numbers than ours. In England, there are some 1.7 million teenage girls in the 14 to 18 age group. The report says that 90,000 of them become pregnant each year; it does not say that they are all unmarried or not in partnerships. However, that is only 5 per cent. of that age group. If we take the 14 to 16 age group, about which there is a great deal of concern, the figures are 880,000—under 1 million—and 8,000 live births, which is less than 1 per cent.

I am not sure that I agree with the Prime Minister that that is an altogether shameful record. I agree that it is 8,000 too many births to girls in that age group, but the fact remains that 99 per cent. of our young girls are not getting pregnant each year. It is important to bear those facts in mind because we sometimes become quite hysterical and get things out of proportion, which does no good.

The experience of pregnancy and birth for those very young girls may be extremely traumatic. No one would pretend that, at that age, they are ready to raise children: they are hardly more than children themselves. However, we cannot marry them off or expect them to set up partnerships with the fathers of their children, who are usually just as young as they are. Nor can we simply walk away from the problem.

I am not altogether scornful about or averse to the Government's suggestion that hostels may have a role to play in helping those young people to get their act together, get back into education and begin to pick up the threads of their young lives so that they do not find themselves stuck in the groove of early and continuous maternity until it is almost too late.

Lorna Fitzsimons (Rochdale): First, may I congratulate the hon. Lady on securing this debate? Does she agree that when we talk about hostels, it is important to point out that the report specifically refers to independent supported accommodation for under-18-year-old single parents? Does she agree that, as politicians, we must act responsibly and be specific, because the media have not?

Mrs. Gorman: Yes, I agree with the hon. Lady. I am sure that she is aware that many of those young children are in care homes to begin with, so the prospect of their being in an institution—I hate that word—or some kind of accommodation where they can be looked after and which specifically caters for their new maternal condition has merit.

The very best solution would be for those young girls to stay with their own families—with mum. It would certainly be much cheaper. According to the Joseph Rowntree Foundation, a single parent raising a child alone will cost the taxpayer at least £83,000 in benefits from the child's birth to when it reaches the age of 18. That is without the cost of housing benefit, if that person lives alone, is unable to work and therefore cannot support herself as she might like to.

A child raised in a conventional family costs some £50,000 from birth to the age of 18. About a fifth of that—£10,000—is met by child benefit, so it seems perfectly obvious, from a financial perspective, that the best policy would be to support and encourage the families of those young girls to keep them at home instead of paying the teenagers to tough it out on their own. The plans that the Chancellor devises should take that into account.

I should like a pound for every time that I have been to a Chancellor in the run-up to a Budget to try to make that point to him. I say "him" because it is always a him. We are yet to have a woman Chancellor, who might be more sympathetic to that point of view. The best place to raise children is within the existing family, and that is also the most cost-effective course.

Mr. John Healey (Wentworth): Although it is true that we have a male Chancellor, does the hon. Lady not concede that for the first time we have three female Ministers in the Treasury team? That must be a step forward.

Mrs. Gorman: Yes. The hon. Gentleman makes my point for me: we are always the bridesmaids, never the bride. I shall wait to see the outcome.

How do teenagers view these matters? Girls who find themselves pregnant are often obliged to leave their family home, simply because, in that way, the welfare system will pick up the bills. Why should parents who live in crowded accommodation encourage their daughter to stay at home, with the extra costs, the inconvenience and a noisy mouth to feed—the new baby—when the welfare state dictates otherwise? When Governments do more, people do less, and when something is subsidised we tend to get more of it.

I do not believe that young women have babies to get flats. That is a calumny; it is not true, and we should stop saying it. I certainly do not support the tabloid press, which often makes that extremely chauvinistic point. However, we must stop subsidising teenage sex so much

[Mrs. Gorman]

and must promote the role of the conventional family both in dealing with their own teenage children and in taking in their children's children wherever possible.

That is what used to happen—perhaps before the welfare state began. Although the welfare state means well, it does not always produce the right solutions to the problems that it perceives. We should not take the line that because the welfare state has not achieved its goals, we need more of it. Sometimes we need to stand back and ask ourselves whether we can do things better. There are other options.

Shona McIsaac (Cleethorpes): Does the hon. Lady agree that we should not just stand back, but take a step back? Is not the most cost-effective solution ensuring that young women do not become pregnant in the first place? Really good contraception education would give them the self-confidence to say "No" or "Not yet".

Mrs. Gorman: I could not agree more, but I feel like saying "I wish". In fact, there is a great deal of education of this kind, but it seems to go over the heads of school children. One teenager is quoted as saying, more or less, "Our religious education teacher gave us the facts. She was shaking with nerves, and I felt embarrassed for her." That, I imagine, was the end of the lesson.

Not all girls who become pregnant come from conventional homes. Some, possibly quite a large number, are already in care, and we should consider the nature of the places where they are in care. I recently visited a very nice, very modern care home for children from difficult backgrounds, which contained one young teenage girl and six boys. They all slept in the same corridor; admittedly, the girl's room was at one end and the boys' room was at the other. The staff told me how much "teasing" the girl received from the boys, and expressed doubts about the merits of the arrangement. Their solution was to admit a few more girls to balance things out. Mine would have been to take the girl out of the hostel and put her with other girls.

I am a great advocate of allowing girls to grow up together. I went to a girls' school, and I do not think that it did me much harm. Girls often thrive when they have the support of their own sex. Politically correct ideas about modelling care on the orthodox, traditional family mix of the sexes are not always right. Young girls and boys in care are being brought up by people who are basically strangers, and who work on a rota basis, coming in for eight hours and then disappearing again. We should ask ourselves whether the social services have got it right, given the inordinately large number of children who come from disturbed, dysfunctional or broken homes.

The report quotes one young woman as saying:

"It sometimes seems as if sex is compulsory but contraception is illegal".

Quite. Young people have more than enough exposure to sex as a supposedly jolly pastime, but, as the hon. Member for Cleethorpes (Shona McIsaac) pointed out, an obstacle course awaits them when they need access to contraception in emergencies.

Our abortion rates are much higher than those of other European countries. They are particularly high in the leafy suburbs of the southern counties, where families are more clued up and girls are more ambitious. When a girl becomes pregnant accidentally, her family ensures that she is given treatment so that she can get on with her young life and develop her career and prospects, rather than having to raise young children before she has completed her own preparation for adult life.

The cheapest contraception of all—if it is made available quickly enough—is emergency contraception, which costs just £1.35. Some girls, however, wait much too long before drawing attention to their pregnancies. Some go through with it, give birth and then dump the baby.

Pontificating on its high horse the other day, the *Daily Mail* observed that at the beginning of the last century about 5 per cent. of young women were becoming pregnant, whereas 40 per cent. more were becoming pregnant nowadays—although 40 per cent. of a relatively small number is not a huge amount. Girls today, however, do not face the prospect of the workhouse. They do not smother their children at birth, as they frequently did in those barmy early Victorian days, or dump their babies on the steps of workhouses. If the numbers have risen, that is partly because girls are no longer intimidated and made to feel desperately ashamed, as if becoming pregnant was all their own fault. They are more open about it. We should welcome that, and not prate too much about the high incidence of pregnancy.

We are told that the number of such pregnancies is much lower in Holland. That is generally believed to be because Dutch society is much more open: parents discuss all aspects of sexuality with their children, and access to general practitioners is much easier, as is access to help for those who unintentionally become pregnant.

I do not think that we can change our own society overnight. Our prurient attitude is demonstrated by the amount of bonking that we see on television: it is far more frequent than the weather forecasts. Moreover, we are not given the gloomy news; we are only given the jolly news. These television sessions always seem to finish with a burst of pleasure for the parties involved. In real life, that might apply to one of the parties, but young women often find that they are not as thrilled and delighted as they expected to be. They take part in sexual activity because of peer pressure, but it may not turn out to be such a treat as they were led to believe.

Shona McIsaac: This country may have given the world page three, sex on television and saucy seaside postcards, but are we not still phenomenally prudish when it comes to discussing sexual relationships and contraception? Our teenage girls still believe the myths that were around when we were young—"You can't get caught the first time," and so forth. I return to my main point: the solution is good sex education and contraception advice at a young age, so that the problem can be sorted out before girls start having sex.

Mrs. Gorman: As the hon. Lady may or may not know, I got quite a lot of stick for signing an early-day motion tabled by the hon. Member for Richmond Park (Dr. Tonge), and saying that I thought even children in the top forms at primary schools should be given some information of this kind. Given that they can switch on the television any day and see such activities—whether or not they register—there is something to be said for more openness.

The hon. Lady brings me to my next point. The report deals at some length with education. It is clearly part of the Government's aim to improve education, and there is no doubt that children are receiving mixed messages; but if we beef up sex education in schools, will youngsters take any notice? Frankly, I doubt it.

Young men—driven by their testosterone hormones, and in a condom culture—seem still to be oblivious of the damage that they may be doing to their partner, whom they obviously sought, or to have any sense of responsibility for the end product—the child—of the partnership. However, as I said, we cannot expect young boys to settle down with their young girlfriends or wives—the mothers of their children—to set up a conventional child-rearing environment.

Mr. Phil Hope (Corby): I congratulate the hon. Lady on initiating this debate. However, do not the report and its appendices—using studies from across the country—establish and state pretty comprehensively that more effective education on sex and relationships and preparation for parenthood reduce sexual activity among young people, increase their ability to feel less compelled to have sex at an early age, and increase the likelihood, particularly among boys, that they will take their responsibilities and obligations more seriously?

Mrs. Gorman: The hon. Gentleman may believe that, but he should not forget that, according to the Prime Minister, our record is shameful and getting worse. I believe—although I have not been a teacher for a very long time—that we have done a great deal to open up the subject in schools. Nevertheless, as I said, I do not think that youngsters are listening. I believe—being very sensible about it—that, at puberty, young people, driven by the rush of their hormones, often become overwhelmed by the situation. I therefore believe that, very possibly, too much stress is being placed on sex education in schools.

A quote from one young girl provided some extremely important information. She said:

"If someone came and gave me a baby to look after for a day, I would never have fell pregnant."

Perhaps that gives us a clue as to what constitutes real sex education: the reality of what happens after the mechanics of sex are finished.

The United States—which has a bigger problem with teenage pregnancies than we do—is trying that type of approach. Reports from the United States suggest that young women who go back to schools with a young baby—to explain to students the consequences for one's life, 24 hours a day, seven days a week, of taking care of a fractious child—are possibly having a bigger impact and doing more good in dissuading other young girls from simply conforming and undertaking the mechanical aspects of sex without thinking about the long-term problems.

In the past, we should have advised young girls who became pregnant to put up their babies for adoption. It is still an option which reasonably should be brought to their attention. Young girls should not be pressurised into keeping their babies. If a young girl is not ready, able or willing to raise her own child, there are many excellent families without children who would love to take in those babies, who would perhaps then be given a better start in life. I am not judgmental on those issues, but acknowledge that we have consistently made it more difficult for people to adopt. Although we complain that there has been a great increase in the number of babies, there is also a great shortage of babies for adoption. We should examine the causes of that situation.

Mr. Hope: The hon. Lady made a point about parenthood education. She may not be aware that, on the same day as the report on teenage pregnancy was published, the Government published a report on personal, social and health education which specifically described how we might introduce parenthood education into the school curriculum. She may also not be aware that the new national framework on personal, social and health education in schools includes specific learning outcomes on family life and the responsibilities that parenthood brings. Does she not agree that the Government are grasping the issue quite firmly?

Mrs. Gorman: As I said, 95 per cent. of our teenagers do not become pregnant, and less than one per cent. of teenagers in the younger 14 to 16 group become pregnant. Should we therefore spend so much time in schools trying to give them a warning which, presumably, they have already taken on board? Although it is important that the matter should be brought to their attention, I do not think that it has to be done only in school lessons.

As I said, teenagers can be informed through magazines and by their own social activities. Moreover, perhaps witnessing the reality of child rearing would have a greater effect on them, without necessarily filling their heads with lots of stuff about biological matters and the mechanics of the sexual act—which they often regard as rather amusing or completely irrelevant. Knowing about ovaries and testes and what can be got up to with them is not necessarily of much help to a child who is under pressure from the boy sitting next to her to go round to the bicycle sheds for a little bit of rum-ti-tum.

I do not think that the Government's proposals—for more of the same—as stated in the report, will achieve a desirable conclusion.

We must, of course, try to raise young women's level of self-respect. If we tell it to them straight and teach them that their whole future may be decided on that one act, perhaps they will develop a little more resistance and reason to say no. It is true that the incidence of pregnancy among young people is much greater among those who are less well educated and from less-well-off families, neighbourhoods and parts of the country. There is therefore something to be said about the need to raise their level of self-respect. If we could do that, I believe that it would have a great impact on the teenage pregnancy rate.

We do not need yet another task force, as the Government propose, or more talk about relationship education and feelings. For most teenagers, sex is a quick business—a physical and transient experiment that is not about permanent relationships. As I said, I do not think that those young people are ready to settle down into conventional family home life, or that it would even make sense for them to do so.

I should like to deal with the issue of contraception, although some other hon. Members present are much better qualified to do so. Last Sunday, the Minister for Public Health appeared on the "Dimbleby" programme, and I must say—I hope without seeming smarmy—that

[Mrs. Gorman]

she generally acquitted herself very well. Nevertheless, she went out of her way to say that the morning-after pill—which, as I said, is the cheapest way of dealing with the problem—is:

"a prescription medicine only and the report makes no recommendation about changing its status because . . . changing its status would involve its licence, re-assessing its medical effectiveness"—

as if that could not easily be done if the Government were of a mind to do it. Those are excuses.

The morning-after pill is an effective remedy that has been tried and tested and is widely used in France. It has proved that it can play an important role in helping young women who become pregnant, realise their situation and want to do something about it. We should not place obstacles in their way.

On the morning-after pill, I think that the Minister was bowing a little to those sections of our society who do not approve of any form of abortion, or who even—in extreme cases—do not approve of contraception. Those people would rather see a young woman go through with an unwanted pregnancy, or even with more than one such pregnancy—changing her life and robbing her of her teenage years—than give her the chance to develop into a fully rounded adult. That position seriously needs to be reconsidered. I should like the Government to address the issue in an intelligent and adult way.

Let me say one last word, about the future. Many of the sons and daughters of teenage mothers grow up in a fatherless environment. I personally believe that families need fathers. Mothers need help with raising their children. Boys in particular need role models. They need someone to discipline them and help control them so that they do not grow up into permanent adolescents. In some societies in other parts of the world, single-parent families are almost becoming the norm. America has a particular problem. In such societies, there is a problem of permanent adolescence. Young males never settle down into normal adult life patterns of work, bringing home the salary and helping to support a family. The pattern of mother-run families is perpetuated generation after generation. That pattern is reflected on some of our inner-city estates, where single motherhood is not uncommon. Teenage boys rampage through the streets, vandalising, terrifying other residents, stealing cars and much else and vying with each other in faddish and loutish behaviour. They are a menace. That is an offshoot of our failure to tackle the problem at its roots.

The recent football world cup was a good example. We saw on television grown males behaving like uncontrolled adolescent children. I believe that to be one result of young people growing up without a strong male influence. There is no doubt in my mind that all Governments have a lot to answer for in these matters. Sentiment is not enough. Common sense and counselling may be called for, but tough love is also needed. If we want to reduce the misery and mayhem caused by some of our policies over the years, it is important to consider examples from the past and see whether we cannot do more to re-establish the conventional permanent family relationship and, if need be, direct more financial resources in that direction so that it becomes an attractive alternative to raising children alone.

Taking responsibility is part of living in a civilised society. That does not mean leaving one young woman responsible for bringing up children. It means re-establishing the role of the male in bringing up children, making him feel that it is an important part of his job. We should not simply lecture teenage girls in schools. Sometimes we must lecture ourselves, because we allow sentiment for the child in the predicament to overcome our common sense. It is the policy of the Conservative party to reinstate the role, importance and responsibility of the conventional family unit.

Marriage, even though it does not always work, is by and large a good thing for families. Long-term partnerships are next best, although sadly the statistics say that they do not last anything like as long as marriages. I do not want to see people locked into miserable, unhappy marriages for the rest of their lives, but if the Government seriously put their mind to it, they could do a great deal more to make marriage an attractive option. In the end, is it not the children of teenage mothers whom we should think about? If you ask the children, they say that they would prefer to be in a family in which mum and dad at least come home to see them, talk to them and help them now and again.

11.34 am

Mr. Brian Sedgemore (Hackney, South and Shoreditch): I begin by congratulating the hon. Member for Billericay (Mrs. Gorman) on obtaining this important debate. I agree with a lot of what she said, although not all of it. May I declare an interest, not as a pregnant teenager but as a member of London Brook, an organisation that gives advice to young people on sex, contraception and abortion. I am also a member of Population Concern, an international charity that runs projects in India, Pakistan, Bangladesh, Bolivia, Peru and South Africa.

I am sure that the whole House will welcome the publication of the report of the social exclusion unit on teenage pregnancy. On the whole, it adopts a pragmatic and positive approach to the highly sensitive issues of sex, teenage pregnancies, contraception, sex education in schools and abortion. None of us can be happy with the fact that teenage pregnancy rates in the United Kingdom are twice as high as in Germany, three times as high as in France and six times as high as in the Netherlands. The 90,000 teenage pregnancies a year in England alone create an awful lot of misery and wreck many lives.

None of us can be happy about young people's lack of accurate knowledge about contraception, which is in part responsible for the fact that among under-16s over half the pregnancies are terminated and that a third of conceptions in the under-20s end in abortion. Prevention has to be our top priority. We cannot carry on living in a country in which many teenagers have such low expectations for themselves and are so ignorant and so confused by mixed messages from society which, as the hon. Member for Billericay said, suggest that sex is compulsory but contraception is undesirable.

I welcome the response of Ministers at the Department of Health to the report. Their commitment to the £60 million strategy to galvanise work across government to prevent teenage pregnancies seems absolute. I hope that Ministers at the Department of Health will push harder, as the hon. Lady argued, to press for over-the-counter

sales of emergency contraception, sometimes referred to as the morning-after pill. I hope that they will discuss with their colleagues in Northern Ireland the need to introduce the provisions of the Abortion Act 1967 into the Province to ensure that young people there have the same right to abortion as their sisters in mainland Britain.

The Department of Health must realise, too, that access to services and contraception needs to be expanded. I am sure that they know that the health authorities are currently cutting grants to organisations such as London Brook and others. This is a problem that cannot be neglected, especially in the light of the report.

Judging by the performance of the Department for Education and Employment in this area and the scarcely concealed negative attitude of the Secretary of State, there is even cause to doubt the intention of the Department to implement some of the policies suggested in the social exclusion unit report to reduce the number of teenage pregnancies. Indeed, I would go further: having followed the subject for the past 15 years or so, I have little doubt that if there were an Ofsted report on the performance of the Department, it would be deemed to be failing.

We have to ask whether it is right that young women should continue to suffer and lead miserable lives because of the biblical self-righteousness and dark 1950s morality of a few people in the Department for Education and Employment. Let us take the issue of school nurses handing out contraceptives. The Secretary of State is reported to have said that it would be allowed only over his dead body. I hope that it will not come to that; we really do not want blood on the floor, especially my right hon. Friend's blood. I hope that he will carry on doing good work in other fields. It is just that he needs to do some more good work in this area.

It is clear that Parliament will need to monitor closely the activities of the Department for Education and Employment to ensure that there is no backsliding. I feel that we should consider making personal, social and health education, to which my hon. Friend the Member for Corby (Mr. Hope) referred, compulsory in schools and part of the national curriculum. Bizarrely, at the moment few girls in primary schools are told anything about puberty.

There is also the difficult position of the Catholic Church. The theology of the Vatican on contraception is out of line with the practice of many Catholic worshippers in the United Kingdom. Like everyone else, I wish the Holy See a long life, but when the present Pope dies I hope that the new incumbent will do what is long overdue and moderate the theology, which after all in historical terms is relatively new, to allow young Catholics to use contraception without the guilt of sin, hypocrisy and lies. It is time that the Catholic Church woke up to the fact that for the young, sex can be fun.

I was delighted to see Geri Haliwell, formerly Ginger Spice, promoting the use of contraceptives in the Philippines in her new role as United Nations ambassador. Surely she was right when she said:

"I believe that if you can't control your fertility, you can't control your life, and if you're having sex, you've got to be protected against unwanted pregnancy and infection. It's everybody's fundamental right."

Of course, given the current state of Catholic theology, no one can object to the priesthood in the Philippines criticising Geri Haliwell. However, to refer to her, one of the icons of youth, as "blasphemous" and to hint at violence by saying,

"In a Muslim country she would be clobbered",

seems uncharitable and unchristian. We must remember that, whereas the Pope is an icon to the past, Geri is an icon to the future. I hope that Catholic theology on this subject will change.

I know that other hon. Members want to speak so I shall conclude by congratulating my right hon. Friend the Prime Minister and the social exclusion unit on producing a wonderful report. It is a pity that it has 185 footnotes referring to 185 research documents. I have read the report in full, but I have not yet read the research documents—I hope that I soon will.

In truth, the report could have been published 20 years ago. For two decades, British society and the political establishment—mainly Members of Parliament—have ducked the subject. It is time for action.

11.41 am

Dr. Jenny Tonge (Richmond Park): I congratulate the hon. Member for Billericay (Mrs. Gorman) on obtaining the debate. I looked forward to reading the social exclusion unit report, but I was instantly depressed by the Prime Minister's letter at the beginning. Yes, we do have the worst teenage pregnancy rates in Europe—90,000 each year, 8,000 of whom are under 16—but as the Prime Minister goes on he begins to sound more and more like the Vicar of St. Albion. He may disapprove of young people's sexual activities and I do not believe that it is a good idea for young people to have sex at all, but they do, frequently. We are dealing with reality. They are following the message in every magazine, film, television play, soap opera or advertisement. Renault is now advertising its cars by saying that size matters and I understand that Häagen-Dazs ice cream tastes much better licked off one's partner. I will not go on because I do not want to excite you too much, Mr. Deputy Speaker, but such things must be taken into account.

The hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) mentioned the Spice Girls. I am delighted that Geri Haliwell is now promoting contraception worldwide. However, their image of immature sexuality has been pushed at young people, particularly those under 10, for several years. They knew what they wanted, what they really, really wanted, and they pushed it on to young people. However, to do justice to them, they are trying to do something about it now.

In contrast, the hypocrisy of this country is breathtaking. We tut-tut about young people's sexual activity while, in comparison with other countries, we provide very little sex education and contraception advice. I should like to bet that some of those who are tut-tutting are rejoicing as share prices soar because of some commodity having been promoted with a sexual message. They are not worried about taking the profits, but they do not want to do anything about the consequences.

However much we might want to turn back the clocks to an imagined age of innocence where no one had sex until they were married and then only under the blankets with the lights off, we cannot do that. The genie is out of the bottle and we must equip our young people to cope.

[Dr. Jenny Tonge]

In many ways, it is an excellent report and I congratulate the Government on the fact that, backed by wonderful tables and statistics, it spells out clearly the major reasons for teenage pregnancy. It includes low expectations, disadvantaged children, children from broken homes or care homes, and ignorance. Study after study has shown that sex education does not make young people more sexually active. In fact, the reverse is true and the report backs that view.

I have already dealt with the problem of mixed messages and the Government accept that that is a reality. They intend to deal with the ignorance and to spend a great deal of money on a campaign to warn against teenage pregnancy and parenthood and the importance of contraception. That is excellent. Local campaigns and the media are mentioned and we are told that there will be more sex education, starting in primary schools—full marks. It sounds great, but it is a little bit woolly.

Will we have advertisements for condoms? We have advertisements for everything else on television, but do we ever see an advertisement for the antidote to all this sex? Why not have a message before "Neighbours" or "EastEnders". For goodness' sake, let us have condoms on television. We are talking about not just pregnancy but sexually transmitted disease, which is another serious problem.

We have the inevitable mention of joined-up action—I hate that phrase. It talks about local joined-up action and national joined-up action. The problem is that teenagers already know about joined-up action, because that is what they are doing all the time.

The report talks about local and national support co-ordinators with an implementation unit and monitoring. It all sounds a little ominous. Where is the detail? Where are the extra teachers and school nurses? School nurses are a rare breed and their numbers have been cut horribly recently. Where are the family planning doctors—another disappearing species? I was one of them for 30 years and I have disappeared into this House. General practitioners and teachers do not have time to do this work. Parents still have the option of removing children from sex education classes.

According to the report, sex education will not be a statutory requirement. Citizenship will be statutory, so why not sex education? It is a basic activity of every human being if the species is to survive, but it is not statutory in our education system. It must be. The recommendations are not strong enough.

Teenage mothers are dealt with in great detail in the report and I thought that that section was superb. However, that is only a small proportion of the problem. We have heard no mention of the view held by many hon. Members and those outside the House that young women become pregnant to get a council flat. My hon. Friend the Member for Northavon (Mr. Webb) recently tabled a parliamentary question asking how many new housing association lettings—we could not get the council figures—out of a total of 30,000 new lettings per annum had gone to young mothers with babies. The answer was 2,000. So we are talking about a small proportion of teenagers. We all know of cases where we think that someone has got pregnant to get a flat, but it is anecdotal evidence and the figures do not support it.

Like other hon. Members I welcome the proposals for hostels. That is much better than a lonely council flat in a tower block. The Minister and I know all about tower blocks. I used to work in Hackney and Islington and I know that they are grim. However, the use of hostels must not be compulsory and I hope that the Minister will emphasise that.

I am concerned about the section on prevention. That is understandable because I spent 25 or 30 years in birth control clinics dealing with sexual health. I spent five years in the Brandon centre, which is a good youth advisory centre in Kentish Town. I was a co-founder and trustee of a similar centre called Off the Record in my borough and I know very well the Magic Roundabout in Kingston, which is mentioned in the report. They all give excellent contraception advice and counselling.

The specialist centres for young people are excellent and we need many more, but many more young people go to ordinary family planning clinics, which are anonymous and efficient, with properly trained doctors and nurses who give a rigorous service; but sadly, they have been a soft option for local authority cuts over the past 20 years and are disappearing fast.

Young people are told by their health authorities that the GP will provide the services but in my experience they do not want to go to the GP because they will see Mum's friend in the waiting room, the receptionist knows Dad or the GP might tell Mum, however much he is discouraged from doing so. Young people are happier to mix with all ages in general clinics.

There has been a meeting this morning in the Jubilee Room, organised by the Pro-choice Alliance and Marie Stopes International, which have conducted a survey on access to abortion for young people; 20 per cent. of our GPs are still anti-abortion and many of those will not refer young people on to doctors who will deal with them sympathetically. We all know that the provision for abortion nationwide is very patchy. That is not dealt with very well in the report.

As an experienced doctor in the field, I warn against too much preaching at young people; they get put off, especially at the first visit. The report says that the advice to doctors is to be strengthened. That frightens me, because doctors are already nervous about advising under-16s. We should give non-judgmental help first and deal with the emergency, and then gain young people's confidence and counsel and direct. We must not preach in the first place. I know that it does not work, because I have the experience.

Mr. Hope: May I draw the hon. Lady's attention to page 90 of the report, which says:

"Preaching is rarely effective. Whether the Government likes it or not, young people decide what they are going to do about sex and contraception. Keeping them in the dark or preaching at them makes it *less* likely they'll make the right decision."?

The Government have already taken on board the message that she is offering.

Dr. Tonge: Yes, but in other parts of the report it is emphasised that GPs will be given more guidance. Colleagues in general practice have told me that they are afraid of dealing with matters in a straightforward way and feel that there is pressure on them to counsel, which neither they nor the young people want.

The young person who meets a barrage of advice and counselling at the first visit is never seen again, in my experience. In my capacity as a senior doctor, I have had to tell off colleagues for putting young women off. The people about whom one is most worried, one does not see again. The same applies to young men. We must expand family planning facilities generally and leave it to the very well-trained doctors and nurses in those clinics.

The Government have already chickened out of making it easier to obtain condoms, emergency contraception and the regular contraceptive pill. Why cannot school nurses and GPs dispense condoms? Where is the progress on the morning-after pill, which I prefer to call emergency contraception? It needs to be available at pharmacies and from nurses, whether in schools or at GPs' surgeries. It is safer than aspirin and paracetamol. Why is it not simply on sale?

In Spain, one can buy the regular contraceptive pill from a chemist's. Why cannot we accept that some drugs are safer than drugs that are already on sale in pharmacies? Why do not we let people have a free choice? That way, many unwanted pregnancies can be dealt with and young people will be guided to clinics where they can get proper advice and counselling.

The Government are good at dealing with the consequences of teenage sexual behaviour but weak, in the report, on preventing pregnancies and sexually transmitted disease. The priorities are wrong. The Government are running scared of the tabloids and all the zealots who fill our mailbags, accusing doctors and nurses of encouraging immorality. They have the opportunity to tackle those people, and I wish that they would do it.

11.55 am

Mr. John Healey (Wentworth): I congratulate the hon. Member for Billericay (Mrs. Gorman) on securing this debate. Her speech was informative and refreshingly iconoclastic.

In the area that I represent—Wentworth is part of Rotherham—we have a problem with high rates of teenage pregnancy. In parts of my constituency, one in six of all pregnancies are of women between 15 and 19 and one in 20 are of under-16s. The most telling index of the problem is the fact that eight out of the 22 wards in Rotherham have higher rates of pregnancy in those between 15 and 19 than in all the other age groups put together. There is a direct correlation with unemployment rates and other local deprivation indices.

Teenage pregnancy is both a symptom and a cause of social exclusion. In Rotherham, unemployment is the highest in Yorkshire and double the national average. The staying-on rates at school at 16 are 8 per cent. below the national average and the attainment at 16 of five or more GCSEs at grade A to C is 10 per cent. below.

As my hon. Friend the Member for Barnsley, East and Mexborough (Mr. Ennis) will testify, the problem is the same in Barnsley, Doncaster and Rotherham, across the former coalfield areas, where the teenage pregnancy rates are the highest in the Trent region, with the exception of the south Humber. The new health action zone in the South Yorkshire coalfield communities is therefore especially important. It will be a major way of co-ordinating efforts to tackle public health priorities. The health action zone has a specific objective to reduce the number of unintended under-16 conceptions and reduce the number of young people risking their health through smoking, alcohol and sexual behaviour.

I think that the comments of the hon. Member for Billericay constituted a welcome to the social exclusion unit's report; I certainly welcome it. It identified three key factors that contribute to our internationally high rate of teenage pregnancy: low expectations about the future, which are the most important factor; ignorance about contraception and the reality of life as a parent, as the hon. Lady ably illustrated; and mixed messages from adults about sex and relationships.

I want to bring those three issues down to local level and talk about the Rawmarsh baby doll project, which exemplifies the difficulties and challenges that we face. The conception of the project—if I may use that term—dates back to the end of 1996 and stems from a concern among local youth workers and teachers who were finding a change in attitude among young girls—from expressing a rather vague desire to have a baby to declaring that they were actively trying to conceive—accompanied by a local rise in teenage pregnancies.

The project was created and co-ordinated by two youth workers, Ann Brown and Karen Kirby, based at the Rawmarsh youth centre, with funding of only £250. The aim is to improve the understanding of what it means to be a parent and change the attitude of 14 and 15-year-olds towards the prospect of parenthood. It involves a lifelike doll that is heavy to hold, is always hungry, cries to be changed and wakes up several times in the night. It involves planning and preparation lessons covering sexual health and relationships, the problems and embarrassments of having a baby, costs and budgeting, dressing, feeding, changing, bathing and putting down a baby and trying to get it to sleep. The course culminates in the student taking the baby doll home on a Friday evening and returning to school on a Monday morning having looked after it over the weekend.

The evaluation of the course showed some success, but it highlighted some of the difficult dimensions of the problem. It was clear from the start that many of the under 16-year-olds had up-to-date information about contraception and sexual health. However, 20 per cent. believed that having a baby would have no effect on a relationship, and 70 per cent. believed that it would improve a relationship. The lack of information was not to do with sex, but with practical parenting.

The average age of the sexual partners of these girls was 21 to 26, so they were not their class mates. The majority of those men were unemployed, often living independently in rented accommodation. Some were involved in drug misuse.

Seven out of 10 of the young male students that participated in this project thought that responsibility to rear a child was nothing to do with them, whereas all the girls involved in the project stipulated that it was a shared responsibility. The majority of the male pupils did not complete the exercises and tasks, and only one took the baby doll home over the weekend. The parents of his school mates made all sorts of excuses about why their son could not participate in the programme and could not take the baby doll home, ranging from "the family is going to a christening at the weekend" to "we are going on holiday in the near future" or "we have to go shopping

[Mr. John Healey]

for new clothes." One father was abusive to a youth worker, and insisted that babies had nothing to do with his son.

The outcome of the pilot project was that half the 14 and 15-year-olds who took the baby doll home said that it had significantly increased the age at which they wanted to have children. The families by and large said that it was a useful exercise, and that all school pupils should undertake such a course.

This pilot was the first of its kind in South Yorkshire. It was replicated elsewhere in my constituency in Wath upon Dearne, and with health action zone funding the exercise it will now be extended right across Rotherham.

We need national targets and the political priority that the social exclusion report provides. We need to develop local services, such as those that the health action zone gives us the opportunity to deliver. But in the end, it is work with individual boys and girls while they are still at school that will make the most telling difference.

The social exclusion unit plan is a good start. I particularly welcome a special feature of the report. For the first time, it has an edge to it which is directed at boys and men. For once, young men are singled out as also having responsibility for teenage pregnancies. The blame and shame that too often is directed only at girls, is also turned on boys. When girls get pregnant, they give up education or give up their baby for adoption or to their grandparents to look after, whereas boys go up in the estimation of their mates down the pub.

The proposal for the Child Support Agency to pursue fathers of children born to teenagers is important, because it underlines the fact that they have a responsibility for their children, including a financial responsibility, and that these babies are their children.

I welcome the plans on educational advice, the emphasis on fathers, and the approach of the social exclusion unit working across Departments. However, the test will not be how well the social exclusion unit's own plans are put into practice, or how well Ministers link up under the chairmanship of my right hon. Friend the Minister for Public Health, but whether funding through mainstream programmes, such as health action zones, sure start, excellence in cities and the ONE service, make a major impact on information, advice and support for young people, and, above all, on the opportunities available to them.

It is important to dispel ignorance surrounding sex and to improve advice, information and support services, but success in education and improved life opportunities will in the long term be crucial in helping us to tackle this problem.

12.5 pm

Mr. Phil Hope (Corby): I congratulate the hon. Member for Billericay (Mrs. Gorman) on securing this debate. I declare a minor interest having produced parenting education materials for use in schools, which have been successfully implemented and have had an impact on young people's lives. The local authority in my constituency is identified in the report as having the 29th highest rate of teenage pregnancies, so it is a local concern as well as a matter in which I have had a personal interest in the past.

As a member of the Government's personal, social and health education working group, I am delighted that this report has come out in conjunction with the report of that group so as to focus attention on the problem of teenage pregnancies in the broader context of mainstream changes to the school curriculum and the work of other organisations to reduce the number of teenage pregnancies.

Teenage pregnancy is not an easy issue for us to tackle, either as individual Members of Parliament or as a Government. People hold strongly held beliefs on this issue. Some people have deeply held religious beliefs, so we must tackle this subject with care. Young people and their parents have to make intimate decisions. However, the cost of doing nothing is high. The statistics in the report show that teenage mothers have poorer education opportunities, poorer jobs and often bring up their children living in relative poverty. Their babies have poorer health—there is a higher infant mortality rate among those babies—and that imposes wider costs on the community. Doing nothing is not an option. We must find solutions, however difficult they may be.

It is particularly interesting that the risk factors associated with high levels of teenage pregnancy identified in the report include poverty and education problems. The young people involved are not in education, employment or training; they live in areas of deprivation and are excluded from other sources of education or health service support. Those factors must be addressed. It is interesting that young people told the social exclusion team that there were three causes of becoming a teenage parent. The primary cause was that they felt that they had nothing to lose. They had low self-esteem and did not feel valued as individuals. They felt that they had no future and no hope, so they became pregnant as a way of feeling valued. They had something to which they could give unconditional love and which would give them unconditional love back. That is our failure. Why cannot we provide those young people with a sense of optimism, hope and self-esteem for the future, so that they do not make that difficult and probably wrong choice.

Those young people also described the cause of their pregnancy as ignorance. It is not good enough, as we approach the 21st century, for people to become pregnant through ignorance. Hon. Members have spoken about the mixed messages that young people receive. The media bombards them with messages that it is almost compulsory for young people to have sex, but they do not talk about it at home because it is too embarrassing and difficult. The result is not less sex, but less protected sex. The risk is not just of becoming pregnant, but of infection from sexually transmitted diseases.

Action must be taken to tackle the causal and risk factors associated with high levels of teenage pregnancy. The report is right to refer to two strands of activity. The first is prevention: we should try to prevent young people from becoming pregnant, but if they do and they have a baby, we should provide them with the support they need for their own development and for the care of their child.

The difficulty is that many teenagers do not know how easy it is to get pregnant or how hard it is to be a parent. Education in sex, relationships and parenthood is required from schools, youth services and other providers.

The report is right to say that that should start in primary school. I was at a broadcast of a Central Television programme called "Weekend Live" on Friday night that focused on teenage pregnancies. There was a 14-year-old mother with a two-year-old daughter. She had her baby when she was 12 and had become pregnant when she was 11. We have to start sex education at a younger age if we are to prevent very early pregnancies. The report clearly recommends that.

The report demonstrates statistically that effective sex education can reduce sexual activity among young people. I particularly like the idea of peer education. As the hon. Member for Billericay said, older young people talking to younger people about their experiences is an effective way of getting the message across at school or in community projects.

The report places particular emphasis on involving parents in school policy on sex education and trying to change the climate in which they talk to their children about the subject. The message given to boys should be strengthened. Page 97 of the report says:

"Young men are half of the problem and the solution. Sex and relationships education in and out of school should bring them more into the picture. Young men also need to be targeted with information about the consequences of sex and fatherhood, including their financial responsibility to support their children."

However hard that educational process may be, it is up to our schools and our teachers to find ways to make it happen.

Most teenage parents go back to live with mum to be looked after with their baby. That works. I met a number of such families on Friday night and the mums of the teenage parents seem to enjoy having their daughter at home with the baby and being the grandmother who brings them up. That is fine when it works, but three out of 10 of the 15 and 16-year-olds do not have that option. We cannot simply abandon them. Too many teenage parents find themselves in bed-and-breakfast accommodation or in council flats on faraway estates with no family and no support. The Government's strategy of semi-independent supported accommodation with a mentor, advice on parenting skills and health education is the right way to provide the support that those young people need at the time when they are most vulnerable and do not have other people around them. It has been unfortunate to say the least that certain parts of the press have referred to those arrangements as hostels or some form of punitive measure. The aim is to support young parents. The National Council for One Parent Families, Gingerbread and others have been actively involved in pilot projects showing how the policy can be implemented and have supported that aspect of the report.

The target is to reduce teenage conceptions by 50 per cent. by 2010. That is an ambitious target, but it is right to set ambitious targets. The Government have pledged £60 million in the first few years. I congratulate the Government and the Ministers involved on taking the report seriously and putting money behind the work that needs to be done. I urge them to take the matter forward with as much speed as possible.

12.14 pm

Mrs. Caroline Spelman (Meriden): I shall not take more than a few moments to make my points, because these Adjournment debates are principally for Back Benchers. I congratulate my hon. Friend the Member for Billericay (Mrs. Gorman) on calling for the debate. We all knew that she would be straight-talking. I give her full credit for pointing to the family obligations. The new life created for the teenager concerned has around it a raft of adults who have responsibility for it.

Only the hardest of hearts would not have sympathy for the young teenage girl who finds herself in that predicament, but I urge the Minister to look closely at some of the statistical evidence in the report. The clear overall message is that Britain lags way behind other European countries, but the more worrying fact is that we are going against the trend. We have been going backwards during the 1970s, the 1980s and the 1990s, while the situation has improved in other European countries.

There are other key points in the report that are worthy of closer examination. Why is the rate of teenage pregnancy 70 per cent. higher in Shropshire than it is in Cambridgeshire? There must be a reason for the statistical irregularities. I urge the Minister to look more deeply at the analysis.

We welcome the report, which identifies some of the causes of teenage pregnancy, but there are deeper layers of reasoning behind the rising incidence. We should face up to the mismatch between girls and boys. It is acceptable for lads to go out and sow their wild oats and the girls feel that they have to say yes. We must empower girls so that they feel comfortable to say no and we need to ensure that our young men play their part.

Without being overly party political, I must point out to the Minister that the messages that the Government send are important. Doing away with the married couples tax allowance and using the money to increase child benefit is tantamount to saying that it is okay to have babies, but it is not important to get married. The signals that we give to society are important.

Young people are bombarded with information about sex and reasons for having sex. It has been turned into a sport, decoupled from the emotions and responsibility that go with it. The situation is not helped by the way in which the subject is taught. Perhaps the British are particularly handicapped in this respect and find it too difficult to talk about. We have to address that. In many ways, the parents need to be taught about how to teach it. Many of us who are parents had dire experience of being taught about sex in schools, but that is the only experience that we had, and perhaps our parents did not do a very good job either. It is important not just to teach the youngsters, but to teach the parents how to talk about it.

I strongly endorse the suggestion of my hon. Friend the Member for Billericay that young mums should be taken into classrooms. A young mum telling her classmates or those just a little younger than her about the constraints that have come upon her will give a strong message not to do it.

The issue is what we teach in school and how and when we do it. The hon. Member for Cleethorpes (Shona McIsaac) talked about teaching at a young age. Several hon. Members have mentioned primary school children. There is a big difference in primary school ages. I have three children aged eight, six and four. They vary in their ability to understand anything about the subject. I counsel strongly against the suggestion that there should be across the board sex education for four-year-olds,

[Mrs. Caroline Spelman]

which simply reveals ignorance about the lives of very young children. There is a danger that they will try something out. We all know that young children have an unnerving ability to identify things that parents are awkward about.

Dr. Tonge *rose—*

Mrs. Spelman: In view of the shortness of time, I ought to continue so that I leave enough time for the Minister.

We have discussed the weaknesses of sex education, but we are still left with large numbers of women who, after the health visitor's final visit, are left alone with the baby, isolated and afraid. Surely they still have parents. Members of the family should be encouraged to take more responsibility for young women in that situation.

In a spirit of constructive opposition I support the idea of hostels, but I urge the Minister to consider the mentoring available. An older, more experienced woman should be on hand to help the younger women. We should find ways of creating a surrogate family setting so that the young women have babysitting opportunities and chances to go out, complete their education and, if possible, get into work. Without that support, they can end up in a cycle that all too often spirals into deprivation.

12.19 pm

The Minister for Public Health (Ms Tessa Jowell): We have had an extremely good debate and I join those who have paid tribute to the hon. Member for Billericay (Mrs. Gorman) for initiating it. It gives us grounds for a fair degree of optimism and hope in respect of the extent to which the report of the social exclusion unit, with its intensely sensible and practical recommendations, has been broadly welcomed and the fact that the debate represents the progress that has been made from the rather pathetic hand wringing about moral decay that characterised so much of the debate about teenage pregnancy in the past.

My hon. Friends the Members for Cleethorpes (Shona McIsaac) and for Corby (Mr. Hope) set out clearly why we need to be concerned about teenage pregnancy rates in Britain. I would add only two points. First, 30 years ago the rate of teenage pregnancy in Britain was more or less in line with those in other European countries. However, while in other European countries the rates of teenage pregnancy have fallen, that is not the case here. Even parts of the country with the lowest rates of teenage pregnancy have a worse record than other European countries that we should aspire at least to match.

It is also clear that teenage pregnancy is far more prevalent among the poorest. That is why it is central to our range of strategies to tackle social exclusion. A young girl in social class 5 is 10 times more likely to become pregnant when she is little more than a child herself than a girl in social class 1. The other risk factors that reinforce the likelihood of teenage pregnancy include having been in care, having been excluded from school, having mental health problems and having experienced sexual abuse.

Teenagers who become parents, and their children, face additional health risks. The babies have a greater incidence of low birth weight and perinatal death and the mothers have a greatly increased risk of post-natal depression.

As my hon. Friend the Member for Wentworth (Mr. Healey) made clear, there are three broad reasons for our current position. The first is ignorance. All too often, children learn about the mechanics of sex from school, but precious little else. That must change. Throughout the consultation on the report, young people said time and again that they did not want to learn only about the physical aspects of sex; they wanted to talk about feelings and know more about how to handle relationships and the emotional aspects of sex. They also need to know about the cost—the extent to which unprotected sex leads to pregnancy and, increasingly, to sexually transmitted diseases.

We have to listen to young people. Had we done so 10, 15 or 20 years ago, many of the issues that we are addressing today would not include an unacceptable rate of teenage pregnancy and the social exclusion associated with it.

The costs of ignorance are great. One reason for the high rate of teenage pregnancy is that Britain has the lowest contraceptive use of any of our neighbouring European countries. The rates of sexually transmitted infection among teenagers are rising fast.

Three in four teenage pregnancies are unplanned. That is why we shall build on the work with Sexwise and NHS Direct to provide a nationally available advice line for teenagers to give advice and counselling and to signpost them quickly to other services that can provide help. We will also be funding a national publicity campaign that will address directly the issues, questions and concerns that young people have. It will also get the messages across to parents.

We have to make it clear that advice and help is available. One of the clear deterrents to young people in respect of seeking advice about contraception is that some 60 per cent. of them are not aware that confidential advice is available.

The second reason for the problem is low expectation. The great challenge to our programme of action is to provide reasons for young girls not to become pregnant—to convince them that life holds more for them than having a baby at 14, 15 or 16.

A number of hon. Members have referred to the third reason—mixed messages. We live in a society where children are bombarded with images of sex, which is used to sell them everything from ice-cream to videos. The message is clear: being sexually active is the norm—come and join the club. Yet the rest of adult society gives a quite different message about sex. Either we do not discuss it at all or—as the report graphically testifies—we discuss it in an embarrassed and diffident way. We hope that if we do not talk to teenagers about sex it will not happen, but we have to accept that all the evidence is stacked against that view.

No young person got pregnant from knowing about sex. Equipping our young people with information about sex, relationships, access to contraception and the risks of sexually transmitted disease is the best way to put them in charge of the decisions that they are often forced into making. We have to be realistic. As hon. Members have said, we have to see the world as it is, not as we might want it to be.

The plan for action is clear. It begins with a new blueprint for sex and relationships education for young people in and out of school. It addresses the fact that such

education needs to start in primary schools and must be set in context. Sex and relationships education must include negotiating relationships, knowing how to say no, equipping children with information about puberty and how babies are conceived and born, recognising that something like 10 per cent. of girls start their periods while they are still at primary school. It sees parents as the first and principal teachers, who must be better equipped to talk to their children about sex. In secondary school, it ensures that advice about access to contraception is properly available.

The risks of unprotected sex are high. Only about 50 per cent. of teenagers use contraception the first time that they have sex. We are taking forward work on that. The sexual health strategy will play a critical role in reducing teenage pregnancy and improving understanding about teenage sexual health.

Improving access to emergency contraception is important, but young people need not be exposed to the risks that they would face if at the age of 13 or 14 they were able to use emergency contraception as an alternative to proper protection, advice and support.

I end on a word of caution. It is all too easy to stigmatise teenage parents, to point the finger and blame them for the ills of society. I finish with the words of one young woman who contributed to the consultation—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We must now move on to the next debate.

Stoke-on-Trent

12.30 pm

Ms Joan Walley (Stoke-on-Trent, North): I am grateful for the opportunity to raise issues of real importance to my constituency, and particularly to the city of Stoke-on-Trent and to north Staffordshire. I am pleased that the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Mansfield (Mr. Meale), is here to address what are important issues to the people whom we represent.

I welcome what the Government are doing to tackle economic decline in those parts of our industrial heartlands where manufacturing industry has taken a hammering. I am aware that there are difficulties, but initiatives are taking place. There is a huge commitment across the local community to make a difference. We must make sure that we have joined-up thinking across Government, and that must come from the Department of the Environment, Transport and the Regions, which must work with other Departments and agencies to get the changes that we need.

In this respect, I congratulate the Government—particularly the Deputy Prime Minister—on the report "Making the Difference—A New Start for England's Coalfield Communities". I represent an area that was once the north Staffordshire coalfield and which has never properly recovered from the job losses in the coal industry. Traditionally, our area has relied on pits, the pottery and ceramic industry and—to a slightly lesser extent—the textile industry.

The report on coalfield regeneration is thorough, and I welcome it. It has resulted in extra funding, which will be vital. I am slightly disappointed that no one from north Staffordshire will be represented on the trust that has been set up to administer some of the funding. However, I want the Minister to be sure that we have claims on the trust. Also, we want to work closely with it so that all the recommendations in the report can be brought to bear to make a real difference to our area. I know that the Minister understands these arguments as he, too, represents an area that once depended on coal.

I could refer at length to figures and statistics which demonstrate that if ever an area needed extra help, it is ours. That is the case whether we are talking about exclusion from schools, teenage pregnancies or the numbers of people who, because of industrial injury, are out of work. However, I do not wish to quote the figures. I want to get across a positive message from Stoke-on-Trent and north Staffordshire. We are upbeat about what we can do to meet the needs. All we want is a little extra support, recognition and understanding from the Government, so that we can all work together in one big partnership.

I wish to concentrate initially on round 5—the final bid for single regeneration budget funding, which was made by Advantage West Midlands on 30 April. I would not expect my hon. Friend the Minister to give an answer today on this most important proposal, but I am mindful that, in the next few days and weeks, he and his colleagues will be considering the bid. I want to make sure that he is aware of its merits and of the enormous difference that it could make.

The bid talks about partnership, and it has an impressive list of partners, including the north Staffordshire chamber of trade. At virtually every meeting

[Ms Joan Walley]

that I and local Members have attended with the chamber of trade, the one thing that has been emphasised is that if we are to do something about all the needs of our area, we must start with education. All the partners that have signed up to the proposal—including the health authority, the voluntary sector, industry and the local churches—agree with our Prime Minister: education is the best economic policy that we have. That is why the SRB bid is so committed to education. We are asking for an opportunity to promote regeneration through education—that is the message that I want to convey today.

There can be no more important way of tackling the problems than education and training. If we do not start to put right the previous Government's legacy of underfunding education—not only in Stoke-on-Trent, but in Staffordshire as a whole—we will not realise the potential of the young people in our area.

It is for that reason that I believe that the bid is vital and timely. We want to work with a partnership of universities, colleges, schools, the voluntary sector, local training and enterprise councils, the careers service, health authorities, the private sector, the probation service and unions in the common cause of tackling our educational problems.

Stoke-on-Trent, in common with many older industrial areas, has had a culture in which—perhaps wrongly—education and training were not considered important. Young people have had low educational and vocational aspirations, but much has been done to combat that. We have had the "aiming high" initiative, which has been introduced in close collaboration with many local schools in our area. Through that initiative, we have now understood that the root cause of some of the problems of low business formation and the little capacity that there has been for community-led regeneration goes back to under-investment in education.

It is for that reason that the partnership is committed to increasing staying-on rates in schools, and to bringing the level of 16-year-olds staying on in school to nearer the national level. I congratulate the Government on the educational maintenance awards, which I am determined will make a real difference to our staying-on rate.

The partnership is committed to reducing unemployment by improving access to training and the relevant skill levels for young people, and to improving the participation by young people in the life of the community—for example, by youth parliaments and forums. I was privileged to attend a national award in the House last week involving the Citizenship Foundation, which is keen to work with us in north Staffordshire. The partnership is committed to increasing the numbers of new businesses established by young people.

We have large numbers of young school-leavers who are not settled and are at risk. We want to change attitudes towards education and learning. We want to increase youth participation and decision-making, and we want to deal with underachievers and make sure that the regeneration that the Department of the Environment, Transport and the Regions is doing so much to bring about is based on and rooted in education.

I must refer to the excellence in cities scheme. The Minister may wonder why I am concentrating on education in a debate to be answered by an Environment Minister. However, he will understand that we must put in place new mechanisms across all Departments. In view of the role that the SRB bid is giving to education, perhaps we need to look at how Departments can work together. We may need a longer time frame for some of the regeneration policies, and we should consider whether the greater prominence for education in the SRB is helpful. If it is to bring about changes locally, we need to ensure that we have expertise in that subject within the regional development agencies. My hon. Friend's Department has a key role to play in bringing together all the players at a national level to achieve that.

I wish to draw my hon. Friend the Minister's attention to difficulties that could be paralleled at ministerial level if we do not address the issues. For example, we must ensure that my hon. Friend the Minister for School Standards, who has responsibility for inner-city education schemes, has some input into the work of the RDAs and the Department of the Environment, Transport and the Regions. We are trying to get many initiatives, such as sure start, started in Stoke-on-Trent and north Staffordshire. We do not want those schemes watered down, but we do want clear cohesion to obtain the maximum benefit.

It is important that the Minister understand the support across north Staffordshire for the bid for objective 2 eligibility, because we want north Staffordshire to feature in that. I pay tribute to Mike Tappin, former Member of the European Parliament, for doing so much preliminary work. It is a great loss to us that he is no longer an MEP and I wish to put on record my thanks for the work that he has done.

I ask my hon. Friend the Minister to take account of our support for assisted area status, although I know that other Departments are involved. When the urban task force report is released, and if it contains a challenge for city centre regeneration pilots, I request that adequate time and funding be allowed for all cities to take part.

I am aware of the tremendous work that my hon. Friend the Minister has done in respect of British waterways and canals, which offer enormous opportunities for regeneration. In Stoke-on-Trent and north Staffordshire, we have the Trent and Mersey canal and the Caldon canal, which provide those opportunities. We should like those issues to feature centrally in further funding that we shall request from the Government. We want the Minister to know how much we want to form partnerships with him to work on that issue.

We also have enormous opportunities for regeneration through heritage. I do not know whether the Minister has visited the most monumental site in my constituency—the former Chatterley Whitfield colliery—which was used by English Heritage on 8 June to launch the national buildings at risk register. Chatterley Whitfield is the nation's No. 1 most at risk building. It offers prospects for job creation and sustainable urban regeneration, so that what was once a powerhouse of the past can become a powerhouse of the future to benefit Stoke-on-Trent and the wider north Staffordshire area.

I know that my hon. Friend the Member for Staffordshire, Moorlands (Charlotte Atkins), who is in her place, is fully aware of the opportunities for our constituencies that such regeneration would provide. We need a commitment from the Government, Advantage West Midlands and the regional development agency to

work closely with English Heritage, in view of the priority that it has given to getting Chatterley Whitfield working again—with new jobs—for the benefit of local people whose lives have been blighted by the closure of the colliery.

No debate on regeneration in Stoke-on-Trent would be complete without a reference to the pottery and ceramic industry. As I walk through the House of Commons, I am always mindful of the tiles and tableware we use which were manufactured in my constituency and neighbouring ones. The industry is experiencing problems at the moment, like most manufacturing industry, but we are grateful for the SRB money that has already helped to revitalise some of our industry.

We are also grateful to the Treasury and the Department of Trade and Industry for combining with a partnership of local companies and civic leaders in a report known as the ECOTEC report. It contains a list of recommendations which, if achieved, would reverse the decline in our industry. We want to use the report to improve management training and skill levels in the ceramics industry, to establish mentoring schemes to spread good practice, and to develop a "Made in Stoke-on-Trent" label to be promoted throughout the world, because we have a worldwide industry.

Promoting diversity of industry in our area comes back to education. We must do something about educational achievement. I hope that we will obtain increased educational funding in the future, but in the meantime we place a great deal of hope in the SRB bid. If we can convince the Government of the merits of our proposal, we can start to work in real partnership for improved economic prosperity and educational achievement across the area that we represent.

12.46 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): I congratulate my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on securing this debate. She is a worthy warrior for Stoke-on-Trent and the north Staffordshire area. I have known her all the time that I have been in the House, and she never misses an opportunity to raise issues of concern to, or to campaign on behalf of, the area.

On a lighter note, I wish to commiserate with my hon. Friend because Port Vale, a football league club, lost their assistant manager a few days ago. He has now been appointed manager of Mansfield Town, and I hope that he will bring all the skills of the north Staffordshire area to the east midlands area.

I am grateful to my hon. Friend for raising issues relating to regional policies and regeneration in the Stoke area. As she rightly pointed out, Stoke does face a range of difficulties, and no one with any sense would seek to deny that. For instance, as she said, the Stoke-on-Trent economy is highly dependent upon the ceramics industry, which accounts for one in six jobs there. That industry has been declining in employment terms and there has been a corresponding fall in employment in other supporting firms, and also in the mine and steel industries. Growth in service sector employment has not been as rapid as in other parts of the region.

The Government recognise that there are areas of deprivation in the city, which is why it is in receipt of considerable levels of Government regeneration funding. We also recognise that there are links between such deprivation and social exclusion, and we are developing a range of new policies in this area that are likely to benefit the city now and in the future.

The Government wish to contribute to making Stoke-on-Trent more prosperous and an even better place to live and work. To that end, we are working with local partners and regional agencies to implement a wide range of new initiatives and programmes, some of which I will refer to today.

My hon. Friend raised the matter of the single regeneration budget. Stoke-on-Trent is benefiting from three major SRB schemes, totalling £52 million in direct Government grant. Those schemes are the Corbridge community renewal, the villages initiative and the Stoke approach. By levering in an additional £142 million of other funding from both the public and private sectors, the schemes have attracted a total of £194 million to the rebuilding of the Stoke-on-Trent economy.

As my hon. Friend mentioned, Stoke-on-Trent has also submitted a bid under the current SRB round 5, entitled "Realising the Potential of Young People". Decisions are currently being taken on SRB round 5, and a national announcement of the successful bids will be made in early July. As I am sure my hon. Friend will appreciate, it would be inappropriate for me to comment on Stoke's bid at this stage of the proceedings, but I wish the city well in its application.

I appreciate my hon. Friend's concerns about the assisted areas review. The Government are considering the proposals that they will make to the European Commission for new assisted areas in this country. Final decisions are expected in the coming weeks. The needs of all areas are being carefully considered under the review, including those of Stoke-on-Trent and other parts of the west Midlands.

The Government's aim is to designate assisted areas where financial assistance to industry will be effective in addressing need. We are seeking to combine areas of need with opportunities for employment creation, investment and regeneration.

My hon. Friend asked about the relationship between the assisted areas review and the structural funds review. The Government are also currently considering the proposals that they will make for European structural funds objective 2 areas. The two maps have different policy objectives. They should not have to be identical, nor should one be expected to be contained within the other. Taken together, however, they should offer a coherent approach to regional development.

Better educational attainment is a key element in Stoke's future success. The city has applied to the Department for Education and Employment to set up the rainbow zone, which aims to address the poor levels of educational achievement in the Stoke-on-Trent area. It will cost £3 million over three years, and the partners in the scheme aim to raise a quarter of the £1 million needed each year. The zone could start in January 2000, subject to approval by my right hon. Friend the Secretary of State for Education and Employment.

Stoke has also been selected as one of 15 pilot areas under the education maintenance allowance scheme to test incentives for young people to continue in full-time learning after the age of 16. Under the Government's new

[Mr. Alan Meale]

sure start scheme, partners in Stoke-on-Trent have submitted a proposal to address family support in north Stoke, which will start later this year.

Ms Walley: Does my hon. Friend agree that those considering a sure start application should take into account the fact that more than one area is involved? If the scheme is suited to those different areas, we will be able to trail blaze right across the city.

Mr. Meale: There is no doubt about that. The Government recognised the diversity of the area in the recent coalfield task force, and want to encourage economic regeneration of all the coalfield areas. The coalfield initiative has been implemented by several Departments, but we must remember the local importance of the ceramics industry, to which my hon. Friend referred, and of the steel industry. All local industries deserve the help offered to young people by the sure start educational support scheme.

My hon. Friend also mentioned the excellence in cities programme. As the programme develops—depending, of course, on the availability of resources—we will be looking to involve further areas in the initiative. Some elements of the programme—for example, the expansion of beacon schools and specialist schools—already apply beyond the initial six pilot areas. The Government are therefore pleased that Stoke-on-Trent is taking advantage of so many of our new initiatives to support education. Improving the skill levels of young people is vital to the well-being of the city and the region.

My hon. Friend is understandably concerned about the problems of the ceramics industry in Stoke, which has suffered several major redundancies in the past 12 months. The Government appreciate that this is a difficult time in the industry, and we will continue to help to alleviate the effects on people made redundant from ceramics companies in north Staffordshire. The Department for Education and Employment's rapid response fund is already helping many redundant workers with traditional pottery skills to retrain in order to seek jobs in alternative industries. It will continue to do so throughout 1999.

There remain problems in the industry due to increasing foreign competition and other factors. The industry clearly needs to compete in the marketplace, and the Government will do what they can to help it modernise. We will also help Stoke to diversify its economy through relevant programmes, including European assistance.

Ms Walley: My hon. Friend mentioned the importance of supporting the ceramics industry, and of helping people who have lost the jobs that they had in it. Does he agree that it is also important to work closely with firms currently in difficulty and that we should help them modernise before they are forced into receivership? Should we not do more to prevent problems arising in the first place, and should not policies on competitiveness pay more attention to that?

Mr. Meale: My hon. Friend is absolutely right. We need to help the ceramics industry and other traditional industries to diversify and modernise. As I said earlier, we will do everything to help in that process.

European funding has been very important in Stoke's regeneration as a modern city. Stoke has been awarded some £14 million in grant from the 1994–96 objective 2 programme, and £3 million from the 1997–99 programme. A further £3 million has been offered for the final phase of Trentham lakes, a flagship regeneration project on a key gateway site that involves a joint public-private partnership to produce new job opportunities. In total, European assistance so far has led to 344 jobs being created and has encouraged £175 million of private sector investment in the area.

Stoke has also suffered from colliery closures in recent years. I have some knowledge of that problem, as I come from a strong coal mining community. My hon. Friend referred to her interest in the former Chatterley Whitfield colliery site, which represents a major regeneration opportunity for the city. I appreciate that the site has particular significance for the local former mining communities and the wider population of Stoke-on-Trent. Although I have not yet visited the Chatterley Whitfield site, I promise that I shall arrange a visit as soon as possible to examine regeneration matters and to talk to local people about the regeneration of the canal network in the Stoke-on-Trent area.

The Chatterley Whitfield site is designated as a scheduled ancient monument. It has been identified by English Heritage as a grade A building at risk, with national and international significance in terms of industrial heritage. Following a number of unsuccessful initiatives, English Heritage has been working recently with my hon. Friend and the city council to find a viable use for the site.

On 8 June, English Heritage announced funding support of £1 million to kick-start regeneration proposals over the next three years. The first stage is in hand, and the aim is to produce a clear set of proposals and a business plan by the end of 1999. I know of the problem with land ownership, but I promise my hon. Friend that the Government will do all we can to try to resolve that difficulty so that we can proceed.

In conclusion, I can tell my hon. Friend—my friend of many years—that my Department and others will do everything possible to help regenerate the economy in Stoke-on-Trent and the north Staffordshire area and to find work and education opportunities for local people.

Rural Policing

1 pm

Mr. David Prior (North Norfolk): I am delighted to debate rural policing as it is one of the most important issues facing North Norfolk and the constituencies of many other hon. Members.

We cherish many freedoms and take them for granted. None is more important, however, than the freedom to go about one's daily life in safety, without fear or intimidation. That principle lies behind the great cry of the founders of the American constitution for life, liberty and the pursuit of human happiness. The rule of law, and its acceptance by the people even when individuals may disagree with it, is a crucial hallmark of a civilised democratic society.

The line between acceptable and unacceptable behaviour will always fluctuate. It is influenced by many factors, not least the prevailing moral consensus and the political complexion of the House of Commons. All politicians who, like me, believe in individual freedom must deal with the paradox that liberty is both constrained and preserved by law and order policies. However, no matter what our political beliefs, and wherever the line is drawn, all Members believe that people should not feel threatened by crime.

I shall not dwell on serious crimes such as dealing in hard drugs, murder or burglary; nor do I wish to trade statistics with the Minister of State, Home Office, about how much his Government have or have not spent on law and order, although I shall refer to their election promise to be tough on crime, tough on the causes of crime.

Instead, I shall focus on a range of anti-social behaviour largely undealt with by the criminal justice system, but which can blight or ruin the lives of ordinary, decent people. That is as true in the countryside and our market towns as it is in our big cities. I shall illustrate my theme with a few real life examples from my constituency. The Minister will recognise their type, and I do not doubt that he could add to the list.

A young man walks down the high street, spitting on the pavement or, worse, spitting into a young mother's pram, in which a baby is lying. A car driver deliberately throws a bag of takeaway rubbish out of his car window on to the street. A gang of children, in their early teens, deface and vandalise newly planted trees. A group of 13 to 17-year-olds skateboard in a residential area, shouting obscenities and playing their radios loudly late into the night. Rowdy young adults drink too much, show off outside a pub and jostle and insult passers by, making old people in particular frightened to walk down the high street.

I could offer many more examples, but the House will have the gist. Across the country, many Members will hear the same complaints at their constituency surgeries. That kind of behaviour makes no headlines, and it is entirely absent from the crime statistics or the police league tables. Many young people involved are not real criminals. Most, though not all, will grow out of their anti-social behaviour and will settle down. However, their behaviour causes great distress to many decent people.

Some of those involved will fall into crime, perhaps stealing a car or dealing in drugs. They may become drunk and get into a violent incident. If bad behaviour is not checked, it can easily progress into serious criminal behaviour. We do not have time to go into all the reasons for anti-social behaviour, which is linked to family breakdown, poor employment opportunities and fewer organised leisure opportunities—a particular concern in my constituency where youth and community centres have closed. Those long-term problems are the causes of crime on which the Government promised to be tough, but on which they are finding it difficult to deliver.

My constituents want to know what the Government will do today and in the short term. I was brought up in rural Suffolk in the 1960s and 1970s. I remember the police house in the village; I remember the local policeman; I even remember "Dixon of Dock Green", though admittedly through a haze of nostalgia. The bobby on the beat was a reality. He may not have caught train robbers and murderers, but his existence prevented crime. He was part of the community. He knew the local villains and the parents of local troublemakers. Above all, he reassured the public. Visibility is important.

My view is not fashionable, and it can be easily parodied. Senior police officers and Home Office officials will no doubt say that police officers on foot or on bikes cannot catch modern criminals. That view misses the point because it is driven by crime statistics and league tables, clear-up rates and speed of response tables. It misses the much more intangible goal of a friendly, crime-free, happy neighbourhood.

If the police become too remote, they will increasingly be seen in a hostile light. To law-abiding citizens, a uniform should inspire familiarity and security, not fear and trepidation. Only if the local police are truly local will officers be able further to develop our important neighbourhood watch schemes and partnership approaches, which involve volunteers, parish councils, local authorities and—I hope—parents.

A local policeman who knows the community must be at the hub of any partnership approach, bringing professionalism, experience, judgment and authority. The police are custodians of a special bond of trust between the people and the law. Weakening or ignoring that bond does not bode well for anyone.

Against that background, I am concerned about staffing in North Norfolk. I am sure that other rural areas face a similar problem. North Norfolk has 1,325 miles of lanes and roads, 52,000 homes and a population that grows from 130,000 to around 1 million during the holiday season. It takes at least an hour to drive from one end of the constituency to another, and there are eight large market towns. Sandringham is at one end of the constituency, and Bacton—the largest gas terminal in the country—is at the other. Each poses particular challenges to the police.

Yesterday, 15 constables, two sergeants and one inspector were on duty. That simply is not enough. There is no hope for genuine community policing unless more officers can be on duty. This year's police settlement holds out no hope for improvement. Norfolk has been given no real spending increase, but policing costs are rising. As Brian Landale, chairman of the police authority, wrote earlier this year to the Home Secretary:

"The funding increase for the Norfolk Police Authority is very disappointing and falls short of the increase required to maintain even a standstill position . . . Crime in Norfolk may have to be fought on a Shoe String."

[Mr. David Prior]

The Police Federation said of the more general 1999–2000 settlement:

> "One of the Government's main manifesto pledges was to support law and order but Treasury officials have swung the axe on police budgets. This will result in fewer police officers, the closure of local stations and a reduction in frontline services."

The situation may worsen as police authorities are shoe-horned into what is euphemistically called best value, which is designed to improve efficiency. How can we put a value on local community policing? How can the visiting of schools to talk about drugs be turned into an efficiency measure? How can we effectively measure crimes that never happen? It seems that we are all accountants now, and I am concerned that best value will make it even more difficult to justify more policemen in the community and on the beat.

I hope that the Minister will take some of my points on board. I know that he does not have a magic wand, and that he has to grapple with extremely difficult issues—many of which existed long before he came into government. However, I hope that he accepts that bad and anti-social behaviour is a real problem, that local policing can help to prevent such behaviour, and that we need more and visible policemen on the beat in rural areas. I hope that he will find the resources to fund those policemen, and that he will stress to police authorities the importance of community policing and partnerships.

1.10 pm

The Minister of State, Home Office (Mr. Paul Boateng): I thank the hon. Member for North Norfolk (Mr. Prior) for giving the House the opportunity to examine the issue of the policing of rural areas. The House would do well to take that matter seriously. My postbag shows that hon. Members on both sides of the House are concerned about crime and disorder in rural areas. The Government are determined to put in place, as we have begun to do—not least with the Crime and Disorder Act 1998, which is an important innovation—measures to give local communities the opportunity to enter into effective partnerships with the police to bear down on crime and disorder. We are determined to ensure that those issues are treated with the seriousness that they deserve.

I welcome the hon. Gentleman's determination to avoid the simple trading of statistics in considering the matter, but the Audit Commission's latest figures show that crime in Norfolk is significantly below the national average of 78 crimes for every thousand people, at about 67 crimes per thousand of the population. Nevertheless, as the hon. Gentleman says, the sense of well-being, safety and security of our fellow citizens is not reflected in a simple examination of the bare statistics; it is much more intangible than that. It is affected by behaviour and conduct that does not necessarily show up in those statistics.

The examples that the hon. Gentleman gives will be familiar to people in rural and urban areas. He describes what I call corrosive conduct, because it is corrosive of the fabric of local communities. It is precisely because the Labour Government recognised that, that we introduced the Crime and Disorder Act 1998, and tackled, for the first time, the sort of conduct of which he complained. The courts now have the power to impose anti-social behaviour orders with an ultimate criminal sanction, but initially with a civil burden of proof.

The child curfew orders and the child safety orders are designed to assist in dealing with the unacceptable conduct of children, of young people, or even of older members of the public who should know better, but who act in a way that is fundamentally unacceptable to decent, law-abiding people. As I said, such conduct is corrosive of strong, successful local communities. We have now given the police, local authorities and the courts the power to deal with that sort of behaviour. I hope that the hon. Gentleman will use his good offices to ensure that, in Norfolk, his local authority and the police do use those powers. I hope that he will ask the sort of questions that should be asked, if the conduct that he has described goes unchecked.

The hon. Gentleman also raises—significantly—issues relating to police numbers. I understand his concern to ensure that policing in his constituency and in the county is effective and efficient. I understand that and I welcome it. The hon. Gentleman was gracious enough to point out that we are discussing problems that existed before the Government came into office. However, I have to point out to him that the Conservative Government had 18 years in which to tackle them; they did not do so, and it is the Labour Government who have had to take up the cudgels on behalf of the very people whose concerns the hon. Gentleman represents in today's debate.

I hope that he will realise that, in calling for an effective and efficient police force, he certainly enjoys the support of the Government. We have ensured that, in respect of Norfolk, the budget of the police authority will increase by 5.5 per cent. this year to £86.9 million. That is above the national average of 3.1 per cent. I also point out that the budget for the years between 1992 and 1999 was set by right hon. and hon. Members who now sit—rightly—on the Opposition Benches. I hope that the hon. Gentleman will take up issues relating to police funding with his colleagues, who were responsible for that budget, and with his colleagues in Norfolk, who are responsible locally. The ball is very much in their court; we have increased the resources available to the police. During the next three years, we shall add an extra £1.24 billion to the police budget, over and above the moneys that would have been spent if the Conservatives had been returned to power and had implemented their budget projections.

Despite the concerns that the hon. Gentleman expresses, it is important to realise that Norfolk spends considerably more than its two immediate police force neighbours, Cambridgeshire and Suffolk. I make those comments to the hon. Gentleman not in a spirit of party political acrimony, but in order to urge him to reflect on those issues with the chair of the police authority and with the chief constable. As right hon. and hon. Members on both sides of the House will be aware, I am only too happy to meet them to discuss their concerns about police funding, but it is most important to understand the basis on which that dialogue can take place.

The hon. Gentleman has expressed concerns about visible policing. I stress that those matters are primarily for the chief constable and I hope that he has raised them with the chief constable. It is not for me as a Minister—or for any Minister of the Crown, or for any right hon. or hon. Member, be they in government or in opposition—to tell chief police officers how to do their job

operationally. For good constitutional reasons, chief officers rightly have operational control over their forces; they determine the deployment of the manpower at their disposal.

In the discussions that I have held with chief constables, their concern is to build and to use the tools that the Labour Government have given them in order to mobilise the whole community in opposition to crime and disorder. We must avoid slipping into the mindset that it is all down to the police, and in which we say, "If only we saw more of our policemen and women." In the main, our policemen and women do a first-class job; they are there when we need them. I know the chief constable of Norfolk and am aware of how seriously he takes those issues. I assure the hon. Gentleman that, if he has specific concerns about deployment, he should, in the first instance, discuss them with the chief constable, especially in relation to manpower.

We should bear in mind what the previous Government did in relation to manpower. I remind the hon. Gentleman—I repeat, not in a spirit of party political acrimony—that his right hon. and hon. Friends took from the then Home Secretary the power to determine police force numbers. The Home Office had that power, but it was taken by a Conservative Home Secretary and a Conservative Government, whom the hon. Gentleman supported—although he did not grace the Benches of this place—and for whom he went about on the stump in Norfolk garnering support. His reward was a majority of some 1,233 votes—I believe that that is the extent of it. The hon. Gentleman must understand the way in which we approach those issues. We hear what he says, but deployment of the not inconsiderable manpower resources at the disposal of the chief constable in Norfolk is, first and foremost, a matter for him.

We need to confront some real issues together. We must recognise that, while rural areas overall enjoy a lower rate of crime than urban areas per head of population, they experience the same concerns about burglary, robbery and anti-social behaviour. People in rural areas need to feel that they can go about their business—as the hon. Gentleman described—without fear. That is the right of people in both rural and urban England. Meeting those needs will require different and distinct strategies. We must ensure—I am absolutely determined to do this—that we deliver the crime and disorder strategies and outcomes that are now in place and are being taken forward. We must evaluate those outcomes, bearing in mind the special needs of rural areas.

I assure the hon. Gentleman that the Home Office is addressing the issue of sparsity. We are awaiting the outcome of research into that area because sparsity is a real cause of concern operationally for rural chief officers and their management. Other issues involve the role of the rural equivalent of neighbourhood watch. Some very good schemes have been established in the countryside that target the theft of agricultural machinery, for instance. The hon. Gentleman will know that that is a real problem in rural areas. He will also be aware of concerns in some rural areas about the modern equivalent of stock rustling. There is a real job of work to be done in mobilising the whole community with regard to appropriate property watch schemes. We must all take responsibility for each other and for each other's property.

We must also ensure that the Government's crime and disorder reduction programmes and our investment in that area benefit rural areas. I assure the hon. Gentleman of our determination in that regard. For example, good practice has been developed in terms of the relationship between police and schools. There are opportunities to fund some piloted work to ensure that schools work closely with local police, and significantly with local businesses, in order to bear down on some forms of crime and anti-social behaviour in which young people are involved. For instance, the problems of alcohol and drug abuse by young people will benefit from the partnership approach that the Government are seeking to engender.

The emphasis is on partnership and on evidence-based practice. We must ensure that the whole country—rural and urban areas alike—benefits from what the Government are seeking to achieve. I know that Norfolk will play its part. It has identified its priorities. The chief constable plans to make efficiency gains of £1.7 million this year and to re-invest those gains in a variety of initiatives designed to improve performance in priority areas. The hon. Gentleman will be glad to hear—bearing in mind the examples that he gave—that the chief constable is particularly concerned about reducing incidents of disorder by some 7 per cent. It is important to build on the strategies that we have put in place locally as a result of the Crime and Disorder Act. We must set targets and ensure that they are owned by the local communities who set them. That is why I particularly welcome the Norfolk chief constable's target for reducing disorder. We must work together to achieve those targets.

We have put in place the mechanism for delivering that result. We have invested an additional £150 million in more closed-circuit television schemes that will benefit both urban and rural areas. We are in the business of ensuring that our approaches are innovative. I shall give one example. I visited Ipswich a few months ago where I met men and women who have a special constabulary post in the local hospital trust grounds. They are trying to link the work of that post not simply with the CCTV provision within the hospital—which has drastically reduced the number of assaults on staff by patients and their families and other incidents of crime in the hospital—but with the wider community. Some interesting and important examples of good practice are being developed in rural areas, and they should be extended nationally.

The targeted policing initiative in our crime reduction programme will include vehicle crime—which I know concerns the hon. Gentleman. The initiative will cover 1,000 square miles in a rural part of Northumbria, encompassing the towns of Hexham, Haltwhistle, Prudhoe and Corbybridge. The Government are making that sort of initiative possible. A mobile police station will tour the county, tracking, and dealing with crime as it is reported. Those measures offer the prospect of delivering visible policing in new, innovative and efficient ways that I know will gladden the hon. Gentleman's heart.

I am grateful to the hon. Gentleman for introducing this debate. It has been a good discussion and his contribution has proved helpful and useful. Through partnership—we want to see partnership in the House mirrored on the ground—we can make a real difference in reducing crime and disorder in rural and urban areas alike.

North Kent

1.29 pm

Mr. Jonathan Shaw (Chatham and Aylesford): I am grateful for the opportunity to present the case for assisted area status for north Kent—the conurbations of Dartford, Gravesham, Medway towns, Sittingbourne and the Isle of Sheppey, which are the Kent component of the Thames gateway initiative. I am pleased to be joined in the Chamber by my hon. Friends who represent those areas and I know that a couple of them hope to catch your eye, Mr. Deputy Speaker, despite limited time being available.

The attendance of my hon. Friends encapsulates the collaborative spirit and practical commonsense partnerships which are the hallmark of our approach in north Kent and, indeed, one of the many strengths of our case. We are grateful to my hon. Friend the Minister for receiving our delegation to discuss the issue. I regret that I was not present to take part, but colleagues in the House and from our representative councils were pleased to present our case. They were pleased to do so because we are confident that north Kent has a powerful case, as a single entity and as individual areas. I shall give a general overview of why north Kent has a good case, but most of my examples will be from my own patch of Medway.

I make it clear from the outset that we will not be presenting a desperate doom and gloom picture. Paradoxically, council areas are at pains to promote themselves and attract inward investment, but my experience is that, when they are looking for Government or European funding, they all too often think that the worse the picture they present of themselves, the better their chance of success. It is almost as if they have employed the grim reaper as their spin doctor.

There is need in north Kent and there is deprivation, but there is opportunity as well and we have a proud record of success. That success, however, is yet to be fully realised and I invite my hon. Friend the Minister to unlock the potential. If he does so, he will have to stand back because there will be an explosion of prosperity and investment, which will have regional, national and international benefits for our country's economy.

Let us look at need. North Kent is characterised by traditional industries—heavy industries that have been in decline. For a long time, particularly during the two recessions under the Tory Government, we suffered greatly, and nowhere more so than in my own patch. In 1984, the closure of the royal dockyard in Chatham wiped out 3,000 jobs in a day. The dockyard had served the Royal Navy for hundreds of years.

It is estimated that about 20,000 jobs were lost overall during those dark days in Medway. Unemployment rose to nearly 20 per cent., which is not the situation that people associate with the garden of England. Those levels of unemployment existed throughout north Kent during the 1980s and early 1990s, and people who took the advice that they should get on their bikes and find employment would not have stopped too long in north Kent.

Prosperity has returned to north Kent, although concentrated pockets of deprivation remain throughout the area and 61 wards, some of which have unemployment rates as high as 9 per cent., form an important focus for our bid. Those wards, whose gross domestic product and GDP growth are well below average, represent 335,000 people. However, there are opportunities waiting to happen throughout the north Kent area. We have an excellent track record of making assistance and Government grants work.

Swale, for example, has regenerated £40 million of investment from the £4 million that it has been given in grants from its current intermediate assisted area status, which it achieved in 1993. In Medway, the City estate had enterprise status until a few years ago and 4,000 people work on the site, which is nearly full. The same is the case at Gillingham business park, where there are 2,000 jobs. There are 2,000 high-skill, high-tech jobs at Chatham Maritime, the site of the former dockyard. Such firms are relocating to our area.

We have a proud record of assisting small firms, and the local partners for growth initiative in Medway is giving grants and loans and working with banks and business leaders. That has saved or created 1,000 jobs. The Hopewell business centre, which is providing support for new small businesses, has been a huge success since it was opened a few years ago by the deputy leader of the Labour party, who is now the Deputy Prime Minister.

Despite that achievement, nearly 50 per cent. of the population in Medway travel out of the area to work, and the figure is 43 per cent. across north Kent. Providing employment opportunities locally would alleviate some of the congestion, particularly in Kent and on the main transport links to London, and promote the type of sustainable development that we all want.

The economic structure of north Kent, particularly that of Swale, remains fragile. Without question, there is a case for a second Swale crossing, for which my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) has worked so hard. We all salute him for his tireless efforts and await with anticipation the outcome of the public inquiry, which starts in September.

Public-private partnerships are well established. North Kent Success, which is a highly regarded private-sector-led body, has been instrumental in forging the sort of practical, commonsense partnerships to which I have referred. Such examples should give my hon. Friend the Minister confidence that we will deliver. Assisted area status for north Kent would be a sound investment for the Government and the country.

There is massive development potential for 50,000 jobs in Dartford and Gravesham and 10,000 jobs on the Isle of Grain, which is the largest brown-field site in the south-east of England. Within the Isle of Grain there is a deep-water port and a railhead. Adjacent to it is Thames port, the third largest container port in the United Kingdom. However, I emphasise that assisted area status is required so that we can tap into that potential and properly realise it, encourage development and enable such sites, and many others throughout the area, to become far more attractive to investors.

We have to unlock that potential, and we are doing much of the work ourselves, but we need Government assistance if the Thames gateway is to achieve its objective to relieve west London from development and be the engine of growth for the south-east. There is deprivation in north Kent, and many parts of the economy remain fragile, but we have the skills and determination to exploit our assets. Jobs and wealth can be delivered, because our track record is second to none. Choose

north Kent. I say to my hon. Friend the Minister, because, without doubt, that will be one of the finest decisions he takes as a Minister.

1.37 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey): I thank my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) and congratulate him on winning the chance to initiate this brief debate. We should reflect on the necklace of poverty in the north and east Kent area. Although it has been greatly helped by assisted area status, we need a bit more help to tip us into success for ever.

Five years ago, the Shell research centre—that global company's centre of excellence—upped and went, leaving my constituency and the community. An immaculate 200 acre site, complete with Olympic swimming pools, lay empty, but it is now nearly full. Dencora, a wonderful company from Beccles in Suffolk, has taken it over and made it into a thriving science and venture capital area. We can achieve such things.

As a newcomer to north Kent and to the House, I find that there is a lack of confidence in my area about winning things. The people have been bashed for 30 years and they are used to getting nothing, being on the dole and having to fight for a living. Things are turning for the better, and Sittingbourne is going well, but there are problems in the Isle of Sheppey, which is on the edge of the gateway and contains Sheerness, our fifth-largest port. I hope that we get our bridge—the public inquiry starts on 7 September—because the wards of Sheerness, west and Sheerness contain some of the greatest poverty in Britain.

Although it is not well known, a ward in Folkestone is the second poorest in the country and Sheerness contains the fifth and sixth poorest wards. We do not hear such things about Kent and it is rarely pointed out in the House that some of the poverty registers on the national scale. We need help on the island. Our industries are old, even though the port is recovered and booming, and 160 people working in the steel industry are about to be made redundant. We need a little help and I ask my hon. Friend the Minister to get the cheque out and sign it as soon as he can.

1.40 pm

Mr. Paul Clark (Gillingham): I, too, congratulate my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on securing this important debate.

Other colleagues will no doubt make the case for the bids that have been submitted, all of which are for the Thames gateway area, which is a Government priority for regeneration. The Thames gateway has the ability to deliver the opportunities, priorities and policies that the Government want because it has an abundance of brown-field sites. With sustainable development, we can consider spatial planning concepts and take a lead in the urban renaissance that is so desperately needed. We can also help to resolve the congestion issues, which are compounded by the fact that, as my hon. Friend said, 50 per cent. of people from the Medway travel outside the area to work, principally to London or the county town of Maidstone.

Our request for assisted area status is not only about creating opportunities, it is about deliverability. We have drawn attention to success stories such as Crossways, Bluewater, Chatham Maritime, and Gillingham business park. While those are all important, we need a strong catalyst to tap the potential in the three areas that seek assisted area status. We have the public and private partnerships that will allow us to deliver. Local authorities, and voluntary and training organisations, have a good record on that, and the catalyst is assisted area status, which will enable us to deliver on Government policies and priorities, and for present and future constituents.

1.41 pm

Mr. Chris Pond (Gravesham): I add my congratulations to my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on winning this important debate and stress that, as he said, we are not talking about doom and gloom in north Kent, although all our constituencies have areas of real deprivation. Last night, I was at one of the most deprived areas in my constituency, Denton, where Conservative-controlled Kent county council proposes to close a school. That would have a significant effect on the regeneration of that area.

I also wish to underline a point made by my hon. Friend the Member for Gillingham (Mr. Clark) about the role of commuting in north Kent. Hon. Members will be aware that the unemployment figures by constituency were published recently. They show that unemployment in my constituency of Gravesham has fallen by 30 per cent. in just two years and by 15 per cent. in the past year alone. What is puzzling is that the official figures from the Office for National Statistics, which are only just being published for May for the first time, show that, on analysis—I am grateful to the House of Commons Library for providing me with that analysis—unemployment in my constituency would be a fifth higher were it not for commuting. Some 20,000 people a year commute out of Gravesham to work, but only a third of that number come into Gravesham for that purpose.

Will the Minister consider the need to ensure that those jobs can be provided in north Kent so that people do not need to commute out of the area? I realise that the Government are committed to reducing commuting and road traffic, and that is one way in which it could be effectively achieved.

1.43 pm

Dr. Howard Stoate (Dartford): I, too, congratulate my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on securing this debate.

My constituency of Dartford has enormous potential and has already shown how it can work with other areas, particularly other parts of the Thames gateway, to produce significant results. However, it has many post-industrial brown-field sites that need regeneration. The Bluewater Park complex, which has already been mentioned, has created up to 9,000 jobs and the Channel tunnel rail link will pass through the constituency. I look forward to the second phase of that link being constructed on time and delivering the much-needed Ebbsfleet station and the associated development and jobs.

The key to development of the area is transport infrastructure. North Kent cannot be opened up to proper industrial and housing development without the right transport links—without it, there will be traffic chaos.

[Dr. Howard Stoate]

I look forward to hearing how the Government will play their part in ensuring that projects such as Fast Tracks, a public transport scheme that will link the centre of Gravesham with the centre of Dartford, can be developed using Government help so that the public transport infrastructure is opened up and the area develops to its full potential. That will bring the jobs and housing that we so desperately need.

1.45 pm

Mr. Robert Marshall-Andrews (Medway): May I associate myself with the paean to my neighbour and hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) for obtaining this important debate?

I simply wish to draw the Minister's attention to two factors that are peculiar to the inner city of Kent, which is represented by the Medway towns: first, its geographical proximity to the immense wealth of London and the south-east; and, secondly, the juxtaposition of our difficulties, which are normally associated with areas outside the south-east.

The Medway towns form the largest conurbation in Europe that does not have its own university. We have fine further education facilities but no dedicated university. That leads to a deficit in education, but also in identity. When the dockyards were closed at Chatham and all the industries that were immediate adjuncts to them disappeared, we lost not only employment, but identity.

The Isle of Grain represents an enormous opportunity. It is the largest inward investment site in the south-east of England—indeed, probably in the whole of England. It consists of 1,000 acres of brown-field land, which is now empty, and it is close to the second-biggest container port in the UK. It is a massive untapped facility, not just for north Kent but for this part of Europe.

It is with great joy that I take part in this debate in order to emphasise again the existence of those opportunities, which are so close to London and simply waiting to be tapped.

1.47 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Michael Wills): I do not wish to gild the lily, but I should like to add my congratulations to my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on securing this debate. I know how assiduously he works for his constituents, as do his colleagues who have also spoken this afternoon.

This important subject is a matter of concern not only in Kent: I have seen more than 50 colleagues about it in the past few months. Financial assistance is an important factor—although not the only one—in stimulating investment by industry. It can therefore be crucial in safeguarding and creating jobs in areas where they are desperately needed.

My hon. Friend and his colleagues put the case eloquently for north Kent today, and described both the problems and the opportunities of the area. They underlined many of the points that we discussed when I met delegations from Kent and the Thames gateway parliamentary group in March on this subject. Those points were also clearly made in the Kent authorities' response to the public consultation.

I assure all my hon. Friends who have spoken today that careful attention is being paid to the needs of the north Kent area, as it is for all areas of Great Britain, under the review of the assisted areas. I understand how concerned they are about the outcome. I therefore hope that it will be helpful if I set out briefly where we now stand in the process of constructing that map.

As my hon. Friends know, the review follows publication last year of new European Commission guidelines on regional aid, which require all member states to propose new assisted areas to operate from 1 January 2000. The Commission's guidelines are part of an effort to control the overall level of state aids in Europe. The United Kingdom, and the European Union as a whole, faces a reduction in the population coverage of its map. The figure for the UK is about three quarters of our current coverage, which inevitably means that we face some hard choices in designating areas. The Government have been considering carefully the proposals that we shall make for the new assisted areas, and we shall put those to the Commission as soon as possible.

Let me refer briefly to the wider picture. The UK has traditionally been one of the lowest providers of state aids in Europe. Removing distortions to competition by reducing overall levels of state aid should help British firms, both inside and outside the assisted areas. The lower aid limits that the guidelines will introduce are expected to bear down particularly on other European Union states. Although we shall face difficult choices in drawing up the map, there is some good news for British firms, not just those in the assisted areas.

The Commission asked for proposals to be submitted by 31 March. That was always an ambitious deadline, and we were not by any means the only member state not to be able to comply with it. We are working to complete the map as soon as possible, and the Commission is aware of that; but our priority must be to achieve the best possible outcome for Great Britain. We shall make our proposals known as soon as we are ready to do so, and I expect that to be shortly.

We are also reviewing areas for support from the European structural funds. A consultation period closed on 25 May. Along with the Department of the Environment, Transport and the Regions and other Departments, we are now considering criteria and areas for funding based on local and regional representations in order to help draw up the United Kingdom list of proposed areas. The list will be submitted to the Commission in July.

The structural funds and assisted areas maps have different purposes, and will not be identical. However, we want to ensure that they represent a coherent approach to regional development. We have tried to identify areas of need where there are opportunities for employment creation, investment and regeneration—areas where financial assistance to industry will be an effective method of tackling need. We do not have a completely free hand. Under the Commission's guidelines, some areas will qualify automatically for assisted area status. Under the European system of units for regional statistics, they are NUTS2 areas—areas whose gross domestic product per head is below 75 per cent. of the European Union average according to the latest statistics. NUTS stands for "nomenclature of units of territorial statistics".

We can then propose other areas up to our overall population ceiling; but we must use up to five social or economic indicators and one common unit of geography for the whole country. Areas must also have a population of more than 100,000—or a population that counts as 100,000 against our population total, even if they are smaller.

We are considering the indicators that we shall use for the map, but we expect that, in line with the results of the public consultation, measures of labour-market weakness will be an important factor. Complications are involved in the choice of geographical unit. We have examined a range of options, but, as I am sure that my hon. Friends will recognise, aligning the choice with the various criteria has been a complex operation. We received more than 350 responses to the public consultation, and, as I said, I have met more than 50 Members of Parliament to discuss the review and how it affects the areas that they represent. We have engaged in complex discussions, which I think will soon come to fruition.

In England, the new regional development agencies will play an important role. They are the lead bodies at regional level for co-ordinating inward investment, improving skills and improving the competitiveness of business and regeneration. A primary aim of the South East of England development agency, which started its work in April, is to promote economic development and regeneration in the region. It is currently preparing a strategy, of which both the opportunities offered by north Kent and the needs of the area will no doubt be an important part.

There are other instruments to address the needs mentioned by my hon. Friends. For example, the South East of England development agency administers the single regeneration budget. A number of SRB-funded activities are taking place in Kent. Some £3.6 million is being spent on supporting projects to deal with poverty in the north Kent Thames gateway area, which should enable the area to benefit from opportunities arising from the Thames gateway development. SRB funds have also played a part in the development of Chatham Maritime by establishing a business innovation centre that provides managed work space for high-technology businesses.

As Minister with responsibility for small firms, I am particularly concerned about the role of such firms. They have a crucial part to play in economic growth and prosperity, and in economic regeneration. As the economy becomes increasingly global and new information and communications technologies have a massive impact, small firms will be particularly important in generating growth and regenerating areas. They are flexible and adaptable enough to respond rapidly to changing markets.

There has been an explosive growth in the internet, and in its transformation of businesses. I understand that a web year is now three months rather than a normal calendar year. Small businesses are able to respond especially quickly in the new economy. Moreover, because they are flexible and often mobile, and are not constrained as traditional businesses are, they are often able to offer particular prospects for regeneration, possibly even in north Kent. They are a crucial part of the vision statement set out in the competitiveness White Paper, which was published in December. We are now looking across the board at new measures to support the growth of smaller businesses in selected areas that have particular needs, and that may well benefit north Kent.

We are already taking a number of steps to support and encourage the development of small businesses. We are setting up a Small Business Service—on which we shall consult shortly—to streamline the support services that we offer small businesses, and to make them more coherent. We are setting up an enterprise fund, worth some £180 million over three years, which will give special help to small and medium-sized enterprises by giving them access to loans and, in particular, small packages of venture capital on a regional basis. We know that there has been an equity gap in the past, and we think that the enterprise fund will help to give small businesses new momentum. Again, I hope that that will benefit the people of north Kent. We are still working with the regional development agencies to develop new measures to push the agenda forward.

The Government are well aware of the needs of north Kent. We recognise the force of the arguments advanced by my hon. Friends today and, indeed, at our earlier meeting. As I have said, the Government have not yet finalised their proposals for the new map, and I am afraid that I cannot predict the outcome today; but I assure my hon. Friends that the case for the area is being considered carefully, and that we shall continue to move as quickly as we can towards finalising our proposals.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

CABINET OFFICE

The Minister was asked—

GM Foods

1. **Mr. Christopher Chope** (Christchurch): When he next intends to meet the members of the biotechnology presentation group to discuss Government policy on genetically modified foods. [86779]

4. **Mr. Norman Baker** (Lewes): What plans he has to make public the work of the biotechnology presentation group. [86783]

The Minister for the Cabinet Office (Dr. Jack Cunningham): In line with the practice adopted by successive Administrations, it is not the normal practice of Government to reveal details of internal discussions, a principle that is reflected in the code of practice on access to Government information.

Mr. Chope: I hear what the right hon. Gentleman says, but does he not agree that the mere fact that the presentation group was established shows that the Government are more obsessed with media manipulation—to try to make their policies taste better—than with serving the public?

Will the Minister confirm that, on 21 May, when he made his statement to the House, he omitted to refer to a quite significant point in the report from the chief medical officer and the chief scientific adviser, who both said that they thought it essential that there should be health monitoring of all who are consuming GM foods? Why did he choose to make no reference to that in his statement of 21 May, and why was that statement by the chief medical officer and the chief scientific adviser played down in the so-called fact sheet issued by the Cabinet Office?

Dr. Cunningham: I do not agree with any of that, because it is all rubbish. The reality is that all Governments have brought together Ministers, advisers and civil servants, the better to present the reality and facts of their policy; and that will continue. As for playing down the report of the Government's chief medical officer and chief scientific adviser, I published the report in full on the day that I made statement to the House, although I was not obliged to do so under the code.

Madam Speaker: I call Mr. Norman Baker. [Hon. Members: "Where is he?"] Order. This is perhaps another occasion on which a letter has simply been put on the board by a Department, but the Member himself has not been informed. Perhaps the Minister will follow through on that. I call Mr. Williams.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): When will the Government realise that the problems with GM foods are not simply a matter of presentation? The public have decided that there is no need for GM foods, and are taking their lead—in showing deep scepticism about such foods—far more from the Consumers Association and English Nature. When will the Government stop shooting the messenger and realise that they are themselves off message?

Dr. Cunningham: I do not agree with any of that either. The Government have never believed that it was only a matter of presentation; we believed that it was also a matter of choice. That is why, unlike our predecessors, we decided to introduce labelling of all genetically modified foods, so that consumers could have a choice. As for being off message, the Government's position is absolutely clear: we want an open informed debate about the issues. However, as the Government's chief medical officer and chief scientific adviser concluded, no inherent danger is presented to the public from genetically modified food.

Mr. Andrew Lansley (South Cambridgeshire): It is a pleasure to be opposite the Chancellor of the Duchy of Lancaster, and a pleasure that I hope to enjoy on several occasions in the future—[Hon. Members: "For years."] Not for years, no, I hasten to tell Labour Members.

The Minister will know that the biotechnology presentation group, in the minutes of its meeting of 10 May, took the view that it should revise the paper from the chief medical officer and the chief scientific adviser. Subsequently, on 21 May, the Minister made a statement to the House and published such a document. Is the document that the Minister published precisely the document that was originally submitted to Ministers?

Dr. Cunningham: I congratulate the hon. Gentleman and welcome him to his new and important role on the Opposition Front Bench. I am sure that he will do well and I hope that he will enjoy it. As for the paper from the chief medical officer and chief scientific adviser, let me be candid with him and with the House. A draft paper was presented to Ministers. It was then revised by the chief medical officer and the chief scientific adviser to include some recommendations. No changes were made to the paper at any time by Ministers.

Mr. Lansley: I am grateful to the right hon. Gentleman for his kind remarks. It is clear that the paper that was published was not the paper that was originally put to Ministers. Will he undertake to the House that he will publish, in addition to the paper that we saw on 21 May on the health implications of genetically modified foods, the paper as it was originally put to Ministers? Or does he have some reason for withholding that original advice as put by the chief medical officer and the chief scientific adviser?

Dr. Cunningham: No, I will not publish it, because after discussion with Ministers, the chief medical officer and the chief scientific adviser decided to change the way in which the paper was presented, but none of their recommendations or conclusions changed the way in which the paper was presented. When it was presented, it included some recommendations from the chief medical officer and the chief scientific adviser.

No changes were made to the paper by Ministers at any time. I cannot say that any more clearly or candidly to the House and the hon. Gentleman. The chief medical officer and the chief scientific adviser have both made it clear

not only that Ministers did not seek to change the paper but that any such proposal would rightly have been resisted had it been made. It never was made.

Older People

2. **Ms Claire Ward** (Watford): If he will make a statement on the progress of the better government for older people project. [86780]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): The annual report of the better government for older people programme was published on Monday. It showed how older people themselves are actively engaged in the design and delivery of the public services that they use and rely on. This is a key part of the modernising public services initiative.

The programme has also set up an on-line learning network to disseminate good practice and discussion and provide advice and guidance.

Ms Ward: I thank my hon. Friend for that answer. Is he aware that Watford is one of the pilot projects and that there has been much success in setting up new services for older people and consulting them about what services they would like? Will he provide information to the House on how we can ensure that those projects and the benefits from them are available in the longer term to many more older people?

Mr. Eric Forth (Bromley and Chislehurst): That is a tricky one.

Mr. Kilfoyle: It is certainly not tricky for my side of the House. I will answer directly. I am happy to congratulate my hon. Friend on the excellent project in Watford. There are 27 other pilot schemes around the country. I stress that they are pilot schemes. They have been running for one year, and one of the objectives is that they will roll out after two years. We are looking at ways of finding seed funding to ensure that we can extend the good lessons that have been learned from the projects to other areas. We are looking at ways in which lessons on good practice can be disseminated. I am happy to report to the House that, on the basis of the first annual report of the programme, I have every expectation that there will be widespread take-up of the lessons learned.

Mr. John Bercow (Buckingham): If the hon. Gentleman wants better government for older people, why did he make no representations whatever to the Treasury against the abolition of tax credits on dividends, given the peculiarly damaging effect that it had on thousands upon thousands of relatively low-income elderly investors the length and breadth of the United Kingdom?

Mr. Kilfoyle: The Government recognise that older people come from different points. That is what underpinned the pensions review. The appointment of a royal commission to examine the funding for long-term care for the elderly is another way in which we are approaching the wider needs of older people.

The remit of my Department involves looking at how we can improve the public services which impact on the lives of older people. We have set that out in our four principles. We are improving the delivery of services and actively engaging the experience of older people. We are celebrating the fact that older people are an important part of our society, and we are piloting new forms of partnership with the private sector, local authorities and voluntary organisations.

Drug Misuse

3. **Mr. Ben Chapman** (Wirral, South): What his plans are for tackling drug misuse at a local level. [86782]

The Minister for the Cabinet Office (Dr. Jack Cunningham): Drug action teams are the mechanism for delivering the Government's anti-drug strategy locally. Each year, they agree local action plans with the UK anti-drugs co-ordinator.

Mr. Chapman: Does my right hon. Friend agree that a great deal has been done locally to care for those with drug addiction including the supervised administration of methadone, the provision of clean needles to users and making drug units accessible and usable by addicts? Does he also agree that the most important target is to reduce the proportion of people taking drugs—in other words, to cure as well as care? Will he join me in welcoming projects on the Wirral which focus on preventing young people from using drugs and getting current users off them?

Dr. Cunningham: Yes, I applaud that important work because it is consistent with the Government's policy objectives, as set out in the White Paper and the first report from Mr. Keith Hellawell. I am happy to welcome the effective work being done by the Wirral drug action team and my hon. Friend's emphatic support for that work.

Mr. Nigel Evans (Ribble Valley): Does the Minister agree that schools provide the most appropriate local level at which to educate young people about the danger of taking drugs? Can he give the House a guarantee that sufficient investment is being provided to schools to ensure that teachers, who may not be experts in detecting drug use or educating youngsters about the dangers of drugs, are given the training necessary to enable them to tell youngsters about the dangers of so-called soft drugs and so-called designer drugs such as ecstasy, as well as heroin, crack cocaine and other substances which could endanger their lives?

Dr. Cunningham: I am happy to agree with the hon. Gentleman. We need to ensure that schoolchildren are given good quality advice and information about the threat posed to them by all kinds of drugs. The hon. Gentleman is right to emphasise that. I announced last autumn an additional £217 million for this and related work, of which the Department for Education and Employment will get a share. There is already a high percentage of effective drug work going on in our schools, but we can improve on that. I know that my right hon. Friend the Secretary of State for Education and Employment shares the hon. Gentleman's concern, which is understandably widespread. We will continue to improve on the present situation.

Mr. Ronnie Campbell (Blyth Valley): May I invite my right hon. Friend to Blyth Valley where we had a big

problem with drugs? Over the past few years the community has got together with the health service, the local authority and the police and, after two or three years of hard graft, clearing the streets of drug dealers and setting up various escape organisations and parents against drugs groups, backed by European money, we have nearly cracked the problem. I invite my right hon. Friend to come along and have a look.

Dr. Cunningham: I should be happy to try to find time to visit my hon. Friend and his constituents in Blyth. He is right to say that it is essential that, in addition to work on education, information, treatment and rehabilitation, there should be no let-up by the police in disrupting the work of the criminals who supply and traffic in drugs and present such a danger to all of us.

Mrs. Ann Winterton (Congleton): Will the Minister reaffirm his commitment, given to the House on several occasions, to the notion that parents have an essential role to play in the matter of children and drugs? Why have the Government backed the recommendation in a recent report by the standing conference on drug abuse that confidential treatment can be given to teenagers without the knowledge of their parents? Is it not totally irresponsible for agencies to usurp the responsibilities of parents; and is not there already enough deceit in drug abuse without adding more?

Dr. Cunningham: I share the hon. Lady's concern. I do not object to her making that point, but the Government have not wholly endorsed the report to which she referred. I regard it as a substantial and important piece of work and we will naturally consider all its proposals and recommendations, but we certainly have not given them a blanket endorsement.

Mr. Vernon Coaker (Gedling): Will my right hon. Friend join me in congratulating the parents, the police and the education authorities in Nottinghamshire on setting up the ground-breaking DARE—drug awareness resistance education—project in schools, which involves police officers going into schools and working with teachers in order to alert young people to the dangers of drugs? Such is the programme's success that it has been extended, as a project respect programme, to secondary schools.

Dr. Cunningham: Yes, I welcome the work of DARE. We continue to get very positive reports about its operations. My hon. Friend the Parliamentary Secretary visited the project before the general election. We are well aware of its excellent work and we support it.

GM Foods

Madam Speaker: I understand that Mr. Baker received no notification from the Department about the linking of his question. That has happened twice in two weeks, although on the other occasion it was a different Department. I am willing to call the question now.

4. **Mr. Norman Baker** (Lewes): What plans he has to make public the work of the biotechnology presentation group. [86783]

The Minister for the Cabinet Office (Dr. Jack Cunningham): First, I offer the hon. Gentleman and the House an apology, because I understood that he had been notified; I am sorry that he had not. I am happy to answer his question.

In line with the practice adopted by successive Administrations, it is not the normal practice of Government to reveal details of internal discussions, a principle that is reflected in the code of practice on access to Government information.

Mr. Baker: I understand that answer, but why, when he gave evidence to the Environmental Audit Committee, which was studying the co-ordination of Government policy on GM technology, did the Minister fail to mention in any of his written or oral evidence even the existence of the spin unit, which it subsequently transpired had been operating at the time of the inquiry? Does he agree with the Minister for the Environment, who told me in the House last week that the only way to engender confidence is to be as open as possible? Will he publish minutes of the biotechnology presentation group for us all to see?

Dr. Cunningham: It is not Government practice to announce or discuss ad hoc or even regular meetings of Ministers who get together to discuss Government policy. The hon. Gentleman already knows the answer to the second part of his question, because he has asked it before. The answer is no.

Correspondence

5. **Mr. Robin Corbett** (Birmingham, Erdington): In what ways he monitors the performance of Government Departments in meeting targets for responding to correspondence. [86784]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): All Departments and agencies have a target for responding to correspondence, and monitor and publish performance against it. In addition, my Department prepares an annual report to Parliament summarising performance. The report on the Government's handling of correspondence from hon. Members was published on 11 June.

Mr. Corbett: I thank my hon. Friend for that reply, but I do not think it good enough. I know of constituents who have written to the Department and had to wait five or six months or more for a reply. The Treasury has taken three months to reply to a letter from my office, and the Department of Trade and Industry, four months. I urge my hon. Friend to put in place financial penalties for Departments that consistently fail to meet targets for replying to correspondence from Members of Parliament and, more important, members of the public.

Mr. Kilfoyle: Of course it is our aspiration to ensure that all correspondence is answered speedily and accurately. To that end, we set very challenging targets to be met over a period of three years. We have not yet had the three years in which to make an assessment. We are, for the second time, publishing more accurate information on the situation, which is a marked step forward. If we are to change things, we must know how bad the problem is. I am sure that my hon. Friend would be the first to

admit that many Departments and Government agencies have considerably improved their performance in the past two years.

Mr. Nicholas Soames (Mid-Sussex): The hon. Gentleman is a beacon in this respect, because he always replies extremely quickly and promptly. Does he agree with me that there are too many Departments from which replies are not only late but not signed by the Minister involved? If our constituents write to Members of Parliament about matters that concern them, surely Ministers should have the common good manners and decency to sign the reply and send it on time.

Mr. Kilfoyle: Like the hon. Gentleman, I would expect Ministers to respond quickly and in a manner consonant with the expectations of the House. There is no argument about that. I should point out to the hon. Gentleman, however, that there are different situations in different Departments. As he will know from his own experience, some Departments receive a huge amount of correspondence, although that is no excuse for not dealing with it. Earlier this year, we held a seminar on how to improve things, which was attended by the correspondence units of various Departments. We intend to follow that up with another seminar in September. We are looking for marked improvements.

Mr. Brian H. Donohoe (Cunninghame, South): Would my hon. Friend agree that it would be better if Departments, or his fellow Ministers, were instructed not to answer letters from Members of the Scottish Parliament on issues that involve a reserved power?

Mr. Kilfoyle: We are dealing with that issue in our current review.

GM Foods

6. **Mr. Desmond Swayne** (New Forest, West): What plans he has for a public information campaign regarding the safety and benefits of genetically modified foods; and if he will make a statement. [86785]

The Minister for the Cabinet Office (Dr. Jack Cunningham): The Government welcome an informed public debate on these matters. To assist that, we have published the documents produced by the chief medical officer and the chief scientific adviser on the public health implications of genetically modified food, and transparency guidelines for the biotechnology regulatory committees.

Mr. Swayne: The leaked minutes of the biotechnology presentation group on 10 May show that it was proposed that endorsement of the Government's policy should be sought from the National Consumer Council. In the event, was such an approach made, and was the endorsement forthcoming?

Dr. Cunningham: Ministers, collectively and individually, discuss the development of our policies with the National Consumer Council and with other consumer organisations all the time.

Mr. Dafydd Wigley (Caernarfon): Does the right hon. Gentleman accept that there are widespread misgivings among the public about some of the implications of GM foods? For decisions to be taken openly and transparently, as he wishes, there is a need to ensure that the long-lasting effects of some GM inputs into the food chain are fully understood—for example, the effect of soya beans may last for four or five years. In planning to deal with the GM question, will he ensure that that aspect is taken fully on board?

Dr. Cunningham: Of course I accept that we should be open and transparent, and should give the public all the information available to us—and we do. I published in full the chief medical officer's paper on the safety aspects of genetically modified food. We have no evidence that these foods—the previous Administration licensed only three of them—present any health threat to the public. Because of public concern, we decided to introduce the labelling of all genetically modified products, so that people could have a genuine and informed choice. We shall continue to ensure that all the information that is available to Ministers on this important subject is available to the public.

Public Appointments

7. **Dr. Tony Wright** (Cannock Chase): What plans he has for further changes to the system of appointment to public bodies. [86786]

The Parliamentary Secretary, Cabinet Office (Mr. Peter Kilfoyle): May I take this opportunity to congratulate my hon. Friend on his appointment as Chairman of the Public Administration Committee? I look forward to working with him.

The White Paper on modernising government makes clear our commitment to ensuring that public appointments are open to the widest possible field of candidates. I shall keep the current system of appointments under review to ensure that it continues to support that commitment.

Dr. Wright: I am grateful to my hon. Friend for his answer and his kind words. He will know that one of the features of the public appointments system created by Nolan when he had to clean up the mess from the previous Government was that there should be independent members on selection panels. There is still a problem with the system, because the independent members come via Departments. Would it not be better if they came under the responsibility of the Commissioner for Public Appointments? Would not that give further confidence in the system?

Mr. Kilfoyle: As my hon. Friend knows, we have extended the remit of the Commissioner for Public Appointments. I should like to put on record my appreciation of the fine job that she is doing. We keep all the circumstances under review. It is more important to encourage a greater range of people to come forward, including women and members of the ethnic minorities, and to make greater use of the huge reservoir of potential and good will in the files of the public appointments unit.

Mr. Ian Bruce (South Dorset): Will the Minister consider setting up a commission, independent of the Government, to investigate the response from

Departments to Members' letters? The report that he talked about, on the lateness of correspondence, dealt with 1997, not 1998, and even it was six months late. A letter for me arrived this morning five months late. Surely we should have an independent public body investigating why Ministers do not respond to letters.

Mr. Kilfoyle: If the hon. Gentleman had been here earlier, he would have heard a full response on that point. The role of the Commissioner for Public Appointments is to ensure that the principles of transparency and accountability are met and that we do not get into the mess that the previous Government got into, with a series of particularly partial appointments in the unelected sector.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): Do the Government prefer the view of Mr. Michael Portillo to that of the Leader of the Opposition on whether the payment of money to a political party should disqualify someone from public appointments; and on whether participation in politics by many people in public affairs should be welcomed?

Mr. Kilfoyle: It is hard to choose between the Leader of the Opposition and Mr. Michael Portillo. I shall leave it to the Conservatives to decide who speaks for them. We maintain the principle that appointments should be made on merit. That is the Government's overriding concern.

Regulations

8. **Mr. Peter L. Pike** (Burnley): What targets he proposes to set for the better regulation programme for the next two years in removing unnecessary regulations. [86787]

The Minister for the Cabinet Office (Dr. Jack Cunningham): All Departments have been asked to identify outdated and unnecessarily burdensome regulations. We shall then set about removing them. We also hope to extend the scope of the order-making power in the Deregulation and Contracting Out Act 1994.

Mr. Pike: Will my right hon. Friend confirm that in a civilised society regulation is essential and that it is the Government's target to get rid of all unnecessary red tape and regulation and replace it with workable, acceptable regulations that help this country to be competitive?

Dr. Cunningham: I agree with my hon. Friend. I congratulate him and his Committee on their work. I am anxious that we should provide more work for them.

Mr. Nicholas Winterton (Macclesfield): I have the highest regard and respect for the right hon. Gentleman. Can he give six examples of unnecessary regulations that his Government have taken off the statute book?

Dr. Jack Cunningham: I am delighted to have the confidence of the hon. Gentleman and his support is always welcome. As for unnecessary regulation, there will always be a requirement for Governments to regulate. Indeed, in the last two years of the previous Administration there was more regulation than we have introduced in our first two years.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [86805] **Helen Jones** (Warrington, North): If he will list his official engagements for Wednesday 23 June.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further such meetings later today.

Helen Jones: Given the stunning 60 per cent. fall in youth unemployment and the creation of 100,000 jobs under the new deal, will the Prime Minister tell my young constituents how many apologies he has received from the Tories, who were content to leave them on the scrap heap, and the Liberal Democrats, who thought that it was not worth spending money on them? Does he accept that people in heartland Labour seats such as mine and in middle England know full well that Labour promised and delivered on the new deal and youth unemployment, whereas the Tories and the Liberals offered them no deal?

The Prime Minister: It is true that 100,000 young people have now found jobs through the new deal, and that 85 per cent. of them were not subsidised at all. That is in addition to Bank of England independence, which has produced the lowest interest rate for 30 years; the largest ever rise in child benefit; the minimum wage; 2 million families helped by the working families tax credit; and, this autumn, a £100 bonus for pensioners. All those measures have one thing in common: the Tories would scrap them.

Mr. William Hague (Richmond, Yorks): In this crucial and difficult week for Northern Ireland, in which hon. Members on both sides of the House desperately want to see the Good Friday agreement implemented in full, does the Prime Minister recall the commitment that he made to the people of Northern Ireland on the morning of the referendum last year, when he said:

"Representatives of parties intimately linked to paramilitary groups can only be in a future Northern Ireland Government if it is clear that there will be no more violence and the threat of violence has gone. That doesn't just mean decommissioning, but all bombing, killings, beatings, and an end to targeting, recruiting, and all the structures of terrorism."?

Does the right hon. Gentleman believe that those criteria have been satisfied by the Loyalist or Republican paramilitaries?

The Prime Minister: I do hold to those commitments. It is important that anyone who goes into the Executive in Northern Ireland is fully committed to peace. In respect of the ceasefires, I know that there are difficult judgments to be made, and obviously they are made on the advice of the Chief Constable. We keep those judgments under review, but we believe still at the present time that the judgments that we have made are the right ones.

Mr. Hague: Does the Prime Minister agree that the beatings, shootings and mutilations continue and are being

carried out by organisations that actually signed the agreement? Terrorist structures remain fully operational and fully armed and 277 terrorists are back on the streets, including yesterday the Brighton bomber walking free. Do not those grim facts show that the real obstacle to progress is not the Ulster Unionist party, the SDLP, the Government or the Opposition, but the refusal of terrorist groups to decommission their illegal weapons?

The Prime Minister: Well, they have to decommission their weapons; that is clear. It is an obligation under the agreement. These judgments on ceasefires are very difficult indeed. For example, during the previous ceasefire under the previous Government there were prisoners who benefited from a reduction in sentence under the earlier legislation that was in place. Between April 1995 and January 1996, seven people were murdered by organisations generally regarded as front organisations for the IRA. The then Government took the view that in the round the ceasefire remained in place. I say that not to score points, but merely to show how difficult these judgments are. We have one last chance to push for peace in this process and I hope that the whole House will give us its support in trying to achieve it.

Mr. Hague: They are difficult decisions. The Conservative party and millions of people across the country support the Good Friday agreement and want it to succeed, but look with dismay on the early release of terrorists and their possible inclusion in Government when not one gun or ounce of Semtex has been handed in. However, I am pleased to hear the Prime Minister say that they must decommission. As we approach next week's deadline, will he give an undertaking that until there has been a credible and verifiable start to decommissioning, he will not ask the First Minister of Northern Ireland to enter an Executive with Sinn Fein?

The Prime Minister: I am not going to end up negotiating the terms of the agreement in the next few days. I said last night and last week—and have done so on a number of occasions—that there are two essential foundation blocks for the process to work. One is that everyone accepts that there is an inclusive Executive that involves all parties that are committed to peace. The second is that there has to be decommissioning. My view throughout has been that the sequencing is a matter for negotiation, and that can be judged between the parties. However, there must be no question at all but that decommissioning is an obligation under the agreement.

I made that very clear at the time of the Hillsborough declaration, when I said that

"decommissioning is not a pre-condition but is an obligation deriving from the commitment in the Agreement, and that it should take place within the timescale envisaged in the Agreement and through the efforts of the independent International Commission on Decommissioning."

Last week, I said:

"Decommissioning is not a prior pre-condition of the Executive. But it is plainly part of the process. All parties are obliged to help bring it about. No-one will believe that a party with a close connection with a paramilitary group could not bring about decommissioning."

There is a negotiation that we must have, and I hope that all parties will approach that with an open mind. However, the first key thing is to get straight whether people do agree with those two foundation blocks. I do not yet know whether they do. We have not had from any paramilitary group an absolute commitment to decommissioning at all—in any time scale. We need to be sure of those things before we move forward.

Q2. [86806] **Mr. David Marshall** (Glasgow, Shettleston): Further to these exchanges on Northern Ireland, is it not a fact that the progress made so far has been based on the bipartisan support in this House, which we so freely gave while in opposition? As some people do not appear to recognise that fact, will my right hon. Friend emphasise yet again how important it is that every party in this House understands the need for all of us to get behind the Good Friday agreement, as it is the only hope for peace in Northern Ireland?

The Prime Minister: The Good Friday agreement—the Belfast agreement—is the only chance for peace. If this agreement goes down, the result will not be that there will be decommissioning—there will be no decommissioning. The result will not be an end to violence. There is no doubt at all that there will be renewed violence. I want to try to preserve this one chance for peace that Northern Ireland has. Every person in the Government—including my right hon. Friend the Secretary of State for Northern Ireland—has done nothing since the election but try to facilitate the process. That is all we can ever do. I hope that the people of Northern Ireland, from whatever community, realise that the vast majority of people in Britain simply want to allow the deal to work so that they can have a peaceful future for their children.

Mr. Paddy Ashdown (Yeovil): As Northern Ireland now balances precariously between peace and a return to conflict, is it not the case that although some of the compromises necessary to secure the Good Friday agreement may well have been uncomfortable—even distasteful—the fact is that it remains the only vehicle we have for peace; that those who seek to unpick one element of it run the risk of undermining the integrity of it as a whole; and as with the last Government, so with this—those who support peace in Ireland ought to be supporting the agreement rather than playing politics at home?

The Prime Minister: There is only one way forward—the Good Friday agreement. I endorse entirely what the right hon. Gentleman says—people cannot pick different parts. Of course parts of it are distasteful, particularly when people see prisoner releases. However, I hope that I have indicated by going back over previous ceasefires that distasteful things happened then, but the previous Government were right to continue pushing for peace and we are right to carry on doing the same.

Mr. Ashdown: Is it not also the case that history and the people of Ireland, north and south, are not likely to forgive those politicians—whether in Ireland or elsewhere—who are not prepared to make the last compromises to secure peace? Does the Prime Minister agree that the letter of the Good Friday agreement does not say that decommissioning should be a precondition, but that it should be a commitment? But the spirit of it is quite clear. It says that those who have dedicated themselves to the pursuit of arms in the past must now

provide concrete evidence that they see the future for Ireland on the basis of removal of arms from Ireland in the future.

The Prime Minister: It is right—I think everyone accepts—that it is not a precondition, but it is a requirement of the agreement. There is no doubt about that. What I would like to do with the parties next week is to sit down and work out when and how that process of decommissioning happens and when and how we set up the Executive on an inclusive all-party basis. But people have to accept—before we can do that negotiation—those two foundation blocks. My view is that decommissioning should have happened two years ago. It should have been happening all the time. It should never have been the case that people had weapons in the first place. But we work with the reality we are in and we try to change that reality, which is what the whole process has been about.

Before people dismiss that and say that nothing has been gained from the past two years, I remind them that we have agreement on the constitutional basis for Northern Ireland, agreement to the principle of consent, agreement to an Assembly, agreement to north-south bodies, agreement to the British-Irish Council—[HON. MEMBERS: "What about decommissioning?"] Yes, we understand that decommissioning has yet to be resolved, but I am saying that we have made a lot of progress. For heaven's sake, let us have some good will to make the rest of the progress too.

Mr. Robin Corbett (Birmingham, Erdington): May I thank my right hon. Friends the Prime Minister and the Secretary of State for Trade and Industry for the successful outcome of the negotiations with BMW to ensure investment in the continuing success of the Rover plant at Longbridge in the city of Birmingham? May I specifically welcome the link between the grant and the investment by BMW in ensuring a full range of models and investment in improving skills and competitiveness?

The Prime Minister: The BMW group's decision is a massive vote of confidence in the UK car industry and in the future of Rover. It will result in a further £1 billion investment in Longbridge. Not only will that secure the long-term future of Longbridge and more than 8,800 jobs, but it will result in the creation of a new plant capable of competing with the best in the world. That is great news for Longbridge, for the west midlands and for the country as a whole.

Q3. [86807] **Mr. Michael Fabricant** (Lichfield): When the Prime Minister meets his obligation in his manifesto, as he said he would, to hold a referendum on Lord Jenkins's proposals on proportional representation, how will he vote—yes or no?

The Prime Minister: I thought that I dealt with this question extremely well last week when I said that, on the Jenkins committee report, we have not ruled out the option of a referendum before the election, but we have made it clear that, as the Jenkins recommendations could not be introduced at the next election, there is a case for leaving it until afterwards. I will obviously listen to the debate.

Q4. [86808] **Dr. Tony Wright** (Cannock Chase): Has my right hon. Friend the Prime Minister had time to notice, among all his other pressing engagements, that it has been a less than glorious summer for British sport? Are we not paying a terrible price for losing 5,000 school playing fields under the previous Government and for losing 75 per cent. of sporting fixtures between schools under the previous Government? Is it not time that we stopped being the gallant losers of world sport and started investing in success, and is that not what the Government's proposals this week are designed to achieve?

The Prime Minister: Yes, this is an extra £60 million to set up 600 school sportspeople to go round and ensure that we build up sports. We are also introducing legislation to protect school playing fields, because under the Conservatives 40 a month were being sold off. The Conservatives failed sport in this country; and under the new Labour Government we are making a fresh and new start.

Q5. [86809] **Mr. Dominic Grieve** (Beaconsfield): The House of Lords yesterday amended the House of Lords Bill to give some statutory backbone to the Government's promise to reduce the Prime Minister's powers of patronage over the future appointment of life peers. Will the Prime Minister take this opportunity to welcome that amendment, and indicate whether the Government will accept it? If not, why on earth not?

The Prime Minister: We introduced the Appointments Commission. For the first time, there will be an objective process of appointment. We are making two great changes. The first is to introduce objectivity for the first time, by means of the Appointments Commission. That will happen in time for the new year honours list for the millennium. The second change is that we are getting rid of the hereditary peers in the House of Lords, who support the Conservative party alone. Both reforms are well worth having.

Mr. Eric Martlew (Carlisle): I am sure that my right hon. Friend is aware that earlier today there was a very serious rail crash on the west coast main line. I am sure too that he will support me in wishing all those who have been injured a full and speedy recovery and in thanking the emergency services for their prompt and brave action. Is he able to give the House an update about the number of casualties, when the line is likely to reopen, and whether there will be a full and independent inquiry into the causes of the accident? Does he agree that it is wrong for people to speculate on those causes until we have more information?

The Prime Minister: I am sure that the whole House will join in offering sympathy to the injured and to their families. I know no more than is already publicly available—that more than 30 people were taken to hospital, of whom four have been detained. As for an inquiry, I can tell my hon. Friend that a rail accident inspector is at the scene to investigate the cause of the accident. Any further inquiries should wait until we have his report.

Mr. William Hague (Richmond, Yorks): The whole House does, indeed, join with the Prime Minister in sending sympathy to all involved in that crash.

Last month, the Chancellor of the Exchequer told the CBI that the Government

"are committed in principle to economic and monetary union"

and

"have committed our country . . . to make a decision early in the next parliament."

Does that remain the Government's policy, or will the Prime Minister listen to the debate on that one as well?

The Prime Minister: Yes, it does remain the Government's policy—absolutely.

Mr. Hague: So, the Government's policy has not changed—the Prime Minister's spin doctors will be disappointed. Given that the right hon. Gentleman is committed to joining the euro, and that most people clearly disagree with him, what are his campaign plans to persuade them?

The Prime Minister: I shall carry on arguing for our point of view, which is better than the ridiculous position in which the right hon. Gentleman has put himself. After all, it was Lord Gilmour who said—[*Laughter.*] Even he is now derided. It was Lord Gilmour who said, in reference to the right hon. Gentleman, that it is

"the hallmark of weak and unpopular leaders . . . to be eager to put their small feet down, usually in the wrong place."

I have made our position clear. We do not agree with joining the euro irrespective of the economic conditions, and we do not agree with ruling it out irrespective of the economic conditions. We believe in testing it and keeping the option open, by reference to the economic conditions that we have laid down. That is a clear position.

Now can the right hon. Gentleman answer us this? Is it 10 years? [HON. MEMBERS: "You answer the questions."] I know that I answer the questions, but the right hon. Gentleman has the opportunity to do so now. Is the euro still ruled out for 10 years, or for ever?

Mr. Hague: The Prime Minister knows what our policy is. Only the Prime Minister can think that the one thing in the world that he is committed to in principle he is not committed to in practice. The truth is that he is 100 per cent. committed to abolishing the pound, and 0 per cent. willing to justify it. He is 100 per cent.-proof new Labour, 100 per cent. arrogance on this subject, and 0 per cent. courage. Does he not now face a choice with regard to the euro? That choice is between admitting that he was wrong in committing this country to abolishing the pound, and having the guts to argue that case against the clear policy of the Conservative party, which is to keep the pound at the next election. That is the policy that the country supports.

The Prime Minister: We have heard it now. The right hon. Gentleman is the man who will fight to save the pound at the next election, but at the election after that, he will give it away. What a ridiculous policy. He accuses me of lacking clarity, but he has appointed as Tory spokesman the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) who, when asked whether the Conservative party would change its policy, said:

"Whether our party changes its policy will depend on what the right policy is." —[*Official Report, Standing Committee B*, 17 June 1999; c. 659.]

The right hon. Gentleman has turned the Conservatives into a monomaniac, single issue party. We did some research before Prime Minister's Questions today, and we found that he has asked me more than 50 questions on Europe. How many has he asked on education? None. How many questions has he asked on crime? Two. He has sold his political soul to the extreme right wing of the Conservative party, and at the next election, the Conservatives will be rejected again.

Maria Eagle (Liverpool, Garston): Has my right hon. Friend had an opportunity to glance through *Hansard* this week? If he has, he will have noticed that, on successive days, spokesmen from the Conservative party have reiterated the Opposition's intention to abolish the national minimum wage and the working families tax credit. What effect would that have on the Labour Government's commitment to abolish child poverty?

The Prime Minister: Of course, the Conservatives are opposed to the minimum wage, opposed to the working families tax credit, opposed to the rise in child benefit and opposed to the new deal—all policies that create greater fairness and help for families. One reason why the Conservatives are so obsessed with Europe is that they wish to conceal the fact that, on every other major policy issue, they are moving further and further and further to the right. When there is not even a place in the Conservative party for people such as Ian Gilmour, a decent one-nation Tory whom Conservative Members deride, we can see just how extreme they are.

Q6. [86810] **Mr. Bob Russell** (Colchester): Will the Prime Minister join me in praising retired workers from the former National Bus Company for their perseverance over the past few years in seeking to regain money looted from their pension fund by the Conservatives at the time of privatisation? For the first time as Prime Minister, will he also praise a trade union—the Transport and General Workers Union—for its campaign to secure the return of the money? In Opposition, Labour said—and the pledge was also given by the Deputy Prime Minister at last year's party conference—that the money would be returned in full. Why, then, did the Government seek to give back only £100 million when the real sum is £360 million.

The Prime Minister: I am delighted to pay tribute to the Transport and General Workers Union—of which I am a member. [HON. MEMBERS: "Hear, hear."] That is as radical as it gets.

I agree with the hon. Gentleman that the pensioners from the National Bus Company should get a fair deal. We are committed to achieving that, and to ensuring that they receive full payment. That has been our commitment throughout, and I hope that the hon. Gentleman might congratulate the Labour Government on delivering on that commitment.

Liz Blackman (Erewash): Is the Prime Minister aware of the high level of cynicism expressed by teachers in my constituency when we heralded the onset of the literacy hour? Is he surprised to learn, nine months down the road, that cynicism has turned into delight at the high quality of training received by teachers, the quality of resources and the tangible progress made by their charges?

The Prime Minister: In respect of literacy and numeracy, when we came into office, 40 per cent. to 50 per cent. of 11-year-olds were not up to the requisite standard, so that when they left primary school, they went to secondary school without a basic grounding in literacy and numeracy. As a result of the changes that we have introduced, we are making huge progress on getting those numbers down, and on improving literacy and numeracy. My hon. Friend may be aware that, in a recent poll, more than 90 per cent. of those engaged in literacy and numeracy studies welcomed those studies. That, in addition to the extra investment in our schools—especially in school buildings, in computer technology and in the reduction of class sizes in our primary schools—gives us a very solid record of which to be proud.

Q7. [86811] **Mr. Richard Ottaway** (Croydon, South): Given that the Prime Minister is the only motorist allowed to use the M4 express bus lane, what advice would he give to those considering the future of that pilot scheme?

The Prime Minister: Why do we not wait to see what evidence the project actually produces—which I should have thought was the right course? That project was asked for by the Highways Agency; it will be tested over a period of months. Why do we not wait to see what it comes up with, in terms both of reduced congestion and of better services for passengers?

The hon. Gentleman should be in no doubt whatever that the Labour Government have had to clean up the backlog of road repairs that we inherited. Indeed, the transport spokesman of the Tory party accused us of taxing the motorist, but of not putting the money raised from those taxes into roads. We received the figures today; we are putting in £3 billion more than the previous Conservative Government put in.

Q8. [86812] **Mr. Roger Berry** (Kingswood): Will my right hon. Friend join me in congratulating Mencap on its report "Living in Fear", published on Monday? The report identifies the harassment and bullying faced by many people with learning disabilities. Does that not illustrate the importance of the Government's disability awareness campaign? That campaign should be warmly welcomed throughout the country. Will my right hon. Friend reassure the House that the Government are committed to ensuring that the Disability Rights Commission has all the practical support necessary to ensure that all discrimination against disabled people is tackled promptly?

The Prime Minister: The Disability Rights Commission Bill comes back to the House next week. We congratulate Mencap on its report, which we welcome. The report draws attention to the problem of the bullying and abusing of people with learning difficulties. My hon. Friend will know of the additional resources that we are allocating to the new deal for disabled people—almost £200 million. We believe that the first-ever Disability Rights Commission will make a big difference to the rights of disabled people in this country.

Q9. [86813] **Mr. Graham Brady** (Altrincham and Sale, West): Will the Prime Minister explain to the House why 500 people in this country are dying unnecessarily every year because of long waits for bypass surgery? Furthermore, will he explain why, according to Ben Bridgewater, a consultant heart surgeon at Wythenshawe hospital, it is worse now than it was a year ago?

The Prime Minister: Actually, waiting lists are down substantially on what they were a year ago. [HON. MEMBERS: "Waiting times?"] Waiting times are down as well. [HON. MEMBERS: "They are up."] No, that is wrong; waiting times are down and waiting lists are down but, yes, people are still waiting for treatment. The idea that the problems of people waiting in the health service were created by the Labour Government—*[Interruption.]*. We had 20 years of Conservative Government that undermined the health service. Today, the figures show that 2,000 more doctors have been recruited to the health service, and that there are thousands more nurses. There is the biggest hospital programme that we have ever had and the largest ever investment in the health service. Yes, it will take time, but do not let us ever take lessons from the hypocrisy and opportunism of the Conservatives, who never believed in setting up the health service, never supported it and would undermine it if they ever got the chance again.

Mr. James Plaskitt (Warwick and Leamington): Yesterday, Warwick university received the go-ahead from the Government for a new medical school, with an extra 113 places for trainee doctors. Does my right hon. Friend agree that what is needed for the NHS in Coventry and Warwickshire, and elsewhere throughout the country, is not the advocacy of more private insurance, but more of such public investment?

The Prime Minister: Of course. The extra money going into the health service is providing more nurses and doctors, but it takes many years to train a doctor—and it takes three years to train a nurse. However, we are recruiting those extra people and putting the investment in. At the next election, the choice will be very clear—between a Labour Government who are beginning the process of rebuilding a national health service of which this country can be proud, and a Conservative party that is now committed to privatising large parts of the health service and forcing people to take out private health care because the Conservatives will not put investment into the health service. That is another example of the Tory lurch to the right.

Q10. [86814] **Jackie Ballard** (Taunton) *rose*—

Hon. Members: Hear, hear.

Madam Speaker: Order. Jackie Ballard.

Jackie Ballard: I should like to ask the Prime Minister about leadership. Does he agree with the Secretary of State for Trade and Industry that the people of this country

are not yet ready to accept the single European currency? If he does, when will he take a lead on the issue—or is his concept of leadership following the focus groups?

The Prime Minister: Oh, I am really wounded by that; I really am.

I believe in setting out a sensible position on the single currency, which is to say that we judge it according to the economic circumstances. As I said recently—and as I have said for a long time—the two absurd positions on the euro are, first, to say either that one rules it out for ever or, even more ridiculously, that one rules it out at the next election but will welcome it at the election after that. Alternatively, there is the position that the hon. Lady has just espoused: joining the single currency now, irrespective of the economic conditions.

Jackie Ballard: No.

The Prime Minister: If that is not the hon. Lady's position, I suspect that she is in the same position as us. We judge the matter according to the economic test: is the single currency good for British jobs, British investment and British industry? If the hon. Lady agrees with that—and she is nodding her head—she should support my leadership.

Prevention of Terrorism

3.32 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I should like to make a statement.

As the House will be aware, the provisions of the Prevention of Terrorism (Temporary Provisions) Act 1989 are subject to annual renewal by the affirmative resolution procedure. It has, however, recently come to my attention that, because of technical defects in the drafting of the 1998 and 1999 continuance orders, certain provisions in the 1989 Act have not been in force since 22 March 1998.

I therefore come before the House today to apologise for this regrettable error, for which I take responsibility. I also wish to explain what happened and to advise the House that I intend to revive the provisions, by order, as soon as practicable—subject of course to the approval of the House and the other place.

The provisions concerned are sections 16A, B and C, with schedule 6A and section 16D of the Act. These provisions apply only within Great Britain; there is separate legislation for Northern Ireland. Section 16A makes it an offence to possess articles for suspected terrorist purposes. Section 16B makes it unlawful to collect information likely to be useful for terrorist purposes. Together, they form part IVA of the Act.

Section 16C provides the power to impose a police cordon in connection with a terrorist investigation, with schedule 6A setting out the powers that may be exercised within a cordoned area. Section 16D imposes parking restrictions in a specified area. Together, they form part IVB of the prevention of terrorism Act.

The powers in sections 16A and 16B were brought into the PTA in 1994, and sections 16C and 16D were introduced in 1996. They continued in force each year until March 1998. It was then both my intention and my understanding—and, I believe, the understanding of the House—that those provisions had continued in force following the renewal debates in 1998 and 1999. However, that has turned out not to be the case.

Earlier continuance orders had referred collectively to parts I to V of the Act, a formulation which obviously includes parts IVA and IVB. It was, as a matter of policy, proposed by Ministers and agreed by Parliament that, in the 1998 and 1999 orders, part II, relating to exclusion orders, should not operate. The 1998 and 1999 continuance orders, following the omission of part II, therefore separately listed parts I, III, IV and V in a way which inadvertently did not include parts IVA and IVB. That drafting subtlety escaped the notice of the draftsmen, Ministers—including myself—the House and the legal profession at that time. It has come to light only as a result of an eagle-eyed author of an article in issue 19 of *Criminal Law Week* of 24 May 1999.

As soon as that article was drawn to my attention, I sought advice and, once the status of the sections was clarified, the police were advised not to rely on them. As I have already said, I very much regret that those provisions have not been in force since March 1998.

My information is that six people have been charged with offences under sections 16A and 16B since they came into force in 1995, but no convictions have so far followed in respect of offences alleged to have taken place either before or after March 1998. One person was on bail awaiting trial for offences under sections 16A and 16B which were alleged to have been committed after 22 March 1998. My right hon. and learned Friend the Attorney–General has told me that steps have been taken today to quash that indictment. Three other people are also currently on bail charged with offences under section 16A of the PTA, but those alleged offences occurred before 22 March 1998 and none of them relate to Irish terrorism.

Records on the use of section 16C—the power to raise a police cordon—are not held centrally, but I understand that the section has been used reasonably frequently in recent times. The Metropolitan police, for example, have used the provision 86 times since 22 March 1998. However, there have been no convictions under section 16C for breach of a police cordon during the period in which the provision has not been in force.

The ceasefires in Northern Ireland notwithstanding, we still face the threat of terrorism from many quarters. In those circumstances, I think that it is right that the earliest practicable opportunity is taken to revive these measures, so restoring what we all believed to be the status quo. I have therefore tabled a draft order today to bring sections 16A, B, C and D back into operation. That order will be subject to the affirmative resolution procedure so both Houses will have the opportunity to debate the revival of the provisions before they can be brought back into force. The debates will take place as soon as possible.

There is a separate but related point about sections 16A and 16B of the PTA, which arises in the case of Kebeline and others. That is a judicial review case which is scheduled to be heard by the Appellate Committee of the House of Lords on 19 July. The case turns on whether the Director of Public Prosecutions should continue to give his consent to prosecutions for offences under sections 16A and 16B if they are incompatible with the terms of the European convention on human rights.

The Government believe that these provisions, in their current form, are not incompatible with the ECHR and are an important part of the armoury in the fight against terrorism. In our view, it is entirely consistent with that position to seek their early revival, now that it has come to light that they are not currently in force. In adopting that course of action, the Government are not attempting to pre-empt, or in any way influence, the outcome of the appeal. We await their lordships' judgment with interest. However, in our opinion, that need not and must not stop us taking action to ensure that all measures required to counter terrorism are properly available to the police and to the courts.

Miss Ann Widdecombe (Maidstone and The Weald): I thank the Secretary of State for his statement, for giving us early notice of it and for allowing us to see its text in good time. I welcome his apology and his assumption of responsibility for what happened.

May I clarify, however, that the effect of his statement is that, for more than a year, the possession of articles for suspected terrorist purposes and the collection of information for the purposes of terrorist activity have not been criminal offences? Could not that have had major implications for terrorist investigations?

The Secretary of State said that the error, which he described as a "drafting subtlety"—plain "error" is the right word—came to notice on 24 May. Why has it taken

a month for the House to be informed? When was the error drawn to his attention and when did he advise the police not to rely on the existing provisions? Other than the one man already charged, have any potential charges been dropped as a result of advice to police not to rely on those provisions?

How serious were the alleged offences in the case of the man who was charged? As bail implies restrictions to liberty, do the Government now face a claim for compensation? Are other offences under investigation? I heard the rught hon. Gentleman's statement about charges brought, but would other offences that are actually or potentially under investigation be prejudiced by the error? Am I right to think that the accused man, who has been on bail but will now have his indictment quashed, so no trial will take place, therefore faces no action and no penalty? Was that the thrust of what the Secretary of State said?

We shall, of course, support the order—assuming that it is correctly drafted—when it comes before the House. Similarly, we shall support the Government's view that the provisions are not incompatible with the ECHR.

Finally, we regret that the Government's inability to support our comprehensive prevention of terrorism Act has been at the root of causing this confusion.

Mr. Straw: I thank the right hon. Member for Maidstone and The Weald (Miss Widdecombe) for the tenor of her remarks and for her opening comments.

The right hon. Lady asked whether, as a result of the error, it follows that the provision in sections 16A and B, which the House had agreed should be in force for good reasons, was not in force. That is the case. She asked when the error was first brought to my attention: a few days after 24 May—I will seek to give her the exact date—and it was drawn to the attention of the Law Officers. I originally sought proper legal advice about it. She asked why it had taken some time to get that advice: because the matter was complicated. As I said, the error has had serious consequences, but it was, indeed, a drafting error, which was unnoticed by the draftsmen, Ministers, including myself, officials, all our legal advisers and hon. Members on both sides of the House. Moreover, it was not noticed by the legal advisers to the defendant, who, as far as I am aware, had not taken up that point in court. It was a complicated issue, although as is often the case with such matters, it now appears to fall easily in place. I decided that, because of the seriousness of the error, I should make an oral statement as soon as possible.

So far as I know—I shall write to the right hon. Lady and have this information placed on the record of the House if there is any change to what I am saying—there are no potential charges in prospect arising from investigations under the terms of the provision in the sections. I cannot give her precise details of the seriousness of the offences—as she knows, it is not appropriate for a Secretary of State to seek to interfere in the criminal process. Let me simply say that the charges were proceeded with on indictment and they therefore had a degree of seriousness attached to them.

The right hon. Lady asked me about compensation. This man was on bail. I understand that he had spent some months in custody before obtaining bail, and that the bail was subject to conditions. We therefore expect to receive a claim for compensation. I cannot comment on the outcome. We do not know what the result of a trial would have been, but, as the man has been released, what is certain is that no action and no penalty will follow.

Mr. A. J. Beith (Berwick-upon-Tweed): We accept the Home Secretary's apology and the need to reintroduce the provisions, but does the right hon. Gentleman realise that mistakes of this kind are inherent in the piecemeal way in which we deal with prevention of terrorism legislation? Has he forgotten that the original 1996 provisions were rushed through the House in one day, with his support? We ought to pay much more careful attention to legislation on which the police depend to guard us against terrorism.

The provisions have been challenged on the basis of the ECHR. Does the right hon. Gentleman realise that, if he reintroduced them in a new statute, he would have to furnish the House with a formal certificate stating that those provisions complied with the convention? Is he in a position to sign such a certificate?

Given that the Home Office is beginning to chalk up rather too many mistakes that bring the right hon. Gentleman before the House, would he care to let us into the secret of what kind of message he is delivering as a result of being landed in it again?

Mr. Straw: I am grateful to the right hon. Gentleman for his opening remarks.

Sections 16A and 16B are the sections affecting the charges that have now had to be dropped. They relate to the Criminal Justice and Public Order Act 1994, not the Prevention of Terrorism (Additional Powers) Act 1996. That Act introduced changes in respect of sections 16C and 16D in part IVB of the Act, as opposed to part IVA, which relates to cordons and parking restrictions. As the measure is subject to annual review, I do not believe that the fact that the House supported the change in 1996—I supported it myself—has anything to do with it. This is a drafting error. I am sorry that it happened, and I have already apologised to the House.

The right hon. Gentleman did, however, raise an important issue: the need for major reform of PTA legislation. As the House knows, I made proposals in October 1997, which have been published in a consultative document. We have received responses, and we hope to produce legislation as soon as possible.

If primary legislation were involved, the right hon. Gentleman would be right to ask whether, in our judgment, a certificate was compatible with the ECHR; but our view, which we will argue powerfully before the Appellate Committee in the other place, is that sections 16A and 16B are compatible with the convention.

Mr. Tom King (Bridgwater): I am sure the House accepts that a genuine mistake was made on this occasion. It is in keeping with the Home Secretary's attitude to the House that he felt it necessary to make a personal statement. That, however, is as far as my kindness will go. I want to pursue the questions raised by my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe).

Am I right in thinking that it is currently not an offence to possess articles for suspected terrorist purposes, or to collect information that is likely to be useful for terrorist

[Mr. Tom King]

purposes? If that is so, does the Home Secretary agree that it underlines the sense of urgency that is currently necessary if this serious matter is to be dealt with?

The article appeared on 24 May, but when did the eagle-eyed author actually write it? When he prepared it, did he not do what many authors do when stumbling on something like this, and consult the Law Officers or the Home Office to check that he had got it right? When did information on the situation first become available in Government? If—as the right hon. Gentleman said, and as I certainly believe—the legislation is an important part of the armoury, why are we casually discussing it when—sometime, through the usual channels, depending on the business of the House—we might proceed to replace a serious omission in our defences against terrorism?

Mr. Straw: I made it quite clear that I regard the legislation as a serious part of the armoury. As it happens, it is not a part of the armoury that has been used all that often; it has been the basis of a charge on six occasions since it came into force, at the beginning of January 1995. It also happens that, so far, no convictions have followed. The right hon. Gentleman asked me about the author of the article in the criminal law journal. The article was unsigned, so I have no idea who the author was. Originally, the article was faxed to the Law Officers. I first learned of it on 26 May, when it was put in my box.

Mr. King: Where has it been since then?

Mr. Straw: As I explained to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), we had to take detailed advice on it.

Hindsight is a wonderful thing, but it was an error that had been missed not only by Ministers, including myself, parliamentary draftsmen and lawyers on both sides of the House, but by lawyers acting for the defendant. It turns out to have been a very important point, but it was also a relatively obscure one.

The urgency with which we proceed is a matter—the right hon. Friend the Member for Bridgwater (Mr. King) knows the procedures—for discussion in the usual channels, but I hope that the matter will be brought before the House as quickly as possible. I am grateful for the support publicly given by the right hon. Members for Maidstone and The Weald and for Berwick-upon-Tweed (Mr. Beith) for renewing the provisions.

The question whether I should use the urgency provisions within the PTA and bring the provision into force immediately has been raised. My judgment was that, given the nature of the error, it was important for the provision to be renewed by a positive and affirmative act of both Houses, and not under the urgency provisions.

Mr. Tam Dalyell (Linlithgow): Forgive my puzzlement and being unable to contain my curiosity, but Home Secretaries do not normally come to give statements to the House of Commons as the result of faxed articles, apparently anonymous, to law journals. Someone somewhere must have prompted this. Is it not yet another argument for looking at the piecemeal way in which, year after year, the House has been asked to endorse prevention of terrorism measures spatchcocked together in a hurry? Is one wrong in suspecting that there really is a case now for going back to the drawing board and producing something properly?

Mr. Straw: As my hon. Friend has reason to know, the truth is suddenly sometimes an odd beast. I could hardly have made up how we found out about the matter, could I? The United Kingdom's greatest legal minds—and ministerial minds, great or otherwise—missed it, and learned of it from a fax and a criminal law journal. But there we are. The right hon. Member for Berwick-upon-Tweed asked what I said to people in the Home Office: I said that I have now become a fully paid-up member of the Home Secretary club. I see the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) is smiling; he knows what I am saying. What can one say when things like this happen—*[Interruption.]* I am certainly not going to put them on the record.

On the specific and serious point made by my hon. Friend the Member for Linlithgow (Mr. Dalyell), I do not believe that the error was caused by the fact that the prevention of terrorism legislation has been built up over a period. One also cannot argue that the House's approval, after a couple of days, of sections 16C and 16D contributed to the error.

I accept, notwithstanding that point, that there is a strong case for bringing all the temporary legislation together in permanent legislation. We have made our intention to do that clear. Drafting—good drafting—is currently proceeding and we hope to bring legislation before the House as soon as possible.

Mr. Andrew Robathan (Blaby): The right hon. Gentleman has been very candid with the House, but may we return to the question asked by my right hon. Friend the Member for Bridgwater (Mr. King)? Is it currently an offence to possess articles for suspected terrorist purposes and is it unlawful to collect information likely to be useful for terrorist purposes? The answers to those questions are pertinent. This error, and the urgency that has been lacking, is extraordinarily pertinent, because the right hon. Gentleman will know that last Thursday the IRA attempted to murder a former member and informer, one Martin McGartland. Will this error and the lack of urgency in rectifying it affect the investigation into that attempted murder in any way?

Mr. Straw: In answer to the hon. Gentleman's first question, I thought that I had made it clear that, as the provisions are not in force at the moment—

Mr. King: So it is not an offence.

Mr. Straw: No, it is not an offence. It obviously follows that it cannot be an offence because the provisions are not in force. As it turns out, they have not been in force since March 1998. They will be brought back into force as soon as the House and the other place approves the order.

I ought to make it clear that, before early 1995, there were other provisions in the law for dealing with such alleged offences and they are still on the statute book. They are principally offences of conspiracy. One of the reasons why the right hon. and learned Member for Folkestone and Hythe introduced those offences was the

difficulty in gaining convictions for conspiracy. As for the attempted murder of Mr. McGartland or anyone else, it would be wrong for me to comment on the detail of that investigation. Suffice it to say that in such an incident there are many other offences with which the perpetrator can be charged, including murder or attempted murder.

Mr. Peter Viggers (Gosport): The House should be very reluctant to introduce retrospective legislation. The leading case for doing so was the necessity to legitimise the fire service during the second world war; otherwise, it would have been illegally run. If the Government were to come to the House and ask it to deny compensation to an individual who had been in custody when the House thought that an offence had been committed with which the individual was charged, they would find some sympathy in some parts of the House.

Mr. Straw: Retrospective legislation is rarely enacted and, as far as I know, never enacted in respect of criminal offences. It would be oppressive even in circumstances such as this.

As for compensation, I understand what the hon. Gentleman says, but we always have to ensure that the balance is in favour of the individual and the rights of that individual when we are dealing with matters of criminal justice. As I said, because this man was in custody for some period and then on bail, subject to conditions, for quite a long following period, he may apply for compensation and we anticipate an application. That application will be considered in the normal way.

Mr. Humfrey Malins (Woking): The Home Secretary has confirmed that today, 23 June, it is not an offence to possess articles for suspected terrorist purposes. That is a very serious issue indeed. Given what we have said in the House this afternoon, what he has told us and what the rest of the world therefore knows, is it not of the greatest importance that the matter is remedied immediately, by which I mean not next week or the week after but within a matter of hours or, at worst, tomorrow? I am sure that there will be the most complete co-operation around the House if the Home Secretary introduces measures to remedy the position.

Mr. Straw: As I have said, this is a serious matter. Many other offences are still in force in the armoury of the law enforcement agencies for dealing with terrorist offences. I have made it clear that the provisions under sections 16A and 16B have never been used in connection with Irish terrorism, although the cordon powers, which supplement common law powers, have been used in the prevention of Irish terrorism. I hope to see the offences and the cordon provisions under sections 16C and 16D brought back into force as quickly as possible. As I said, we welcome the offer of co-operation from the Conservative and Liberal Democrat Opposition Front-Bench spokesmen and we look forward to co-operation with the usual channels as soon as possible.

Mr. Michael Howard (Folkestone and Hythe): The House will understand that I have considerable sympathy for the Home Secretary given the predicament in which he finds himself, but I must return to the questions that have been asked by my right hon. and hon. Friends. This is not a controversial question. The need for such an offence is acknowledged on both sides of the House. The Home Secretary has acknowledged the seriousness of the current situation, in the absence of such an offence on the statute book. Will he reconsider the attitude that he has taken thus far about the need for urgency and the use of the urgency procedures to remedy the situation?

Mr. Straw: I am genuinely grateful to the right hon. and learned Gentleman for his sympathy. Although one hopes that some people might not hear this, we may have ended up in the same club. I accept the case for urgency and I have already explained that, given the seriousness of the error and the need for me to report it to the House, it was my judgment that it would have been inappropriate to use the urgency provisions in the Act to bring it straight back into force without the House having had an opportunity for debate. However, given what the right hon. and learned Gentleman has said, I will ask my hon. Friends, the business managers, to have urgent discussions about the matter.

Equal Access (Public and Private Buildings)

4.2 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey): I beg to move,

That leave be given to bring in a Bill to establish that where men and women are granted access to public or private buildings they are granted equal access; and for connected purposes.

If I suggested to you, Madam Speaker, that there were Rooms in the Palace of Westminster—apart from public conveniences—not open equally to all its Members, whatever their sex, you would be angry. I am angry because many of our sports clubs up and down the country are still closed to women.

For example, Mrs. Joyce Rayner, honorary secretary of the ladies' section of Faversham recreation bowling club in my next-door constituency, wrote to me saying:

"I am secretary of the ladies' section . . . our ladies are treated like second class citizens. We pay exactly the same subscriptions as the men, but we are not allowed any involvement in the administration of the Club, no voting rights and are not even allowed to attend their AGM."

Mrs. Sue Birch, commenting about her golf club, the Robin Hood golf club in Solihull, said:

"You may be interested to hear of my recent attempts to overcome the problems I face within my golf club as a woman who cannot vote in club affairs. There are in excess of 250 men and women in my club, who cannot vote and who cannot be selected for or serve on the committee. In addition, because of being a woman, I am not allowed to play until after 4pm on Saturdays and until after lunch on Sundays and I cannot enter the snooker room."

Let us consider this extraordinary tale from Little Aston golf course in the west midlands where a club rule bans women from the "confines of the club" on Saturdays and Sundays. Reacting to the news that her husband had suffered a stroke or heart attack on the course, his wife rushed to his side. She climbed into the ambulance and was taken to hospital. She left her car in the club car park. Some weeks later she received a letter from Little Aston golf club committee saying that she had broken the weekend rule, and was asked to desist from such action in the future.

My next example is perhaps even worse. An American visitor paused as he was about to enter the clubhouse at Royal St. George's golf course. He was filled with doubts about whether his wife would be admitted. To spare her any embarrassment he approached an elderly member in the car park to clarify the situation. The elderly member said, "I am not sure about women—I would have to ask—but we do allow dogs in." Sadly, that sort of thing is a common occurrence across many of the golf courses and sports clubs in this country.

Mrs. Susan Cummings from Tamworth wrote to me about Drayton park golf club, saying that ladies can play on Saturdays at any time except, however, in summer when men's competitions take place and the course is closed to women until after 4 pm. On Sundays, women cannot tee off until after 1 o'clock.

Mrs. Codd from Mayfield in East Sussex writes:

"As a working lady golfer I have direct experience of the sorts of blatant discrimination that you are seeking to abolish . . .In the last year a few of us have been pressing for voluntary change, but have met stalwart resistance at various levels. For instance one lady was told she was militant. Another was forced to resign from one of our committees for daring to express her views on the subject of equality in the media—even though she did not name the club—which were she was told at variance with that of the board of management. Needless to say our board is all male and no women have ever sat on it. The men's captain does of course.

Traditionally ladies have (unpaid voluntary) responsibility for running their sections, thus saving clubs thousands of pounds each year".

but they have no vote.

The problem is not with golf alone: I could tell tales of unequal access and opportunity in other sports. In soccer, for instance, we have a registered FIFA female agent who is unofficially banned from the men-only boardrooms at football clubs on Saturdays, yet she is in charge of a considerable number of talented men footballers. She is banned from the professional footballers' annual national dinner, which I am glad that my hon. Friend the Minister for Sport also declined to attend because she was not admitted.

I commend to the House the Equal Opportunities Commission report "Equality in the 21st Century: a New Sex Equality Law for Britain". Page 8 states:

"The EOC continues to receive many complaints about the rules and practices of private members' clubs. These clubs are not controlled by the Sex Discrimination Act because they are not concerned with the public. However, we believe the omission of private clubs results in various discriminatory rules and arrangements which support stereotypical images of men and women and limit women's participation in club activities."

I could not agree more.

The nub of the Bill is that it cannot be right that, in public or private buildings or clubs to which men and women have access, access should be determined by sex only. In sport, that has been the case for more than a century. As we attempt to modernise our society, we must at the very least permit women equal access and opportunity.

The Bill would improve on the Sex Discrimination Act 1975 and I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Derek Wyatt, Ms Claire Ward, Mr. John Maxton, Mr. Jonathan Shaw and Mr. Robert Marshall-Andrews.

EQUAL ACCESS (PUBLIC AND PRIVATE BUILDINGS)

Mr. Derek Wyatt accordingly presented a Bill to establish that where men and women are granted access to public or private buildings they are granted equal access; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 127].

Miss Julie Kirkbride (Bromsgrove): On a point of order, Madam Speaker. As you will be aware, part of my constituency includes the Rover Longbridge plant. Today there was a very welcome announcement that the Government would be spending £150 million to help BMW to reinvest in the plant and to secure many jobs. Is not it appropriate that a statement of that importance, with further implications involving the outsourcing of car components which will have a major impact on employment in the west midlands, should be made in the House so that we could cross-examine the Minister,

rather than at the press conference held this morning, where hon. Members with constituency and other interests could not find out all the relevant facts?

Madam Speaker: As far as I am aware, no Minister is seeking to make a statement on that issue. I do not know whether the hon. Lady was here, but a question was put to the Prime Minister on the matter at Question Time today.

Opposition Day

[14TH ALLOTTED DAY]

[FIRST PART]

Proportional Representation

Madam Speaker: We now come to the main business. I have selected the amendment in the name of the Prime Minister, and I have had to limit the speeches of Back-Bench Members to 10 minutes.

4.9 pm

Sir George Young (North-West Hampshire): I beg to move,

That this House, in the light of experience of recent elections held on the basis of proportional representation, believes that this is not an appropriate basis for election to the House of Commons; and urges the Government to resolve the uncertainty it has caused on this matter either by abandoning its commitment to hold a referendum, or by holding the referendum forthwith.

Two weeks ago, before the European election results were known, I asked the Leader of the House to find time for a debate on proportional representation in the light of the experience of the three elections held under the new arrangements. My request was refused so, not for the first time, the Opposition have allocated some of their own time to debate a matter of fundamental importance to the House.

An hour ago, when asked about this issue by my hon. Friend the Member for Lichfield (Mr. Fabricant), the Prime Minister said that he would listen to the debate. I note with some surprise that the Prime Minister is not sitting on the Government Front Bench to listen to what I am sure will be an interesting debate.

My view is that it is right to debate this matter while our recollection of the campaigns and their immediate aftermath is relatively fresh. Also, by having a vote at the end of the debate, we can end the uncertainty that has been caused by the Government's commitment to hold a referendum on PR for Westminster and their refusal to set a firm date. Our motion allows either of two solutions. The one that we prefer is the abandonment of the commitment to hold a referendum, and a declaration that we will stay with the British first-past-the-post voting system for Westminster. That would be the quickest and simplest way to implement what I believe to be the majority view of the House.

However, the Labour party has a manifesto commitment to hold a referendum, which it gave before the last election. Labour felt that it might need the support of the Liberal Democrats after the election, but I suspect that it may regret having made that commitment. Respecting those sensitivities, and understanding that a referendum may be the only way to resolve the split in the Cabinet, we offer an alternative, which is to hold a referendum forthwith.

Jenkins recommended a two-vote, mixed electoral system with 80 to 85 per cent. of the House being elected by individual constituencies using the alternative vote system and the remainder being elected by city or countywide areas on a top-up basis from party lists.

[Sir George Young]

The impact of the report was softened by the note of reservation of Lord Alexander, who considered that the use of AV was not

"sound in principle, easy to understand and above all capable of commanding the enduring respect of the electorate."

The debate on that report took place on 5 November. It was an excellent debate, and I say that because I did not take part in it. Rereading *Hansard*, I was struck by a number of points. First, the balance of the contributions and the argument was against the Jenkins alternative by a ratio of more than two to one: it was 24:11. The Home Secretary made his position clear. He said:

"I therefore remain unpersuaded of the case for change",

although he went on to say, worryingly, that he was

"always open to higher argument"—

not a better argument, but a higher argument.

Secondly, I was struck by a point made by my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes), who said:

"Electoral systems are not just about elections; they are about the subsequent nature of representation."

Disaffection with the system, as expressed by a low turnout, is not just a problem on polling day: it is a problem for a Parliament. If people do not feel connected to an institution on polling day, they are unlikely to feel connected to it after polling day. The electoral system is a type of political glue between the voter and the institution he or she is voting for. We have a strong glue at the moment, and we should be cautious about using a weaker one.

Thirdly, the Government confirmed that the alternative to first past the post to be put in a referendum is the Jenkins proposals. The Under-Secretary of State for the Home Department, the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), who wound up the debate on 5 November, said:

"If we are to have change . . . we now have an alternative, whether we like it or not, alongside which the status quo of the first-past-the-post system can be judged and debated."

So we now know what the choice will be between.

Fourthly, a number of hon. Members who spoke in that debate made the point, confirmed by Jenkins, that there is no public clamour for change. Only nine people attended the public meeting held in Northern Ireland, and only 30 were at the one in Cardiff. I am sure that Labour Members will confirm that focus groups are not focusing on this subject.

Finally, the Government were vague on the timing of the referendum. The Home Secretary said:

"As to timing, we have always envisaged that the referendum would be before the next election, and that remains an option."—[*Official Report*, 5 November 1998; Vol. 318, c. 1033-1111.]

That is a weakening of an earlier commitment given in the debate on 2 June 1998, when the Home Secretary said:

"The plan is that the referendum should take place well before the next election."—[*Official Report*, 2 June 1998; Vol. 313, c. 190.]

More worryingly, the Home Secretary sought in the debate on 5 November to delay reform to the House of Commons electoral system until after the House of Lords reforms were in place. He said:

"It would not be wise to embark on reform to the House of Commons electoral system until we are more certain of the changes that will take place in the other place."

That is not on. We cannot let the shadow of proportional representation hang over this place until the Government have sorted out phase 2 of the House of Lords reform, which could take for ever.

There was no opportunity to vote on 5 November, because the debate took place in Government time on a motion for the Adjournment of the House. We are offering the House that opportunity. Unlike the debate in November, today's debate takes place after three elections held under forms of PR, so we are better able to come to a judgment on how the systems work in practice.

Dr. Tony Wright (Cannock Chase): I am sure that the right hon. Gentleman remembers that in the recent Scottish Parliament elections his party won not a single constituency seat, yet it managed to end up with 18 representatives in the new Parliament. Does he think that that is shockingly unfair?

Sir George Young: We do not approach the subject on the basis of what is right for the Tory party. We are interested in what is right for the House of Commons.

Mr. Jim Murphy (Eastwood) *rose*—

Sir George Young: I should like to make progress. We have already lost some of the time for the debate and there is a 10-minute limit on speeches.

We have the experience of the three recent elections. Previously, many people, including the Prime Minister, have said that they want to suspend judgment until they see how the systems work in practice. The Home Secretary said in our debate in November:

"We shall want to see how the various changes bed down and how well the new electoral systems for the Scottish Parliament, the Welsh Assembly and the European Parliament work."—[*Official Report*, 5 November 1998; Vol. 318, c. 1038.]

Quite so.

We have had the elections to the Welsh Assembly, the Scottish Parliament and the European Parliament. The systems used have common features with the Jenkins proposals of lists, multi-member constituencies, proportionality and two classes of members, which can inform us. Apart from the Greater London elections next year, we have all the evidence that we shall ever have about the voting systems in operation.

Let me start with the European elections and the low turnout. There is no single reason why the turnout for the European elections was low. The institutions of Europe are not popular, the campaigns of two parties were lacklustre and there was an element of voter fatigue. I believe that another reason was the system of voting. People want to vote for a face, not a list. When I knocked on the doors in North-West Hampshire or spoke to people on the phone, I had no candidate to sell. I could call on the record of the sitting Member of the European Parliament. It was an impersonal and rather anonymous process. Voters want to know whom they are voting for or against. Our supporters like to have a product that they can sell on the doorstep. Voters do not like being part of a large region, particularly in the south-east region, which has no regional identity. The voters want to have their

own man or woman representing the patch in which they live and they want to be able to vote them out if they do not like them.

Mr. Richard Burden (Birmingham, Northfield): We can discuss the European elections if the right hon. Gentleman wants. He seems to be saying that the electoral system was one reason for the drop in turnout. How does he explain the fact that at the 1999 local elections there was approximately a 13 per cent. drop in turnout compared with 1994, and that at the 1999 European elections there was approximately a 13 per cent. drop in turnout compared with 1994? One set of elections was held under a first-past-the-post and the other on a proportional system. Those figures do not add up to an argument that the electoral system caused a drop in turnout.

Sir George Young: There was not such a drop in turnout at the local elections in my constituency. I do not know what figures the hon. Gentleman is quoting, but there was a good turnout for the local elections in Hampshire, which has a hung council. The hon. Gentleman should look at the difference in turnout between the 1994 European elections, when people could vote for one candidate, and this year, when there was a list. That shows a very large drop. I attribute part of but not all the reduction in turnout to a change in the system of voting.

Mr. Owen Paterson (North Shropshire): Will my right hon. Friend give way?

Sir George Young: For the last time, in order to preserve some proportionality.

Mr. Paterson: I am most grateful to my right hon. Friend for his balanced view on interventions. The sitting MEP for Herefordshire, Shropshire and the Wyre forest was a Mr. David Hallam, who achieved a certain popularity in the area. He was arbitrarily dropped down the list to number five by the officials of the Labour party. I was at the count at Wem and many spoilt ballot papers were marked, "We want Hallam".

Sir George Young: My hon. Friend reinforces my point that people want to vote for a face, not a list.

The Government's response is to make it easier to vote. Of course it makes sense to consider, on an all-party basis, how we can make it easier to vote, but that is different from making people want to vote. My guess is that any benefit that may be gained by making it easier to access a voting booth will be more than lost if we introduce a voting system in which the public have less confidence.

We tried to personalise the system by removing the closed list—all credit is due to the other place and indeed to many Labour Members for trying to support the open list. Sadly, the Government insisted on using the Parliament Act 1911 and overruled common sense.

However, even with all their deficiencies, the European elections had one beneficial effect that Jenkins has not. All our MEPs were elected on the same basis. They all went to Europe through the same door. Jenkins preserves all the disbenefits of the list with the added disbenefit of a mixed system of elections and two classes of MP, with those directly elected through AV producing an even less proportionate result in 1997 than those elected under first past the post.

Others have their own analysis of the results of the European elections, as we have heard. Apparently, the Liberal Democrats did badly not because they fought a lacklustre campaign, but because the Labour party did. One can only sympathise with the Liberal Democrats: if their opponents fight a winning campaign, they lose; if their opponents fight a losing campaign, they still lose. That is an important dilemma for their new leader to address after a campaign that will set the Thames alight.

The Government said that it was all because of contentment. As my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) observed on the night of the count, that has the perverse implication that if people become increasingly content with the Government, turnout should continue to fall until it reaches the ideal of zero.

At the elections in Wales, for example, we were confronted by the absurd spectacle of the Secretary of State for Wales hoping that his party would do well enough to win an overall majority, but not so well that he would not get a top-up seat. In the Welsh Assembly, the Presiding Officer has stopped Assemblymen referring to the hon. Member for Cardiff, West (Mr. Morgan) as the Member for Cardiff, West. The Presiding Officer, a former hon. Member, said that there is not one but five Members for Cardiff, West—the directly elected Member and the four regional Members. So we see the beginning of the end of the direct representational link that is the basis of our membership of the House.

Despite the theory that all Members are equal, the facade is beginning to crack. One Liberal Democrat Assembly Member, representing Brecon and Radnor, insists on calling herself the directly elected Member, with the unspoken inference that it is a better way of being elected than any other.

After an election in New Zealand, the first question one new Member asks another is, "Are you a real MP or are you a top-up?" I am not interested in second-class Members. The strength of this place is that we all got here through the same democratic process. We are all equal.

Ms Oona King (Bethnal Green and Bow): Will the right hon. Gentleman give way?

Sir George Young: No; I must make progress.

With additional Members, we would in effect have two political currencies in circulation, one of which would be quickly devalued, threatening the very basis on which the House works. There are also the wholly predictable difficulties in Wales for regional Members who want to hold surgeries. Without surgeries it is more difficult to maintain democratic legitimacy—the direct contact with the voter—which is also the basis of our membership here.

We must also consider the example of Scotland where the leader of the Liberal Democrats, the hon. and learned Member for Orkney and Shetland (Mr. Wallace), promised at the beginning of election week that if people voted for his party on Thursday, tuition fees would be dead on Friday. By the end of the week, this was

[Sir George Young]

dismissed as mere "election rhetoric". There can be no clearer example of how promises are broken, manifesto commitments Tippexed out and voters betrayed under PR.

Mr. Dale Campbell-Savours (Workington): Will the right hon. Gentleman give way?

Sir George Young: So long as the hon. Gentleman is going to help me.

Mr. Campbell-Savours: The right hon. Gentleman referred earlier to second-class Members being not directly elected. Does that mean that all those Scottish Members who are not directly elected are second-class Members—nearly all of them Tories?

Sir George Young: That is exactly what a member of the Liberal Democrat party said on election night. He said, "You Tories have only got top-up Members." The fear that I expressed of having two classes of Member is already gaining currency.

The fears expressed in this House last November have come true. We have introduced a system that promotes coalition government at the expense of single-party government. We have seen the need to form those coalitions predicate intensive bargaining between the political parties. Party mandates have become less relevant. Politicians, not voters, choose Governments. The Jenkins system looks not outwards to the voters, but inwards to the party machines. It is interesting to note that the commission found a near-unanimous view of

"distrust of any electoral system which increased the power of the party machine."

By contrast, the present system meets the criteria set out by Jenkins better than his own suggestion. It ensures accountability, and voters know who to blame when things go wrong. It encourages open debate and decision making, and facilitates a change of Government and a change of direction.

The Government are now acquiring a reputation for tinkering and dithering: tinkering with things that work perfectly well, and then finding that they do not really know what they are doing; and then dithering as they seek to postpone or avoid awkward decisions. It is an affliction, as we saw this afternoon, to which the Prime Minister is vulnerable.

We have an opportunity today to stop the tinkering and the dithering with our voting system. In our hearts, we know that PR for Westminster is dead. What this motion does is to facilitate a decent burial. I urge all Members to support it.

4.27 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"recognises that different electoral systems may be appropriate for elections to different institutions; commends the Government's commitment to let the final decision on the voting system for the House of Commons be made by the people in a referendum; and welcomes the Government's approach which allows for a full debate in the country on the merits of the Jenkins system before a referendum is held."

I congratulate the right hon. Member for North-West Hampshire (Sir G. Young) on his debut in this position, and on a witty and entertaining speech. [HON. MEMBERS: "A good speech."] It was a good speech—I am perfectly happy to congratulate him on a good speech. I always have been willing to share my compliments.

I congratulate the Opposition on—and thank them for—choosing this subject to debate. In the past seven weeks, we have had the elections to the Scottish Parliament, the Welsh Assembly and the European Parliament. Those were the first occasions on which proportional representation was used in national elections in Britain, and it is right that the House should have an opportunity to reflect on what has happened.

Let me begin with the Scottish and Welsh elections. As my ministerial colleagues said during the passage of the relevant legislation, our intention in introducing proportional voting systems for those bodies was to ensure a representative outcome, with all the major strands of opinion having a voice in the Scottish Parliament and the Welsh Assembly.

The right hon. Member for North-West Hampshire, in answer to my hon. Friend the Member for Cannock Chase (Dr. Wright), said that the Conservative party had an interest in the appropriate system, and not the one that would do the greatest favour for the Conservative party. Had we gone for first past the post in Scotland and Wales, it could have been—I am not saying that it would have been—that one party, which happens to be our party, could have ended up in a relatively impregnable position for a long time. I do not believe that that would have been sensible for democracy, given the demography of those two countries.

I believe that the objective that we set for the Scottish Parliament and the Welsh Assembly has been achieved. As my hon. Friend the Member for Cannock Chase said—notwithstanding the answer given by the right hon. Member for North-West Hampshire—it is worth recording that, without the proportional voting system, the Conservative party would have not a single Member of the Welsh Assembly—*[Interruption]* I am sorry; it would have just a single Member of the Welsh Assembly—and no representation in the Scottish Parliament. Instead, it has nine Assembly Members and 18 Members of the Scottish Parliament. I heard what the right hon. Gentleman said, but I fancy that, if there were proposals to go back to first past the post in Scotland and Wales for those elections—I shall come on to the elections for the Commons—those Assembly Members and Members of the Scottish Parliament, and their parties, might have something to say.

It is also worth reflecting on some of the objections that were raised to that form of PR for elections to those institutions from the Opposition when the relevant Bills were going through. We were told that it would put people off from voting and that the system was too complicated. The Opposition spokesman in the other place, Lord Mackay of Ardbrecknish, warned us that we were adding complication to a "simple democratic system". The hon. Member for Tewkesbury (Mr. Robertson) said:

"It is a mixed system, to which I object because it will lead to confusion."—[*Official Report*, 28 January 1998, Vol. 305, c. 433.]

Turnout for the Scottish Parliament elections was 58 per cent. and, for the Welsh Assembly, 46 per cent. Those figures could have been higher—I shall say more

about turnouts later—but, to put them into context, on the same day, only 29 per cent. of people in England voted in local council elections using the first-past-the-post system. When twice the percentage of Scots chose to vote using a proportional system, the argument that PR is a disincentive to voting is not easy to sustain. There is also no evidence that the people of Scotland and Wales found the new voting systems difficult to use.

Let me now deal with the European Parliamentary elections on 10 June. As I said during Home Office questions last Monday, I advise the Conservatives to enjoy their moment of triumph, but to beware of false dawns. In 18 years of opposition, the Labour party became only too well aware that such success can be ephemeral.

I shall not dwell on the results, although I should of course be happy to do so. I do not pretend that a turnout of 23 per cent. is anything but very disappointing.

Mr. Patrick McLoughlin (West Derbyshire): Does the Home Secretary believe that the low turnout had anything to do with the fact that, in the Scottish and Welsh elections, people had two votes for the two different kinds of representatives and in the local elections people had a vote for each representative, but in the European elections people had only one vote and no choice, even though people in the east midlands were electing six Members of the European Parliament?

Mr. Straw: I shall come on to the research work that we intend to do because it is important that we find out the answer systematically and scientifically. We need more evidence before we decide. I am aware of the arguments about the voting system and I shall come on to my old friend Victor d'Hondt in a moment.

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): I cannot wait.

Mr. Straw: I know that my hon. Friend will enjoy my remarks on the subject.

I have not seen any evidence, although that does not mean that there is none available, to suggest that the decline in turnout was caused principally or exclusively by the use of the new system. I am disappointed because the decline in turnout marks a reversal in a gradual, if small, upward trend in turnout for European parliamentary elections, which had increased from 31 per cent. in 1979 to 36 per cent. in 1994. However, it is worth pointing out that, in 10 out of the other 14 member states—all of which have systems of proportional representation that, as far as I am aware, did not change between previous elections and this one—there was a decline in turnout. The decline in the percentage of electors who voted was more severe in Austria, Finland and Germany than in the United Kingdom.

Mr. Christopher Gill (Ludlow): I remind the Home Secretary that the essential justification put forward by the Government for proportional representation was that it might improve the voting figures. Clearly, that has not happened. I hope that the right hon. Gentleman will not be offended if I call him a professional politician, but why do professional politicians never admit that they are wrong, even when they are proved to be so? Why cannot they come clean, say they made a mistake, and scrap the new system? Why do they have to say that what happened was because more needed to be done, or because the system needed to be refined? The right hon. Gentleman has a perfect opportunity this afternoon to say, "We got it wrong, we made a mistake, our judgment was faulty, we'll scrap the idea."

Mr. Straw: Perhaps the hon. Gentleman was not present at 3.30, but one dose of confession of error is enough for one day.

Sir Patrick Cormack (South Staffordshire): It gets easier each time.

Mr. Straw: I thought that the hon. Gentleman was a good member of the Anglican Church, but he says that confession is easier each time. I shall leave that to those of an alternative denomination.

Mr. John Bercow (Buckingham) *rose—*

Mr. Oliver Heald (North-East Hertfordshire) *rose—*

Mr. Straw: I want to answer the question posed by the hon. Member for Ludlow (Mr. Gill) and make some progress. The hon. Gentlemen can intervene then.

I have the text of the lengthy and fascinating debates on the merits of the new regional list system. I cannot recall on any occasion being rash enough to say that that system would increase turnout. What I said was that we were involved in creating horses for courses, and that a move to a regional list system would lead to a more representative outcome—and one in which the Labour party almost certainly would get fewer seats than under any other system.

Mr. Simon Burns (West Chelmsford): Will the Home Secretary give way?

Mr. Straw: Of course, as I fancy that the hon. Gentleman is going to educate me about what I said.

Mr. Burns: I remind the Home Secretary that, on 25 November 1997, he told the House:

"It is difficult to argue that the current electoral system has gripped the electorate. It has not. My guess . . . is that turnout will improve under the proposed system."—[*Official Report*, 25 November 1997; Vol. 301, c. 816-817.]

Mr. Straw: I was wrong. However, I was right in the first part of what I said.

As the House knows, we will conduct a full review of the European Parliamentary elections, and I shall write to the opposition parties shortly about that. As part of that review, we shall include questions in this month's Office of National Statistics omnibus survey—and commission NOP to do research—to discover how the electorate reacted to the new system. That research will produce interesting results, which will be made available to the House.

However, we should avoid hasty judgments about the new system, and about the turnout, as many other things were going on at the time, including the Kosovo war.

[Mr. Straw]

Moreover, European institutions had become a lot less popular in the five years since the 1994 elections, which I remember well as I was drafted in as campaign manager for them. That unpopularity was due not least to the resignation of members of the Commission, as the right hon. Member for North-West Hampshire mentioned. That has to be accepted as true, regardless of which side of the argument one may be with regard to the euro and other matters.

Sir Patrick Cormack: Can the Home Secretary say how much the survey will cost, and how many of the 23 per cent. who voted will be surveyed?

Mr. Straw: No, but we shall obviously consult the Opposition about both those questions.

The House needs no reminding of our many long debates to secure the passage of the European Parliamentary Elections Act 1999. I said several times that the European Parliament was a representative body rather than one from which a Government are drawn. That being so, we considered it important that the composition of the UK delegation should be as representative as possible. The number of MEPs representing each of the major parties reflects how well the system worked.

I have immense respect for the right hon. Member for North-West Hampshire, whom I have known ever since I came to this House. It is always possible to change one's mind; I have certainly done so. It was therefore a tad surprising that the right hon. Gentleman omitted to mention that he was once a great supporter of proportional representation. In 1977, PR was discussed for the European Parliament elections, and, following an extremely interesting debate, the then Government provided a free vote—a tradition that we have sometimes followed—on whether to have a regional list system, albeit an open-list system, or to use the first-past-the-post system.

I have looked up the voting lists for that debate. Among the Ayes—those who voted for first past the post—were many luminaries of the Conservative party, including the then Leader of the Opposition, now Baroness Thatcher. However, given the current thinking of the Conservative party, the list of Conservative Members who voted for proportional representation reads like a rogue's gallery of Euro-fanatics. The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) voted for it. So did the right hon. Member for Saffron Walden (Sir A. Haselhurst), and the former Conservative Member, now my hon. Friend, whose constituency I have temporarily forgotten—[HON. MEMBERS: "Leominster."] Thank you. My hon. Friend the Member for Leominster (Mr. Temple-Morris) voted for PR. The point is that the then hon. Member for Ealing, Acton, now adorning the Front Bench as the right hon. Member for North–West Hampshire, also voted for PR.

The right hon. Gentleman strongly supported PR at that time, and the system under debate was identical to the one that we have used, except that the list was open, not closed. He could have offered us some explanation of why he has or has not changed his mind since then.

Mr. Bercow: The Home Secretary has been both consistent and right in supporting the Westminster electoral system, and I hope that he will not sell out at the 59th minute of the 11th hour. Can he confirm that the Jenkins dog's breakfast fails even on its own criterion of proportionality? Has the Home Secretary studied "Making Votes Count", a document published by the democratic audit at the university of Essex, a fine institution from which I myself graduated? It confirms that, at the 1997 election, Labour would have received 68 per cent. of seats on 44 per cent. of the vote, while the Conservatives would have won 17 per cent. of seats on 31.5 per cent. of the vote. Even on proportionality—a ground beloved of the hon. Member for Enfield, Southgate (Mr. Twigg)—the Jenkins proposal manifestly fails. Will the Home Secretary say so?

Mr. Straw: Funnily enough, I had flagged the section of the Jenkins report that deals with that point, on page 46 in paragraphs 155 to 157. Lord Jenkins and his colleagues must argue the point, but I think it difficult to argue that the alternative vote top-up system produces a more proportionate result. We can leave aside 1992, when the Conservatives won the election. It is fairer to consider the last election, when they were roundly beaten. What would have happened in that case is that the number of Labour seats would have gone down from 419 to 368, which would have made the result more proportionate. The number of Liberal Democrat seats would have risen from 46 to 89, but the number of Conservative seats would barely have moved. That number is disproportionate to the Conservative share of the vote, as it also is at present, so I understand the point that the hon. Gentleman makes.

I am aware that time is short, so I should like to make some progress. When we discussed the European election system, one issue that was raised was that it would lead to a large proportion of spoilt ballot papers. In response to the point made earlier on that matter, I point out that that was not the case. In total, there were about 25,800 spoilt ballot papers on 10 June. That compares to about 32,000 at the previous European parliamentary elections on a slightly larger turnout and to about 90,000 at the 1997 general election, both of which were conducted under the first-past-the-post system.

I will provide a little more information about our favourite, and now famous, Belgian, Mr. Victor d'Hondt, because I realise that hon. Members on both sides of the House are waiting on my words on that subject. Hon. Members may recall that he lived in the second half of the last century and was professor of law at the university of Ghent and a Christian Democrat. He was one of the leading lights in the Belgian equivalent of the Electoral Reform Society, and wrote a seminal paper in 1882, in which he set out his now famous divisor. He was instrumental in persuading Belgium to introduce a proportional voting system, which it did in 1899—making it the first nation in Europe to do so. That fact is to be added to the quiz on 10 things one knows about Belgium.

Sir Patrick Cormack *rose—*

Mr. Straw: Hang on. I shall give the House some more facts.

I had hoped to be able to provide the House with additional insights about that great man, Mr. d'Hondt, but, despite his achievements, remarkably little more is known

of him. Hon. Members can imagine my distress when I discovered that the Home Office Library does not possess a copy of the "Belgian Dictionary of National Biography".

Sir Patrick Cormack: That is all most entertaining, but we have heard it before. There is one thing that we want to know about the Government: what is their intention with regard to the oft-promised referendum? I remind the right hon. Gentleman that we are debating—or trying to debate—what should be the system for this House, not what should exist elsewhere.

Mr. Straw: With great respect to the hon. Gentleman, we are debating the motion and the amendment; I am speaking to my amendment. I shall turn to those matters later. *[Interruption.]* I have already given way several times.

Mr. Heald: Will the right hon. Gentleman give way again?

Mr. Straw: No, I shall give way to the hon. Member for North-East Hertfordshire (Mr. Heald) later.

The position on the electoral system for this House has not changed in any way, as my right hon. Friend the Prime Minister made clear a week ago, and again today. In the statement that I issued to accompany the publication of the report of the Jenkins commission, I said that the Government's position was that the final decision on whether to adopt the scheme recommended by the commission would be made by the people in a referendum. I believed that to be the right approach and that remains the case.

During our Guy Fawkes debate last year—this picks up the point made by the right hon. Member for Devizes (Mr. Ancram) about the difference between the position in June and that in November—I explained that our original intention to hold the referendum before the next election could no longer apply because the particular system that the Jenkins commission had chosen was not one that, in practice, could be in place in time for the next election, as the commission itself realised. That was not something that we could have anticipated when we originally planned for the referendum, not least because the system recommended by Jenkins—whatever its merits—is unique and, as far as I know, is not used anywhere else in the world.

Mr. Heald: The Home Secretary has proved conclusively that Mr. Victor d'Hondt is a bit of a joke. Many Conservative Members, as well as many Labour Members, would say that the system introduced by Mr. d'Hondt is also a bit of a joke. The Home Secretary makes it very clear that he does not support proportional representation for this House. Most hon. Members do not support it, so can we not make that decision? Can we not get on with it and move on?

Mr. Straw: That is a difference between the Conservative and Labour parties. I do not happen to share the hon. Gentleman's view. I believe that the issue should be put to the public in a referendum.

Mr. Heald: No, you do not.

Mr. Straw: As a matter of fact, I do. I recommended that course to the Labour party conference in 1995, when I could have recommended something else. I happen to believe that the issue ought to be settled and that it can be settled only by a referendum—the issue is when.

The impossibility of having the new system in place at the next general election means that there is less urgency about holding a referendum, and no decision has been taken about timing. The Prime Minister said the same thing on 4 November last year, and he reiterated that fact recently. Instead, we would like there to be a full debate on the merits of the Jenkins proposals, and I am grateful to the Opposition for providing the House with a further opportunity to contribute to that process. My views on the subject are well known; there is little dubiety about that. However, as I said when I answered questions on 18 January this year:

> "There is a case for seeing how the new systems of proportional representation for elections to the Welsh Assembly, the Scottish Parliament, the Northern Ireland Assembly and, indeed, the European Parliament, fall into place before proceeding with the referendum."—[*Official Report*, 18 January 1999; Vol. 323, c. 559.]

The right hon. Member for North-West Hampshire said two quite contradictory things in picking me up on that point. He quoted my comments—or used words to that effect—and said that, as we have had the elections, we have also gathered all possible evidence about the operation of the electoral system. However, earlier in his remarks, the right hon. Gentleman made the much more important point that electoral systems are about not just what happens on polling day but what happens subsequently to affect the nature of the institutions. This is not a casuistical point.

The right hon. Gentleman also asked whether first-class or second-class Members are emerging in Scotland and Wales. The nature of the electoral system plainly has an impact on the institution, so we must wait and see whether we will end up with a two-tier system or whether there will be another, more benign, effect. *[Interruption.]* I will not give way again, as I am using up the speaking time of Back Benchers.

I must say something about turnout. Turnouts in all categories of elections have been falling for several years. This is not a party political matter but something that should—and I know does—concern us all. The legitimacy of those who are elected is clearly called into question if only a fraction of the electorate have bothered to vote.

As the House will know, following the last general election, we established the working party on electoral procedures—under the leadership of the Under-Secretary, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth)—to consider ways to modernise our electoral procedures. The working party includes representatives from Opposition parties. In its interim report, the working party has recommended the introduction of a system of rolling electoral registration, which, among other things, I know will be particularly welcome to my hon. Friend the Member for North-East Derbyshire (Mr. Barnes), who has been pushing this idea for a long time. The working party, whose final report is due shortly, is also recommending the introduction of pilot projects to try out innovations such as electronic and weekend voting and all postal ballots.

I do not want to give the impression that changes such as these are a panacea or that they will stem the decline in turnout overnight. No matter what the electoral arrangements are, people will take the trouble to vote only

[Mr. Straw]

if they believe that it is worth their while to do so. Political parties have an important role in galvanising the electorate. Nevertheless, changes that improve our electoral procedures and mean that they reflect more closely the life styles that people enjoy today can, and should, have only a beneficial effect.

When the Government were elected, we made a firm commitment to modernising our constitution and we have taken great strides to achieve that aim in our first two years in office. An important aspect of that has been the acceptance that, when it comes to electoral systems, it is a case of horses for courses. One type does not fit all—and that was the view of the right hon. Gentleman when he actively and avidly supported proportional representation for the European Parliament 20 years ago.

Sir George Young: I was going to let that comment pass, but the Home Secretary raised the issue again. I have never supported proportional representation for Westminster. Does the right hon. Gentleman recognise that fact?

Mr. Straw: I did not suggest that the right hon. Gentleman said that. However, he poured scorn on proportional representation for the European Parliament. He is entitled to change his views—although he has been given an opportunity to do so and has failed to seize it. I am entitled to point out that, so far as the European Parliament is concerned, we have had no explanation of any change of view, and the right hon. Gentleman knowingly passed through the Lobby in support of proportional representation when the principle first arose in the House in the 1970s.

We must consider the functions of the body being elected and then determine which electoral system best meets the particular needs of the bodies concerned. It is for that reason that we have introduced proportional voting systems for the Scottish Parliament, the Welsh Assembly and the European Parliament. There can be little argument with the proposition that our objective of producing more representative outcomes for those institutions has been achieved.

Debates about electoral systems have, quite rightly, been taking place in this House for more than a century—and I dare say they will continue for many years to come. I am grateful to the Opposition for this opportunity to put our position on the record and I look forward to the debate.

4.55 pm

Mr. John MacGregor (South Norfolk): There is one thing on which all of us can agree in this debate: no system is perfect, so we are arguing about a system whose advantages outweigh its disadvantages and rejecting systems whose disadvantages outweigh their advantages.

I can be brief, because my right hon. Friend the Member for North-West Hampshire (Sir G. Young) made an admirable and cogent speech and covered many of the issues that I would wish to have covered. It is clear to me, particularly in the light of our experience of the European Parliament election, that, compared with all others, first past the post is a far better system for elections to the Westminster Parliament.

The arguments are no longer theoretical, as they were during the debate on 5 November 1998. We have seen proportional representation, in various forms, operating in practice, and we can see that our worst fears and strongest criticisms, which we made in that debate and elsewhere, are being confirmed in practice. I note that the Home Secretary talked about horses for courses. We are talking about the system of election to the Westminster Parliament but, in doing so, it is legitimate to draw on experience learned from the systems for elections to the European Parliament and the Scottish Parliament.

I want to quote once, and only once, from the Jenkins report. Referring to first past the post, it suggested that the turnout at elections does not represent

"a ringing endorsement of the present system".

It is clear from the European elections that, far from the turnout being a ringing endorsement of the chosen system, it is a ringing rejection of proportional representation.

Mr. Martin Linton (Battersea): Will the right hon. Gentleman give way?

Mr. MacGregor: I ought not to give way because of the time factor and the 10-minute limit. Many Members on both sides of the House want to speak.

I want to discuss the great virtues of the first-past-the-post system because they were not touched on at all—inevitably, because of the way in which the terms of reference were drawn up—by the Jenkins commission, and they probably have not featured strongly enough in the debate so far. First, I emphasise the importance of the direct constituency link, which is one of the great virtues of the British system. The experience of all of us who have been Members of the House for some time is that the longer we are Members, the more we understand the virtues of that direct constituency link. It brings to Members of Parliament awareness of a range of issues, and awareness of what people in the country feel, so we are much better informed than others.

During the many years in which I was negotiating on behalf of this country at various European Councils of Ministers—particularly in the Agriculture Council, where we waited, frequently late at night, as the presidency went round all the individual Ministers to reach some consensus—there were many hours in which Ministers had nothing to do. I dictated constituency correspondence into my tape machine. I was often away for a week at a time, and I knew that I would not catch up when I got back, so I dealt with correspondence then.

The interesting point was that many colleagues came to ask me what I was doing. I explained that I was dealing with a range of issues that affected my constituents. They said, "We don't have to worry about any of that because we have the proportional representation system." I asked how often they went to their constituencies and how many meetings they addressed. Their approach is vastly different from ours. I have always thought that the constituency link is one of the greatest virtues of the British system, but we will lose that entirely if we use for Westminster elections the system that we use for the European Parliament.

Mrs. Anne Campbell (Cambridge): Will the right hon. Gentleman give way?

Mr. MacGregor: I fear I cannot, because of the time constraint.

That point was tellingly made recently in a leader in *The Daily Telegraph*, which said that meaningful representation in a democracy can be established only by the direct link between the Member and his constituents. I believe that that is right, and we would lose that link at our peril.

Secondly, electoral systems other than first past the post involve the danger of increasing the power of the party at the centre. My right hon. Friend the Member for North-West Hampshire has quoted the Jenkins report and, as it went round the country, the commission discovered near-unanimous distrust of any electoral system that increases the power of the party machines.

Mr. William Ross (East Londonderry): Will the right hon. Gentleman give way?

Mr. MacGregor: On the Jenkins report?

Mr. Ross: No, on the increase of the power of the party at the centre.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We cannot have conversations going on in that way. If the hon. Member for East Londonderry (Mr. Ross) wants to speak, he should make a proper intervention.

Mr. MacGregor: I apologise, Mr. Deputy Speaker. I should not have allowed an intervention in that way.

The systems that we have seen—for example, in the European Parliament elections—increase the power of the party at the centre. The system that the Labour party has chosen has greatly increased its power over who stands as candidates in elections. We have therefore moved to a position in which MEPs at the top of the list can remain at the top of the list provided that they keep their noses clean with the party bosses at the centre. That means that many of them will pay much less attention to what their constituents say. Given the size of their constituencies, it is almost impossible for them to pay attention to their constituents. The East Anglia constituency, for example, covers 56 parliamentary constituencies.

The other great virtue of first past the post is that it usually gives a clear outcome in the form of a Government committed to their manifesto. Having been in this House for 25 years, and the more I study other systems and meet representatives from other Parliaments, I feel passionately that the constituency link that first past the post provides is one of our great assets and we should not reject it.

There are numerous other criticisms of proportional representation, but my right hon. Friend the Member for North-West Hampshire mentioned them, so I need not elaborate. For example, a party that comes fourth in the table of electoral success has a key stake in the Government. Proportional representation also produces two classes of Members of Parliament, about which we shall hear more and more in the Scottish Parliament. We do not want that in Westminster.

The Jenkins report shows that a step needs to be taken to make our system fairer. It demonstrates that the effect of the current boundaries is such that equality of votes between the two main parties, Conservative and Labour, at the last election would still have produced a Labour majority of 76. The Conservatives would have had to have a lead of 6.5 per cent. to get an equal number of seats. That cannot be a fair way of handling first past the post.

There is clearly a big bias in the current system. The boundary commission should be asked urgently to look at the boundaries again, with a view to eliminating that bias. I do not expect the present Government to do that. We all remember how Mr. Callaghan, when he was Home Secretary, gerrymandered the Greater London council elections. Nevertheless, the Conservative party should do it, because it is the only unfairness in the operation of our first-past-the-post system.

Mr. Linton: The reason for that bias is entirely to do with tactical voting. It has nothing to do with how the boundaries are drawn.

Mr. MacGregor: The Jenkins commission accepted that analysis, and made it clear that it thought that there was a bias in the system. Therefore I believe that the boundary commission should look at the matter.

As we said in last year's debate, the Jenkins report produced the worst of all worlds. It not only produced a system that has never been tried anywhere else but advocated focusing mainly on the alternative voting system, despite the fact that, in a chapter on that system, it outlined all the defects. In order to overcome those, it also produced a topping-up system, which presents a number of other dangers and difficulties. It is clear from the criticisms that have been made that that is not an attractive alternative; yet the Jenkins commission rejected all the other alternatives and produced cogent arguments for doing so.

First past the post operates in 62 countries and covers half the world's electorates. It has been tried and tested in the United Kingdom. We should not give up the huge virtues of the constituency link in the British system. The Prime Minister said today that he would listen to the debate. It is clear from the debate so far that there is no contest. We should keep first past the post for Westminster and make that clear now. We should not engage in a referendum, which, given the complexities of the Jenkins proposals, would simply confuse and probably lead to a low turnout.

I strongly advocate that the Government should make their position clear now. The Conservative party should commit itself to a change in the voting system for the European Parliament, because it is clear from the low turnout that the current voting system contributed a lot to that outcome. In doing so, we should retain as many as possible of the elements that we had before in the European elections. I hope that we shall be able to do that, but, above all, I want to say this to the Government. I think that the argument is now clear, and that the Home Secretary agrees with much of it. I hope that he will follow that agreement with action.

5.5 pm

Mr. Hilary Benn (Leeds, Central): I rise with some trepidation, as I am sure is customary among Members making maiden speeches. There is, however, nothing customary in what I wish to say about my predecessor, Derek Fatchett. His tragic death just six weeks ago left us all the poorer. His family lost a much-loved husband and father; the House lost a fine parliamentarian;

[Mr. Hilary Benn]

the Government lost a first-class Foreign Office Minister; the trade union movement lost a committed advocate of the rights of working people; and, above all, the people of Leeds, Central lost a friend as well as a Member of Parliament.

Derek served his constituents with passion and with distinction. People liked him as well as respected him. That is why his passing is still deeply felt by many, and why he is and will be greatly missed by all who knew him. As the new Member, I am proud to serve the constituency that he served.

Over the years, the strength of the city of Leeds and the source of its prosperity have been both its diversity and its capacity to change with the times. That diversity is reflected in the constituency. Starting from the north, it covers two universities and two hospitals,"Jimmy's" and the Leeds general infirmary. It takes in the West Yorkshire playhouse. It then runs down across a thriving city centre, and on to a large area of manufacturing—to Holbeck, Hunslet and Beeston, which welcomed the first Kosovar refugees to this country. From Cottingley in the west to Richmond Hill in the east along the York road, each part is a unique community with its own characteristics and traditions. Let me add that the warmth of its people is matched only by their plain speaking.

The constituency contains two other great institutions: the Hunslet Hawks rugby league club, in its splendid stadium in south Leeds, and, of course, Leeds United football club at Elland Road. I shall always have a special affection for Elland Road, because that is where my selection conference took place. As my hon. Friend the Member for Rother Valley (Mr. Barron) can readily testify, as he was present, it was a colourful scene that night as the votes were counted. The ballot box was pitch black. The voting slips piled on the table were a very pale shade of pink—no political significance whatever should be read into that! The faces of the candidates were, to put it mildly, a little grey. But, resplendent in their traditional white, gazing down at us from their picture frames on the wall, were those two great heroes of Leeds United teams gone by, Gordon Strachan and Johnny Giles. I knew at that moment that there was something special about the constituency, and so it has proved.

There is, however, something else about Leeds, Central, which is why I wanted to contribute briefly to this debate. It contains some of the poorest parts of Leeds, and some of the most deprived communities. It has the highest unemployment in the city. For many of the people who live there, social exclusion is not a theory, but their life experience. These are people whose faith in the capacity of the democratic system to produce real and lasting improvement is tested daily by crime, poor housing and social decay.

Perhaps not surprisingly in view of that, Leeds, Central had one of the lowest turnouts in the country at the last general election: only 55 per cent. Just a fortnight ago, only 20 per cent. of the electorate voted in the by-election, under the first-past-the-post system, and in the European elections, under proportional representation. Such a low turnout must be a matter of concern to all of us; but perhaps there is a deeper message than one just about electoral systems. I hope that the House will forgive me if I do not comment today on the relative merits of those systems, let alone the complexities of the d'Hondt system. I do not even understand the Lewis-Duckworth rule when it comes to rain delay in one-day cricket. However, I believe that the link between a Member of Parliament and his or her constituency is very important.

While there are steps that can and should be taken to make voting easier, I believe that the deeper message is this. The true test of our democratic system—and of the House, in the eyes of those who put us here—is whether we can demonstrate in practice to people in a constituency such as Leeds, Central that they can use this place to make a difference to their own lives.

As the community police officer for Lincoln Green said to me last Friday, when I was talking to him about the area which he knows very well and cares about so passionately:

"People are looking for a sign that things will get better."

That statement summarises why the ballot box has to be an instrument of hope as well as of democracy, a means of economic and political progress, and a way out of poverty and despair.

It was that instrument of hope that, at the end of the second world war, created the national health service, and, under the current Government, created the minimum wage and the new deal, of which we are justly proud. I believe that it is that instrument of hope that remains our best chance of meeting the challenges of the new century that will shortly dawn.

Leeds, Central is special, if not unique, in one other respect: the potential of the people who live there to find a voice for themselves. As I travelled round the constituency during the by-election, time and again, I was impressed by the people I met who were not waiting for us to do something, but were trying to do something for themselves.

At the Holbeck community forum, for example, which I visited, 40 people turned out on a Wednesday evening simply to talk about how they could improve the community in which they live. My right hon. Friend the Home Secretary and I visited a supported housing scheme on a tenant-managed housing estate that was providing supported living—and advice, help and a shoulder to cry on—to young people who could not, for whatever reason, continue to live with their own families. The elderly care project based in the Woodhouse Road community centre, which has raised 80 per cent. of its own funds, is now providing a hot breakfast every day for those in the community who might not otherwise get a square meal.

All those people have very high expectations of us, and rightly so: there is much more that we need to do. But those examples—and there are many others—give me hope, because they are a living demonstration that, where a community finds a voice for itself, it is in a much stronger position to tackle the problems about which it knows most. I also believe that, when that happens, our job as Members of Parliament is made that much easier, because we can then add our voice to theirs. If, by doing that, we can together make a difference, we shall be able to demonstrate not only that the House is the servant of those who elect us but that it is something worth voting for.

5.12 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): It is a very real privilege and pleasure to have the opportunity to follow the new hon. Member

for Leeds, Central (Mr. Benn) and to congratulate him, very sincerely, on a most distinguished beginning in the House. He spoke with feeling, which was shared by all hon. Members, of his predecessor and of the tragic circumstances that led to his by-election. His sentiments on that were widely shared.

The hon. Gentleman's sympathetic description of the nature of his constituency and its deprivation, and his equally engaging understanding of the sense of democratic frustration of those who live hopelessly in deprivation, bids fair for the resolution of their problem and was most apposite to today's debate. Although he did not choose to engage in the arcane issues of voting systems, none the less, he recognised in his speech how important is our democratic renewal. He also, helpfully and feelingly, introduced to the debate an element of passion that I think had been lacking.

In opening the debate, the right hon. Member for North-West Hampshire (Sir G. Young) made an occasional speech that will leave very little in the mind afterwards, and certainly no sense of the issue being one of great importance to the United Kingdom. It was an occasional speech that followed the events of the elections of the past month. For that reason, I very much welcomed it, and think that the official Opposition were entirely right to choose proportional representation as the subject of today's debate.

The sinuosity of the right hon. Gentleman's position on European electoral systems has been noted, and will certainly colour our view of how he approaches those issues in the future. His failure to respond to the challenge of the Home Secretary was evident and rather surprising for one who has a reputation for being straightforward. But it is clear that this debate is important, and that we should be considering the issue of electoral systems now.

I welcome the opportunity of looking rather differently upon the experiences of past elections. Once again, however, the right hon. Member for South Norfolk (Mr. MacGregor) has intervened, to speak of his view based on 25 years' experience of this place. So we paid some attention to that. He hymned the merits of the first-past-the-post system, on the ground that it produces certain results. He has been in the House long enough to know that that is not true.

It may be beyond the memory of the right hon. Member for South Norfolk that the result of 1964 general election was far from decisive. It is certainly beyond his personal recollection that the 1951 result was far from decisive, and that a party with a minority of votes—his own, the Conservative party—formed the Government. It is certainly not beyond his recollection that the result of the general election held in the spring of 1974 was inconclusive. It seems to me that certainty of outturn is not a characteristic of the first-past-the-post system. It is also not true that it fairly reflects the opinion of the people.

Time and again, we have had general election results in which minority votes have produced a substantial majority in this place for the governing party. That is true of the current Government, as it has been true of Conservative Governments led by Mrs. Thatcher. Such an inequitable outturn is not advantageous to the good government of the country—a point that has been forcefully made, on a number of occasions, certainly to his cost, by Lord Pym, when he also represented an East Anglian constituency.

Large majorities do not necessarily lead to wise government. All too often, however, they are a haphazard consequence of the first-past-the-post system.

Mr. Edward Leigh (Gainsborough): Will the right hon. Gentleman give way?

Mr. Maclennan: This is an extremely short debate, and, although I am not caught by the 10-minutes rule, I do not propose giving way frequently. However, I shall give way to the hon. Gentleman.

Mr. Leigh: I am very grateful to the right hon. Gentleman. In the light of his discussions in recent years with the Home Secretary, could the right hon. Gentleman explain something that the Home Secretary said in his speech? He said that we could not have a referendum on the substance of the Jenkins report in this Parliament, as the matter is too complicated and a change could not be introduced by the next general election. However, surely the same arguments would hold true in the next Parliament. If the Government were serious about Jenkins, surely the referendum should be held in this Parliament, should it not? I did not understand the Home Secretary's comment.

Mr. Maclennan: I have every reason to follow the Home Secretary's comments on the matter with the very closest attention, and do not recognise in what the hon. Gentleman said the words of the Home Secretary. My understanding of what the Home Secretary was saying was that—since the Jenkins report had produced a scheme for election to the House that could not be given effect, as it required boundary commission changes that could not be introduced within the time available—there was an argument for postponing the referendum to a date closer to when any change consequent on the referendum might be anticipated. It is an argument that I should like to deal with. It is an argument that certainly must have been recognised as a possibility by those of us who discussed holding a referendum. The Prime Minister said in November in the House and on other occasions that it has always been envisaged that the referendum would be held in this Parliament. That remains the position. It is a clear option and to my mind a desirable option. I hope that it is an option with which the Government will decide to proceed.

Mr. Llew Smith (Blaenau Gwent): The right hon. Gentleman explains how undemocratic it is that a Government can be formed with a minority of the votes. Would he care to comment on the situation in Scotland after the elections to the Scottish Parliament? The Liberal party, which received a derisory vote, is now a part of government. Can he explain the democracy and fairness in all that?

Mr. Maclennan: I shall turn to Scotland, but if I were the hon. Gentleman I would not deride 14 per cent. of the electorate. It is not derisory to be supported by so many people as have supported the Liberal Democrats both in Scotland and in other parts of the United Kingdom. It was

[Mr. Maclennan]

not derisory when the Liberal Democrats took control of Sheffield from the Labour party. Those who deride may have to stand back and cheer.

Sir Patrick Cormack: Will the right hon. Gentleman give way?

Mr. Maclennan: I said that I would not give way to any more interventions, but since it is the hon. Gentleman, this will be positively the last time.

Sir Patrick Cormack: One man's derision is another man's boast, but does the right hon. Gentleman really think that 14 per cent. justifies a place at the Cabinet table? Is that what he is on about?

Mr. Maclennan: I said that I would come to Scotland. First, I wish to deal with the European Parliament elections and say how auspicious I believe the choice of date for the debate is. It is auspicious because we have had the first post-election opinion poll about the merits of a proportional system of election for this House. It was published today by ITN for a programme called "Powerhouse". It shows that 70 per cent. of the British electorate favour a proportional system for election to this House. It also shows—this is important—that 68 per cent. of the British public support a proportional system of election for local government. I hope that that indicates that extrapolation of the results of the European elections as a commentary on the system of election is wholly unjustified.

Whatever the European election was about, it was most certainly not about a system of election. To be fair to him, the right hon. Member for North-West Hampshire did not suggest that it was, although he suggested that it was perhaps a factor.

Mrs. Eleanor Laing (Epping Forest): Will the right hon. Gentleman give way?

Mr. John Hayes (South Holland and The Deepings): Will the right hon. Gentleman give way?

Mr. Maclennan: No, I have said that I will not give way again. I think that that now might be taken as read.

The right hon. Member for North-West Hampshire properly considered that there might be a number of explanations and suggested what some of them might be. I welcome the Home Secretary's intention to conduct an analysis in depth of what people's thinking was, and I look forward to participating in the discussions that he has offered to Opposition parties about appropriate questions to put to the public on these matters. We ought to be properly informed about these things. We ought not to join in the hullabaloo of *The Daily Mail* and other comparable tabloid newspapers, which have treated the Conservatives' result as a major victory. It is hard to interpret the ability to turn out approximately 10 per cent. of the electors in support of a proposition as a major victory. If the Conservative party bases any long-standing hope on that electoral result, it is likely to be greatly disappointed.

Mrs. Laing: Will the right hon. Gentleman give way?

Mr. Maclennan: No, I have said that I will not give way again.

The European election was an indictment of politicians of all political parties. It was no triumph for anyone. It is true that the Conservative party managed more successfully than others to motivate a tiny minority of the electors to go out in support of it. It has to be said that the other parties failed to motivate the massive majority to turn out at all. That is not something from which even the Conservative party should take any great comfort.

The conduct of the European Parliament election was very far from a rising call to support any European cause. Many of us will learn lessons from that to be applied in the future.

The result of the Scottish election was different in terms of turnout.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Maclennan: If the hon. Gentleman is simply trying to harass me, I would ask him to refrain, because I am not about to be intimidated by him. The Scottish election had a relatively good turnout—some 61 per cent. The effect of holding two elections on the same day was interesting, for it resulted in a much higher turnout for the local government elections in Scotland than we have seen in the past. I commend to the Home Secretary the possibility of holding elections on a super Saturday, as is done in other countries, to ensure that those whom we would wish to vote have the opportunity and incentive to do so and have a real sense of democratic occasion.

I shall now deal with the question raised by the hon. Member for Blaenau Gwent (Mr. Smith) about the consequences of the election in Scotland. I believe that the Labour party scored some 39 per cent. of the vote. Under the old system, it would undoubtedly have enjoyed a substantial majority of the seats in the Scottish Parliament. I do not believe that, with that substantial majority, the Executive would have enjoyed anything like the legitimacy of the Government now in place in Scotland, who enjoy the support of about 50 per cent. of the electorate.

There has been a pooling of policies as a consequence of the agreement between Labour and the Liberal Democrats. A number of items of policy, including 500 extra teachers and an extra £8,000 per school for books and improvements have been adopted by the Executive—

Mrs. Laing: Will the right hon. Gentleman give way on that point?

Mr. Maclennan:—even though those policies were not part of the Labour party's undertaking when it sought election. A programme for Scotland will be implemented based on the best thinking of the two participants in government. It will result in a continuing dialogue about the unfinished agenda, for what has been agreed is not final. It will be subject to review, addition and, we hope, improvement.

Mrs. Laing: Will the right hon. Gentleman give way on that point?

Mr. Maclennan: No, I shall not, and I resent the hon. Lady twice trying to intervene when she has been told clearly that she is wasting other Members' time.

We are seeing the beginning of a national campaign which will be informed by the experience of the elections that have taken place around the country. It is encouraging that the first positive national opinion poll shows the first reaction of the public to be supportive of proportional representation. It is also encouraging that the McIntosh committee set up in Scotland to look at local government has come out strongly in favour of PR for local government elections. There is no doubt, as it is part of the agreement between the Liberal Democrats and the Labour Executive, that PR will be introduced in Scotland for local government. We shall see that ripple throughout the United Kingdom, as a fairer and more sensible way to elect our Government.

By this time next year, many people in this country—the Scots, the Welsh and those living in London—will have had an opportunity to vote twice under proportional systems. They will have acquired a degree of familiarity with its benefits and disbenefits, which will have a considerable impact on any campaign that we might anticipate.

The Conservatives talk about the national interest being served by the present system. I do not think that the national interest is served by the Conservative party being totally excluded from contributing to our debates on Scottish matters in the House. I do not think that it serves the national interest for the Scottish Parliament to be lacking Scottish Conservative Members and voices. I do not think it contributes to the national interest that, in Wales, there would have been only the one Conservative voice from Monmouth. The Conservative party should look beyond Offa's dyke and Hadrian's wall and discuss whether its intransigent little England stance against proportional representation makes any sense in the modern United Kingdom of Great Britain and Northern Ireland.

I believe that the Conservative party's perspective is too narrow and its focus too withdrawn into the south-east of England. The time has come for it to use its period of opposition wisely and to rethink its position on some of the constitutional matters on which, so far, regrettably, it has made little serious contribution.

5.32 pm

Mr. Richard Burden (Birmingham, Northfield): I echo the comments made by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) about my new hon. Friend the Member for Leeds, Central (Mr. Benn). It was a fine maiden speech and he paid tribute to our late honourable Friend, Derek Fatchett—I want to emphasise the word "friend" as he was a friend to so many of us. He spoke movingly about his constituency and made some points which were relevant to the debate.

We must push Conservative Members a little further on this. Perhaps they will address my comments in their reply to the debate because, sadly, I will not be able to take interventions. They have made it clear that they do not support, as a preference, giving the British people a say on the voting system used to elect Members to this place. It is important to record that because it says something about their views on democratic issues.

I am rather hazy about other points that they are making. They have adopted a scattergun approach to different sorts of electoral system. They have said that they are against regional lists and against the systems used in Scotland and Wales. They appear to be saying that any proportional system is, by definition, wrong. If that is what they are saying—I see some of them nodding their heads—they are saying that first past the post is the only system worth considering. It is an honourable position, but I wonder why they do not use that system to elect their own leader. They may believe that their system has produced the wrong result for them.

Any serious discussion of this issue leads us to the conclusion that we cannot be absolutist about electoral systems. No electoral system is perfect for all situations and all have their plus and minus points. As parliamentarians, we should all be concerned about what is happening to turnouts and the fact that many people seem to feel disconnected from politicians, politics and the political process. I am a supporter of electoral reform, but I would not claim that electoral reform alone will change that. In the European elections, we were able to achieve a result which was fairer and which more accurately reflected people's votes, but it did not stop the haemorrhaging of votes that had already started to occur under the first-past-the-post system in some elections.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Burden: I have already said that I will not give way.

Unless people feel that political institutions are relevant to them, they will not vote. That is why the working party is so important in making it easier and more attractive for people to vote. It is also why we need to bring political institutions closer to the people. It is why devolution and decentralisation are as relevant to England as to Scotland and Wales.

We need to recognise that voting in elections is only one way, albeit an important one, in which people engage with the political process. That is where the comments of my hon. Friend the Member for Leeds, Central were so right. Involvement in one's community or a community organisation is a political activity. It may not be party political, but it is political. As well as encouraging people to engage in the political process in which we are involved, as politicians, we need to spend more time examining our way of operating and engage more in the involvement of people in our communities. We need a political culture to help foster that and that is where the voting system is relevant.

I believe that the Jenkins system is a significant step forward. Interestingly, the right hon. Member for North-West Hampshire (Sir G. Young) spent more time attacking the European system, which is not under debate, than the Jenkins system. The Jenkins system is not proportional representation in any pure form. It would address the concern—it is right to address it—about the need for a link between MP and constituency. Every voter in every seat in this country would be able to vote for their constituency Member of Parliament. The difference would be that, if somebody came here claiming to represent the voters in their constituency, they should have an obligation to have achieved at least 50 per cent. of the vote in that constituency. Also, it would allow for effective government, which has been mentioned today and is important.

It is estimated that in 1997 and 1983, when clear preferences were expressed by the electorate—although not technical majorities—the Jenkins system would have

[Mr. Burden]

produced majority government. It would, however, remove the electoral fig leaf provided by the first-past-the-post system which allows political parties to claim virtual monopoly power on the basis of no significantly greater support than other parties. That would mean that in 1979 and 1992 we would probably not have had majority government in this country.

I believe that a greater reflection of voters' preferences would be good for democracy. In conjunction with our reforms on devolution, the constitutional agenda and the second Chamber, it would help effective government and allow this place to act as a legislature far more than it has been able to do recently.

The Jenkins system would be a boon to democracy in that, for the first time, every vote in every seat would count.

Angela Smith (Basildon): Will my hon. Friend give way?

Mr. Burden: I am sorry, but I have only 10 minutes.

At present, in some parts of the country, some votes have no influence on the overall election result. Under the Jenkins proposal—*[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman, but the hon. Member for South Holland and The Deepings (Mr. Hayes) must contain himself. I will not have a continuous sedentary commentary from the Back Benches.

Mr. Burden: Thank you, Mr. Deputy Speaker. I have no doubt that the hon. Member for South Holland and The Deepings may be able to catch your eye later.

The dynamics of our current electoral system force political parties to target their efforts on about 100 or so marginal seats. I am pleased that in the previous election the Labour party won more seats than that, but it does not alter the fact that the dynamics of our system force attention on those seats that make the difference between winning and losing. We need an end to the electoral deserts that we have seen all too often in elections in this country and must ensure that every vote in every seat counts. I believe that the Jenkins system will do that.

It is clear that Conservative Members do not support a referendum on electoral reform. I ask them to think about that. It is absolutely right for us in the House to debate these issues, but we are not the people who should make the final decision on how we are elected or the political system of the country. The people of this country should have the right to decide. Sure, we can advise and campaign, but it should be their choice.

I hope that Conservative Members will participate in the debate not only in the House but in the country. When we have ensured that the people engage in a debate about not only electoral systems but the kind of democracy that they want, I hope that we will hold a referendum. I hope that it will support the Jenkins system, but, whichever way it goes, the fact that we will have had the debate will be good for democracy, and that will be good for hon. Members of all parties.

5.41 pm

Miss Julie Kirkbride (Bromsgrove): I, too, congratulate the hon. Member for Leeds, Central (Mr. Benn) on a first-class maiden speech. It was nice to see his father's face shining with pride. Following in the footsteps of the right hon. Member for Chesterfield (Mr. Benn) will not be easy, as he is regarded throughout the House as a first-class parliamentarian. We look forward to his son making an equal contribution in the fullness of time. It was interesting to note that both father and son agree on first past the post. I hope, for the future of the latter's ministerial career, that their accord does not continue.

It is Conservative Members' aim to persuade the Government to drop their commitment to holding a referendum on proportional representation. We believe that we already have the right system for election to the House and that to change it in any way would be damaging. I take issue with the hon. Member for Birmingham, Northfield (Mr. Burden), because the experience in other countries is that people vote in referendums—and by-elections—not necessarily on the basis of the issue at hand but on the basis of their approval or disapproval of the Government. That is another reason why Conservative Members are wary of holding a referendum on this vital issue.

To change the system of election to the House would be to change fundamentally the way in which the British people are governed.

Ms Oona King: Does the hon. Lady agree that an electoral system that has twice given the party that won the lesser number of votes victory in a general election needs to be changed?

Miss Kirkbride: The hon. Lady's point refers to a blip in history. We have an effective, tried and tested system of democracy that has delivered the most important thing for the British people: peace in our country, effective government and a tolerant and civilised society. First past the post has been an important ingredient in that process, from which we can all take great heart.

We fear that the Government's agenda has been to tinker with our constitutional arrangements in a way that has caused a great deal of upset. The devolution debate is over for Scotland and Wales but certainly not for England. When I suggested a few weeks ago that there was great anxiety in my constituency about the West Lothian question and the way in which the Government are ignoring it, my comments were much derided, but the questions are still to be answered. The Government have tinkered with the system without fully thinking through the final outcome for our constitution.

Proportional representation is not a relevant way forward. There is anxiety among Scottish Members of Parliament who are getting into turf wars with Members of the Scottish Parliament about how properly to serve their constituents. That cannot be good for democracy. The west midlands now has eight Members of the European Parliament and nobody really feels that they represent one specific place. The west midlands is an enormous area.

I spoke to the managing director of a Stoke pottery who said that the great pity of the new arrangements for MEPs is that he no longer feels that there is someone

representing his area to whom he can take his concerns about European regulations that affect his industry owing to the fact that Europe has competence in the United Kingdom over trade and industrial matters. That highlights the problem of having no clear link between the people and their parliamentary representative.

I am proud to be a Member of Parliament and I enjoy taking my constituents around the House. We are privileged to work in a fabulous and historic building. When we get to Central Lobby, I like to explain the heart of our democratic system: the fact that all 659 of us represent a piece of turf in the United Kingdom in a very direct way, so that anyone from Bromsgrove or anywhere else in the country can come to the House, hand in their green card—I explain that it is as well to remind us that they are coming—and speak to someone who makes laws on their behalf and is obliged to listen to their point of view. That is fundamental to the confidence that the people have in the way in which they are governed, and we throw that aside at our peril.

We can see from the experience of other countries how dangerous it is to throw that principle aside. I had the pleasure of visiting New Zealand last year and heard at first hand what a disaster the PR system had been there. New Zealand faced many of the same problems as the United Kingdom in the past 20 years, but it used to have a first-past-the-post system that could deliver a Government who were capable of dealing with those problems. It now has a PR system under which no agreement can be reached on anything. I fear for the economic future of New Zealand if tough decisions cannot be taken because of the horse-trading that has to ensue before any lowest common denominator decision can be taken. That is a fundamental point.

I shall end my remarks with an appeal to the Minister to make a decision on this important matter. The Opposition would prefer it if the Government dropped the idea of a referendum. It is vital that we have a democratic system under which the people decide the outcome of a general election. We had mini PR systems in Scotland and Wales. After the parliamentary elections in Scotland, it was not clear who would govern in the Scottish Parliament. There was horse-trading with the Liberal Democrats, who disgracefully reneged on the pledge they made before the election to axe the student loans scheme, so the Scottish people did not get the outcome that they wanted.

It is clear why it would be bad news to go down this PR route. It is important that the British people know that it is they who are in charge of the outcome of a general election, not politicians in smoke-filled rooms after it has taken place.

5.51 pm

Mr. Stephen Twigg (Enfield, Southgate): I am delighted to have this opportunity to contribute briefly to the debate. I join colleagues on both sides of the House in welcoming my new hon. Friend the Member for Leeds, Central (Mr. Benn), whose confidence and eloquence are a taste of things to come. I am sure that he will contribute to many of our debates.

I welcome the fact that we are having this debate. Prior to the 1997 general election, many people said that the Labour party's commitment to constitutional and democratic reform would be dropped were Labour to form a majority Government. In the past two years, we have remained absolutely true to the commitments that we made to renew our democracy. The commitment in our manifesto to hold a referendum on electoral reform for the House of Commons was first made by the late leader of the Labour party, John Smith, and reaffirmed by the Prime Minister. It was the policy of the Labour party and the Liberal Democrats at the general election.

It is right that the decision on an issue as fundamental as how we elect the main Chamber of our Parliament should rest with the people. I hope that this debate will be held not just in this Chamber but in the country so that the people can participate. I welcome the Government's amendment, which reaffirms that policy.

We are holding the debate in the light of the recent experience in Scotland and Wales and in the European elections. The low turnout in the European elections was a grave disappointment. The hon. Member for West Chelmsford (Mr. Burns) quoted my right hon. Friend the Home Secretary predicting that the turnout would rise. I was quaking slightly in my shoes, because I thought that he might quote me as I also predicted that. I still believe that there would be greater participation if we reformed our voting system, but I accept that that did not happen in the elections two weeks ago. However, I do not accept the argument that the voting system was the main or even a significant factor in the low turnout. We have something much more fundamental to deal with than that. My hon. Friend the Member for Leeds, Central made that clear.

There is a disconnection between people and politics in this country, which was reflected in the poor turnout not only in the European elections but in the by-election in Leeds, Central and the local government elections, which were held under the first-past-the-post system.

Mrs. Laing: Does the hon. Gentleman have any sympathy for the voter in my constituency who wrote right across the top of his ballot paper for the European elections last week, "Give me back my vote"? He bothered to go to the polling station, but his vote did not count because he spoiled the ballot paper. He believes that power was taken away from voters and given to politicians.

Mr. Twigg: I have sympathy for that voter's position, but the Home Secretary made it clear that fewer people spoiled their ballot papers in the European elections under the new proportional voting system than under the system of five years ago. I shall return to that point.

During the passage of the legislation introducing the new system for European elections, which my right hon. Friend reaffirmed, the Government gave a commitment to review the closed list voting system. I was one of a number of Labour and Liberal Democrat Members who made it clear that, although we supported the introduction of proportional representation and regarded such reform as a welcome advance, we would have preferred a different voting system that enabled the hon. Lady's constituent to vote for an individual.

I hope that when the Government conduct their review they will consider the option of an open list voting system, as is used in some other European Union countries. That would retain the positive feature of our new PR system—that votes and seats broadly match—but would also enable people to choose between individuals as well as between parties. I hope that that point of view will win support in all parties.

[Mr. Twigg]

The debate on reform of the House is only just beginning. The Labour party is conducting a major internal consultation on the issue, and I hope that we will have a high level of participation. My hon. Friend the Member for Birmingham, Northfield (Mr. Burden) made the point that the Jenkins system is not a pure proportional representation system. Lord Jenkins and his colleagues have come up with a system that combines what is best about the British system, but changes what is bad. If a party has a clear lead—as Labour had in 1997 and the Conservatives had in 1983—it will still be able to form a majority Government, albeit with a smaller majority that more accurately reflects how votes were cast. That sensible reform will make for more effective government. It will also give more power and more choice to the voter, not more power to the parties.

The closed list experience does not have much to teach us about the Jenkins proposals. Lord Jenkins proposes constituencies for the vast bulk of Members, combined with small open lists for the top-up, so that we get around the problems that hon. Members have identified with the closed list system.

Mr. Jim Murphy: I thank my hon. Friend for giving way, particularly as both of us survived the vagaries of a PR system in a previous career. Has he reflected on the fact that, in Scotland, the Labour party came first in the regional vote, but won no seats in seven out of the eight regional constituencies. In those regional constituencies, a Labour voter wasted his vote by voting for the Labour party. We must get beyond a system that allows people to waste their votes.

Mr. Twigg: The number of wasted votes in the Scottish, Welsh and European elections was massively smaller than under the first-past-the-post system. The purpose of the second vote in the Scottish system is to compensate for the disproportionate outcome in the first vote. The Labour party did not win seats in the regions in Scotland under the top-up because it had already done well in the constituencies. Had we had first past the post in the Scottish elections, the Labour party would have won almost 80 per cent. of the seats with 39 per cent. of the vote. That cannot be justified in democratic terms.

The Scottish Constitutional Convention, which brought together people from different parties and from the wider civic society in Scotland, concluded that it wanted a Scottish Parliament that reflected the diversity of opinion in Scotland. The anomaly to which my hon. Friend referred is a small price to pay for an Assembly or Parliament that more fully reflects the balance of opinion in Scotland.

Ms King: Does not that show that we support PR on a point of principle? We want Parliament to reflect the population, but perhaps hon. Members should consider the small number of women in the Chamber. PR is the only way that we will have a representative democracy.

Mr. Twigg: My hon. Friend is right. One of the most positive features of the elections in Scotland and Wales was the high representation of women achieved with PR systems. I believe that 40 per cent. of the Members of the Scottish Parliament and 37 per cent. of the Members of the Welsh Assembly are women. There are lessons for all of us in that.

Labour can take pride in the fact that we are pursuing the debate from a position of strength after an election in 1997 in which we secured two thirds of the seats in this House on the basis of 44 per cent. of the vote. Rather than turning our backs on the issue, we are proceeding with the debate and giving the people the opportunity to decide for themselves in a referendum. Lord Jenkins points out in his report that political parties' interest in electoral reform has tended to be inversely related to their ability to do anything about it. The Government have decided to let the people decide even though they are the main beneficiaries of the current system.

Mr. Hayes *rose—*

Mr. Twigg: I have given way several times and I think that I have about a minute left, so I should like to draw my remarks to a close.

My hon. Friend the Member for Bethnal Green and Bow (Ms King) pointed out that this is an issue of principle. Proportional representation is often portrayed as involving horse-trading and deals behind closed doors. It is not about that. We want to confront the fact that people in this country are cynical about politics, democracy and politicians. We are all challenged to take that issue seriously. I do not pretend that voting reform for this place is a magic wand or a panacea that will solve all our problems, but we should recognise that our current method of doing things is not delivering the representative Parliament and Government that we all want. It is important to enable people to take part in the debate. We should not close the door on the debate by dropping our commitment to a referendum. We should proceed with the debate and have the referendum to enable the people to decide.

6.2 pm

Mr. Simon Burns (West Chelmsford): I add my congratulations to the hon. Member for Leeds, Central (Mr. Benn) on his excellent and fluent maiden speech. I envy the way in which he carried out what many of us considered to be a parliamentary nightmare with such seeming ease and fluency.

Whatever anyone's views on the current electoral system for this House, it has undeniably given us stable government over the past century. How would proportional representation alter the workings of our constitution, and what would be the consequences for the Cabinet system and for this House? The answers depend on the specific qualities of the electoral system and on the traditions and political culture of this country. A system of proportional representation rather than first past the post would cause complex and far-reaching upheavals to our constitution and to this House.

Under a system that reflected the relative strengths of the parties, no single party would receive an overall majority. One of the major parties—almost certainly the largest par[illegible]—would look for a partner to provide a majority in the Commons. However, that would lead to a pig-in-a-poke situation. Unlike Germany and Ireland, where parties usually say before a general election who they will support after the election, we have a tradition of

the Liberals, the SDP alliance and the Liberal Democrats not telling the country in advance what they might do in the event of a hung Parliament. As a consequence, there would be great uncertainty immediately after a general election.

We are all used to a swift transition of Government after a general election. In some ways, the transition is brutally swift. The alternative under PR would be delay, wrangling, haggling and deals in dark corners. We should not follow the example of other countries. In 1996 in New Zealand, it took more than two months to form a Government; in 1993-94 in Ireland, it took 77 days; it took 86 days in Austria in 1996; 126 days in Italy in 1979; 148 days in Belgium in 1988; and 218 days in Holland in 1977. I understand that, in Italy, on average four weeks of every year since the war have been spent haggling over who would form the Government.

Haggling would inevitably draw the monarch into the system. There would be a serious danger of the monarch being drawn into party politics. As Vernon Bogdanor has rightly said:

"When the incumbent Prime Minister resigned the monarch would have to decide whom to summon to the palace . . . This could involve the monarch unwittingly in party politics, for the candidate first called . . . would enjoy a considerable advantage over all rivals, since he or she would have both the political initiative and the authority to offer posts in a Government and would also acquire the aura of power which could well permit the formation of a Government even if he or she did not at first appear a likely choice as Prime Minister."

If the political situation was tense, the monarch could easily be accused of favouring one side over another.

The right hon. Member for Chesterfield (Mr. Benn) has suggested in the past that the way around the problem would be to devolve those powers from the monarch to the Speaker of the House of Commons. He wittily claimed that, in a three-party system, that would avoid replacing first past the post with first past the palace. I do not believe that the system would work, as it does in Sweden, because it would undermine the vital role of the Speaker in this House, who is independent and above party politics, by dragging the Speaker into party negotiations and bargains.

Others have suggested that the best way to protect the monarch would be to develop conventions that would avoid placing them in a position in which they had to make politically controversial decisions. However well intentioned the idea, it would not work because it would not be easy for politicians to develop such conventions, for the simple reason that they would be required to accept the existence of constitutional rules that took precedence over party conflict.

Similarly, PR has serious implications for the role of the Cabinet in the Commons. Coalition Government means a coalition Cabinet with members of different parties. That leads to the strength of the Prime Minister being undermined. There are conflicts over who can be sacked in a reshuffle and how, and over the drawing up of the Government's programme. The temptation for rows, internal wrangling and a do-nothing situation is overwhelming and condemns the idea.

There is an argument that a weakened Government would lead to a strengthened House of Commons because the Government would have to listen to the House more and would not treat Back Benchers simply as Lobby fodder. However attractive that might be in theory to Back Benchers, I suspect that, in the real world, it would be unobtainable pie in the sky because, whatever the composition of the Government, the power of patronage and ministerial office, not to mention ministerial cars, remains. Where there is hope for Back Benchers, however thin, the power of the Executive will be dominant.

I remain deeply opposed to the idea of proportional representation. It would be a disaster, and I share wholeheartedly the views expressed by the Prime Minister in *The Economist* in September 1996. He said:

"I personally remain unpersuaded that proportional representation would be beneficial for the Commons . . . It is not a simple question of moving from an 'unfair' to a 'fair' voting system. An electoral system must meet two democratic tests: it needs to reflect opinion, but it must also aggregate opinion without giving disproportionate influence to splinter groups. Aggregation is particularly important for a Parliament whose job is to create and sustain a single, mainstream Government."

Those words were right in 1996 when the Prime Minister wrote them and they are right now. After the most recent European elections, I suspect that, in his heart of hearts, the Prime Minister holds to that credo even more than when he wrote it three years ago. He probably rues the day that he ever embarked on the debacle of introducing proportional representation for those elections because of the Pandora's box that it has opened.

6.10 pm

Mr. Alan Keen (Feltham and Heston): I add my welcome and congratulations to my hon. Friend the Member for Leeds, Central (Mr. Benn) on his excellent maiden speech and look forward to debating with him in future. I speak as secretary of the first-past-the-post group. I had no idea that my hon. Friend would speak today, but I, too, had Derek Fatchett's name in mind as he was chairman of the first-past-the-post group.

We will not forget Derek for many reasons and that is one of them. I played cricket with him many times and went on two tours abroad with him. I knew Derek and his wife Anita very well. He was well-respected as a Minister in west London, where the hon. Member for Leeds, Central gave so much to politics. The Asian community there trusted him to deal with the politics of their native countries. It is sad that we no longer have Derek to pursue solutions to some of the tremendously difficult problems to which he applied his considerable skills.

I oppose the motion and support the Government amendment because the Government are committed to a referendum on the issue. I am proud to be on the Government Benches. It is sometimes difficult to convince people that the Government have carried out so many of their promises, and that that was the case at the European elections. That is such a rarity.

Over the years, there have been many debates on proportional representation, but, until recently, they have been theoretical. We have now experienced the practicalities and we have seen the results in Scotland and Wales. I shall leave the details to others, but it is worth repeating some of the points that have been raised.

The slogan used by those in favour of proportional representation is "Fair Votes". Of course, in Scotland, fair votes helped them into government and that is hardly fair. Nobody can dispute that.

Let me raise another concern. I have been to several party conferences held by those who advocate proportional representation. Anyone who has not done so

[Mr. Alan Keen]

should go along. It is interesting even for those of us who disagree. I always had the impression that most of the people who attended were either politicians or politicians to be. However, democracy is not really for politicians but for the people. We are here to carry out the wishes of the people and it is the people who really matter.

The greatest example of public involvement in politics is what people do at general elections. However high an opinion we may have of ourselves, the public do not vote Governments in; they vote them out. If we introduce proportional representation, we shall take away for ever the electorate's strongest weapon. Under proportional representation, if, at the end of the term, the Scottish electorate decides that it has had enough of the Labour Government, I do not believe that the Liberal Democrats will disappear. If I were Foreign Secretary, I would come up with a wonderful argument as to why it would be good for the British public if I stayed on and worked with the other party. I would argue that the wonderful experience that I had had would be useful to a different Prime Minister. Even I could come up with that argument. I fear that, if we introduce proportional representation, we shall take away the public's final weapon.

Mrs. Laing: Does the hon. Gentleman think that it is a coincidence that Lord Jenkins should invent a system, the only beneficiary of which is the Liberal Democrat party?

Mr. Keen: I entirely agree with the hon. Lady.

Mr. Stephen Twigg: The point has been made that the commission was chaired by a Liberal Democrat peer. However, two of the other members of the commission are Labour peers, the fourth is a Conservative peer and the fifth is a civil servant. Does my hon. Friend think that they all set out to do something to benefit the Liberal Democrats?

Mr. Keen: The coalition that put together the proposal shows what a coalition Government would produce. I attended the meeting in the Grand Committee Room when Lord Jenkins put his proposals. I recall a comment by an hon. Member who is also a Member of the Welsh Assembly. When Lord Jenkins introduced the proposals, he said that he had fought so many elections—I have forgotten how many—and my hon. Friend the Member for Cardiff, West (Mr. Morgan) said, "I have fought a similar number of elections, but all for the same party."

Some of the muddle associated with having representatives without constituencies occurred in my own borough the day after the European elections when the only Liberal Democrat MEP for London suddenly appeared in the headlines promising to save Chiswick pool. If she can do that, all credit to her, but it has absolutely nothing to do with her. That is what happens when Members do not have their own constituencies. They will be wandering about making publicity statements without any means of carrying out their promises. We must remember when we debate electoral systems that we are talking about what happens not just at the first election under proportional representation, but at the next election and the one after. It will not be possible for the public to judge who has done what and whether they should be re-elected.

Mr. Hayes: The hon. Gentleman talks about the detachment of the elected person from responsibility. Does he agree that there is also a detachment from accountability, because people will not be able to judge how well or badly their representative has done? It has been said that, at the European elections, people felt that they could not pin responsibility on to an individual candidate. That robs ordinary men and women of their sense of what democracy is all about.

Mr. Keen: I entirely agree with the hon. Gentleman and thank him for his intervention.

Although I understand that there are flaws in the system in respect of total votes, I support the first-past-the-post system. I serve my constituents in the best way that I can, although I do not always enjoy it. Only last Friday, I spent six or seven hours in my advice surgeries. It is pretty tough having to face people knowing that they are attacking the Government whom I support. Of course, they also attack the previous Government, but, after two years, it is difficult always to blame them. It is pretty tough facing people who do not have adequate homes—or have no homes at all—or people whose families have been left in Somalia or Kosovo and cannot be traced. I am the only person to whom they can turn for help. I make an effort to tackle Ministers as hard as I can to try to get a result. It matters to me because those people are my constituents. The main reason why I support first past the post is accountability.

Finally, we should not restrict our research into voting systems to electoral reform versus first past the post. By that, I am not talking about allowing people to vote electronically.

Most people do not like politicians. We think more of ourselves most of the time than they think of us—nobody here would disagree with that. The biggest complaint of electors is that they do not always get what they vote for. We should investigate the use of electronic media to allow voters to give their opinions, although I am not talking about referendums on every issue that comes along.

We should look also at term limits, to limit the time that a Member of Parliament can serve. I would exclude from that my right hon. Friend the Member for Chesterfield (Mr. Benn), who is worth 20 ordinary Members of Parliament. However, it is a principle that I should like us to look at. The President of the United States has a term limit of eight years, and there is a good reason for that. President Reagan—probably the last person whom I would have expected to become involved in arms reduction talks—made progress with Gorbachev because he wanted to achieve something before he had to relinquish office. When people argue whether that is a good thing—

Mr. Deputy Speaker: Order. The hon. Gentleman's time is up.

6.21 pm

Mrs. Eleanor Laing (Epping Forest): The point about any democratic electoral system is that it should give power to the people. The big problem with the

proportional systems that we are discussing is that they take power away from the people and give it to politicians.

Many points have been made comparing the AV-plus system to first past the post, and I shall not repeat them. However, any alternative vote system where candidates are listed in order of preference is most unfair and unproportional—exactly the opposite of the argument that Labour Members have made. If they are listed in order of preference, and nobody gets more than 50 per cent. of the vote, the votes of the least-popular candidate are redistributed. Once again, if no one gets more than 50 per cent., the votes of the second-least-popular candidate are redistributed yet again. In fact, the more eccentric the candidate for whom one votes, the more one's votes count, because the votes are redistributed two or three times. My hon. Friend the Member for West Dorset (Mr. Letwin) has coined a phrase for this: "Vote wacky, vote often." That is what AV plus would do.

Mr. Stephen Twigg: If the system is so wacky, why does the Conservative party use it to elect its leader? When the hon. Lady talks about wacky candidates, is she referring to the right hon. Member for Wokingham (Mr. Redwood), whose second preferences determined the outcome of the Conservative party's leadership election?

Mrs. Laing: No, I am not. That was a quite different election in totally different circumstances. We are talking today about elections to this Parliament. The hon. Gentleman is passionate about this subject and he makes his points eloquently. Sadly, he is wrong.

Proportional systems lead inevitably to weak coalition Governments. One of the great strengths of our system is that, for most of this century—except in wartime—we have had strong and decisive Governments. The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) suggested that the 1974 election was indecisive. He was right, but the right thing for the Prime Minister to do was to go back to the country and get a decisive result. That was what he did. It was not good for my party, but we are not arguing for the good of my party. We are arguing for the good of the country and, for that, we need strong, and not weak, Governments.

The situation in Scotland is totally inequitable as, because of a coalition between the party that got the most votes and the party that got the least votes, the manifesto that is now being implemented in Scotland is one for which nobody voted. There is nothing fair about that. It is a mish-mash of one party' policies with those of another. The only fair voting system—the only one that is right for this House as a strong House of Parliament—is the one in which the person who gets the most votes, wins. It is as simple as that.

6.26 pm

Mr. Alan Johnson (Hull, West and Hessle): I was very impressed by the maiden speech of my hon. Friend the Member for Leeds, Central (Mr. Benn). I tell people that I used to be a civil servant working for his father. Actually, his father was the Postmaster General when I became a postman—but it sounds better. It is a pleasure to have my hon. Friend in the House.

We are talking about the Jenkins report, and our intention to give the British public a choice of whether they wish to change the voting system as it recommends. The hon. Member for Lichfield (Mr. Fabricant) asked my right hon. Friend the Prime Minister at Question Time today whether he would vote yes or no. However, if we have a referendum, it will be not a yes or no vote, but a choice between first past the post—which is guaranteed to be on the ballot paper—and a new proportional system, as recommended by Jenkins.

Some of the arguments of Conservative Members deserve to receive a platform in a wider debate about our electoral system. Today is the first time that I have heard the argument that we need first past the post to defend the monarchy. That is a new one, but let us debate the issue.

The trouble is that we are debating a number of points upon which Jenkins has written elegantly, but which have not been read—for instance, the point about coalition Governments. We have heard over and over again that the principal benefit of our current system is that we do not have coalition governments. The hon. Member for Epping Forest (Mrs. Laing) said that we have had, apart from wartime, no coalition Government this century.

Jenkins points out that in only 64 out of the past 150 years in this Parliament has a Government ruled without coalition, dependence on a minority party or some form of co-operation. The principal benefit put forward by the supporters of first past the post is tackled successfully by the report.

We have been asked to say that our experience of recent elections should cause us to think again. The right hon. Member for North-West Hampshire (Sir G. Young) made a witty speech, but it did not address the issues. His speech was rather spoiled by the revelation by my right hon. Friend the Home Secretary that the right hon. Gentleman had voted for practically the same European system that we have just experienced.

We are being asked to accept that it would have been better for the people of Scotland and Wales to have a different voting system—that our experience of a proportional system was so horrific that we needed to think again about having that system for Westminster. I have heard many views about the Welsh and Scottish system. However, I have heard no great complaints from the Welsh and Scottish people about the system. In suggesting that they might have been happier with first-past-the-post system, we are suggesting also that we could have had one-party elected dictatorships on the basis of 39 per cent. of the vote in Scotland and 37 per cent. in Wales. That is the real argument that can be made from the Welsh and Scottish experiences.

Ms Claire Ward (Watford): My hon. Friend makes the point about percentages needed to gain a majority. In the Scottish Parliament elections, Labour gained 53 seats out of 72 seats with only 39 per cent. of the vote. That is hardly a recommendation for a change in the system for Westminster.

Mr. Johnson: That is why the top-up is there. I remind my hon. Friend that it was the people of Scotland who voted in a referendum for a Scottish Parliament elected under a proportional system.

The other great argument put forward against a proportional system concerns the constituency link. My hon. Friend the Member for Birmingham, Northfield (Mr. Burden) made the point eloquently, and it is a powerful argument for people who support the

[Mr. Johnson]

current system. The Jenkins system is not the Scottish system, or the Welsh system, or the European Union system: it is a system adapted to the Westminster model. The Jenkins proposals would strengthen the constituency link. For example, no one could be elected to represent a constituency on 25 per cent. of the vote—as happened in one constituency in 1992—because all Members would be elected on 50 per cent. plus.

The hon. Member for Epping Forest mentioned the alternative vote system. It is used in many elections, including the elections to the Church Synod, for the leadership of the Conservative party—

Dr. Julian Lewis (New Forest, East): It has been scrapped.

Mr. Johnson: That is another reason why the Conservatives are going backwards, not forwards. To come to this place with the support of more than 50 per cent. of the electorate strengthens the constituency link. The supporters of first past the post have another persuasive argument. They argue that people in constituencies need to vote for a name. A local Member of Parliament may manage to convince people that they should vote for him or her against their party allegiance. The Jenkins proposals would strengthen the constituency link by empowering the voter to decide whether their local Member of Parliament had persuaded them to vote for him or her, and still allow a say in who forms the Government because their top-up vote can be cast in another direction.

Angela Smith: Will my hon. Friend give way?

Mr. Johnson: I am sorry, but I have not got time. The issue has been debated in the House all this century. A Speaker's Conference has considered the issue and decided we should change to a proportional system. A Hansard Society Conference came to the same conclusion. At every step, from 1910 to 1976, every analysis of the issue has suggested that we should change to a more proportional system, and the House of Commons has twice voted for a proportional system and been overruled by the second Chamber. Therefore, I believe that we should now take this issue outside this Chamber and go to the British people. Taking up a point made by my hon. Friend the Member for Leeds, Central, let me say that, if we are to bring integrity back to politics, we should carry out our manifesto commitment and allow the widest possible debate. I am confident that, when the British public listen to the arguments, they will decide to change the system.

6.34 pm

Mr. William Ross (East Londonderry): We are all aware that the motion calls on the Government to make up their mind where they stand on PR. The Unionist party's amendment sets out our position—namely, that the unsuitability of PR is well proven and that the House should say so and be done with it, in all its different forms in all of the United Kingdom. We have rather more experience of PR than anyone else, because we have used it for a long time.

Our amendment would remove from the motion any reference to referendums, because they are not our favourite way of proceeding. They shift the decision from this House to the people, and that is a cop-out for Members of Parliament who are elected to exercise their judgment on behalf of their constituents after carefully examining the issues. That opportunity is denied to the vast majority of those who vote for us.

Mrs. Anne Campbell: Will the hon. Gentleman give way?

Mr. Ross: I am sorry, but I do not have time.

This debate is timely, coming as it does, when the electoral consequences of using the party list system for the first time in Great Britain is fresh in our minds. The recent election, although the turnout was very low, does hint at the power of PR systems to create new voting patterns among the electorate. Events in Great Britain are starting down the same route as has been followed in Northern Ireland, where the single transferable vote system has been used for many years for local government, European and Assembly elections.

I well recall the despair of the opponents of the Unionist party when the province enjoyed the benefits of the simple majority system of voting. I recall equally well the squawks about the Unionist monolith and how it had to be broken down into the various components of that political movement. Those who sought to achieve that of course averred that, if only it were done, any reasonably sized block of the electorate could elect a representative of their own political view to whom they could appeal.

The proponents of the change clearly believed that, if Unionism were splintered, all in the garden would be rosy and that we would all live happily ever after. I wish that that were so, but it has not happened. The opponents of first past the post clearly understood that PR systems do not draw political activists together into large broad-church parties: instead, they create divisions. The resulting smaller groups are then in endless competition with each other, within the watershed of their different major political philosophies—in Northern Ireland, essentially within the two dominant political elements: Unionism and Irish nationalism. The fissiparous nature and effect of PR systems meant that it became almost impossible to create a consensus on political action within the major blocs—never mind between them. That is still a factor in Northern Ireland.

The first-past-the-post system presents the manipulators of party patronage with a great difficulty, in that they cannot control the selection of a particular candidate. We should all welcome that. Selection rests, by and large, with the local party and the electors, who happily and regularly select and elect people of whom the leadership does not approve. I wonder whether the esteemed father of the hon. Member for Leeds, Central (Mr. Benn), who made his maiden speech today, would have been selected and elected if the party leadership had had the choice. Such dissident voices within the party structure are often vital new ingredients in precipitating internal debate and the evolution of party policies.

The Home Secretary made an astonishing statement today when he said that the European Parliament was a representative body and not one from which a Government are drawn. It must follow that the

Government favour a system which gives a clear-cut decision, and none does that better than the first-past-the-post system. I also am very much in favour of the capacity of the simple majority system to inflict occasional mass extinctions of particular groups of politicians. That is a painful experience, but it drives the critical re-examination of attitude and policy that is needed on occasion.

PR systems create and perpetuate a situation in which a change of Government is hard to bring about, and even when it does happen, some of the minor groups remain almost permanently in Government, pushing, and pushing successfully, their own narrow agenda in order to improve their own position. Such systems also increase the power of the party elite and diminish the power of the electorate. In addition, some systems such as the single transferable vote enhance the electoral prospects of the most extreme elements. They are unrestrained by the discipline required in a large party and can be a corrosive influence on any society. I part company on that point with the right hon. Member for South Norfolk (Mr. MacGregor), because it is not necessarily a party of the centre that forms the fulcrum of a hung Parliament or provides the numbers necessary to create a majority for the Government. It can be, and has in the past been, small extreme groups that have performed that role, and we should all deplore that.

I have opposed proportional representation since it was first mooted in Northern Ireland. I see no reason to change my mind, either for Northern Ireland or for Westminster.

6.40 pm

Sir Patrick Cormack (South Staffordshire): I begin by thanking the hon. Member for East Londonderry (Mr. Ross) for curtailing his remarks. The Minister and I have agreed to accept the same inhibitions, so I hope to be forgiven for not giving way.

The House has united on one matter in this debate—the quality of the maiden speech of the hon. Member for Leeds, Central (Mr. Benn). It was splendid. He spoke with admirable eloquence, lucidity, wit and brevity. I know that he represents the fifth generation of his family to be here, but if he can keep up that performance, he will be a worthy follower of his father. Seeing father and son together during that maiden speech was one of the pleasantest sights of my many years in the House. I wish the hon. Gentleman an illustrious parliamentary career. If he can even begin to emulate his father as a parliamentarian, he will be an adornment to the House well into the next century.

The hon. Member for Leeds, Central maintained another tradition by being non-controversial in his maiden speech and not giving us much of an inkling of his views. It was apposite that his tribute to his predecessor, Derek Fatchett—in which all hon. Members would wish to share—was echoed by the hon. Member for Feltham and Heston (Mr. Keen), who, in a very robust speech, reminded us that Derek Fatchett was chairman of the first-past-the-post committee.

The House is at its best when there is no strict party division. In an excellent debate, and some good, robust speeches, both sides of the argument have been put. Sadly, I cannot include the Home Secretary's speech among them. The right hon. Gentleman gave us almost half an hour of genial waffle—indeed, he has been at his engaging best all day, as earlier he offered his mea culpa with great wit and panache. We understand that the Home Secretary could not admit that he was wrong for a second time, but he suggested that the Government would not hold a referendum in this Parliament. If I misunderstood the right hon. Gentleman, I shall of course give way to him, but his suggestion shows that the Government's election promise is already broken. If so, they may as well ditch it, and thereby please hon. Members on both sides of the House.

The status quo was defended in some splendid speeches—by my right hon. Friend the Member for South Norfolk (Mr. MacGregor) and my hon. Friends the Members for Bromsgrove (Miss Kirkbride), for West Chelmsford (Mr. Burns) and for Epping Forest (Mrs. Laing). However, I hope that they will forgive me for saying that the speech by the hon. Member for Feltham and Heston really hit the nail on the head. He said that the great virtue of the present system was that it enabled the electorate to send a Government packing and indicate their dissatisfaction in a way that was impossible under an election system that resembles a football pools permutation.

That speech should be read, marked and inwardly digested by every hon. Member in the House, and I commend the hon. Member for Feltham and Heston on it. It reminded me of this morning's broadcast by that doughty octogenarian Baroness Castle, who said that this country wanted hands-on politics. She said that the present system gave us that, and that other systems would not.

There were defenders of change. The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) said that he could see a ripple spreading through the United Kingdom. The right hon. Gentleman is good on ripples, but he is not one to make waves. I suppose that we shall have to wait and see what happens, but the right hon. Gentleman's case was not convincing. Eloquent speeches were made by the hon. Members for Enfield, Southgate (Mr. Twigg), for Birmingham, Northfield (Mr. Burden) and for Hull, West and Hessle (Mr. Johnson), but none of them answered the questions about the Jenkins system.

This debate was about the system for elections to this House. Specifically, it was about the Jenkins system, which has been offered as an alternative. That system would create second-class Members of Parliament who would not represent constituencies. They would not be as well regarded as those who do represent constituencies.

The hon. Member for Feltham and Heston and my right hon. Friend the Member for South Norfolk made the point that our system's greatest single virtue is that we represent all the electors in our constituencies. No system can be better than that.

There was talk about 50 per cent. and Jenkins. A respectable way to achieve 50 per cent. and electoral reform is to have a two-round election, but no one suggested that. The extraordinary, pseudo-sophisticated document cooked up by Lord Jenkins and his cohorts is of no consequence and should be thrown away.

In common with many hon. Members—and certainly with the right hon. Member for Chesterfield (Mr. Benn)—I love the House and most things about it. I even love the Liberal Democrats, when they get here on their own merits. However, I shrink at the prospect of an assembly of Yeovil clones or political Ovaltinies. That is what we

[Sir Patrick Cormack]

would get if we moved towards proportional representation, and that is why the Liberal Democrats want it.

I am old enough to remember the radio doctor. In one wonderful broadcast he castigated J.B. Priestley, that intellectual giant of the left. The right hon. Member for Chesterfield will remember the occasion: at the end of the broadcast, the doctor said, "Chuck it, Priestley." When it comes to proportional representation, I say, "Chuck it, Straw. Chuck it, Blair. Get rid of it. It's no damn good to anybody." Proportional representation is a way of getting what no one really wants. It is the last refuge of the hopeless, and elevates to absurdity the doctrine of the underdog by enshrining the constitutional principle that those who never get chosen must always get a prize. Lewis Carroll would have been proud.

No powerful or plausible argument has been made for the Jenkins system. As I said, the debate has been about how this House should be elected. The Prime Minister has nailed his colours to the fence on which he has sat for so long that the wobble has entered his soul, but he has said that Jenkins is the alternative.

Jenkins will not be an improvement, so we should reject it. There is no point in putting the country to the absurd and time-wasting expense of a referendum on it. Perhaps a better system can be found for the country to consider, but I remain to be persuaded. We should vote tonight to show that the House of Commons is united in preferring a system that produces stable and proper Government.

Those hon. Members who read English at university may remember the following verse.

"I dreamt last night that Shakespeare's ghost
Sat for a civil service post.
The English paper for the year
Contained a question on King Lear
Which Shakespeare answered badly
Because he hadn't studied Bradley."

I was thinking of that the other day, and my version would be:

"I dreamt last night that Gladstone's ghost
Stood for a town on the south-west coast
The electoral system then in force
Meant he came first, but the seat was lost."

That is what would happen if we supported Jenkins. We should see it off tonight and get rid of it. The Government have broken their pledge for this Parliament and should ditch it once and for all. Let us retain this Parliament as it always has been—properly elected according to a system that everyone understands. Most people regard that system as fair and sensible, and consider that it produces stable government.

6.50 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): This has been a good debate, despite the partisan remarks of the hon. Member for South Staffordshire (Sir P. Cormack). I congratulate the Opposition on giving us the opportunity to debate an important issue which exercises us all.

I join all those who have sincerely congratulated my hon. Friend the Member for Leeds, Central (Mr. Benn) on his maiden speech. A few of us—my right hon. Friend the Member for Chesterfield (Mr. Benn) included—have been by-election candidates. It is always daunting to make a maiden speech, but to do so as the sole new intake is even more so. My hon. Friend spoke eloquently and with passion. His remarks about Derek Fatchett were well judged and a fine summary of a man who was a friend to many of us. We all look forward to further speeches from my hon. Friend.

My right hon. Friend the Home Secretary was of course characteristically coy about his own views on proportional representation.

Sir Patrick Cormack: What are the Minister's?

Mr. Howarth: I shall come to that.

One person has been missing from the debate, but frequently referred to—Lord Jenkins. It is a little unfair to those who sat on his commission that it is constantly referred to as though he alone did the work. Some worthy people worked long and hard to come up with the proposals.

Dr. Julian Lewis: May I place it on the record that the one Conservative member of the Jenkins commission dissented, disapproved and distanced himself from its recommendations?

Mr. Howarth: I am glad to have given the hon. Gentleman the opportunity to get that off his chest.

The terms of reference of the commission were as follows:

"The Commission shall be free to consider and recommend any appropriate system or combination of systems in recommending an alternative to the present system for parliamentary elections to be put before the people in the Government's referendum.

The Commission shall observe the requirement for broad proportionality, the need for stable Government, an extension of voter choice and the maintenance of the link between MPs and geographical constituencies."

The proposals produced by the commission met those terms of reference as well as could be expected. I do not necessarily endorse the proposals, but the commission examined its terms of reference, and produced something as close to them as possible.

Several hon. Members—in particular the right hon. Members for North-West Hampshire (Sir G. Young) and for South Norfolk (Mr. MacGregor) and my hon. Friend the Member for Feltham and Heston (Mr. Keen)—asked the great unanswered question about the Jenkins proposals. That question is whether the proposals would lead to different classes of Member in the House of Commons.

No matter how we examine that point, there would inevitably be conflict if two people represented different parts of an area who were elected by different systems. Members would bid to see which of them should take on cases. For constituency work that ought to be clearly allocated, constituents would be able to shop around to find the Member most prepared to take on the case. It is inevitable that that would raise problems of identity. Who would represent the constituency? Would there be two

classes of Member of Parliament? I suspect that there would, and Scotland and Wales will give us an opportunity to judge how that system will work.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) was characteristically thoughtful. He mentioned the effect that the turnout for the Scottish Parliament elections had on the local government elections held the same day. He will recall that that was not the first time that wide-scale elections have coincided with local ones. In 1979, I stood for election not to this House but to Knowsley borough council, and the high turnout gave me a majority in my council ward far larger than those of many Members of Parliament.

The right hon. Gentleman also talked about weekend voting, specifically on Sundays. As he knows, in some parts of the country—particularly in Scotland and parts of Northern Ireland—Sunday voting would create problems for people of certain religious denominations. Weekend voting would, however, resolve some turnout problems.

My hon. Friends the Members for Birmingham, Northfield (Mr. Burden), for Enfield, Southgate (Mr. Twigg) and for Leeds, Central said that we should consider electoral systems and procedures, but also how we conduct our politics. We must address the needs of communities and constituents to be at one with the communities that we serve. That principle is as important as the procedures and electoral systems that we adopt. Time prevents me from covering the other excellent speeches made.

The Government and the official Opposition are divided on one simple point. No matter what point of view any Labour Member may have about which electoral system is most appropriate, we are prepared to leave it to the people to decide what the system should be.

Miss Kirkbride: When?

Sir Patrick Cormack: When?

Mr. Leigh *rose—*

Mr. Howarth: I cannot give way as there are only two minutes left. The answer to when the referendum will be has been so often given today that I need not repeat it. *[Interruption.]* The Home Secretary has handed me a note saying "one minute", but I do not think that he means that it will be held then.

We need a wider debate that goes beyond the House. The House alone cannot decide how we elect Members of Parliament. If we involve the wider electorate, we shall achieve an electoral system in the country's best interests. In the long term, such a system would also be in the best interests of the House.

We trust the people to make that decision. The Opposition must stop running away from the people. They must trust to the fact that some decisions are best taken by the people, not by the Members of the House of Commons.

Sir Patrick Cormack: Will the Minister confirm that he means that the referendum will be in the next Parliament, not this one?

Question put, That the original words stand part of the Question:—

The House divided: Ayes 143, Noes 365.

Division No. 218] **[6.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Cash, William
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen

Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and
Mr. Keith Simpson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Maclennan, Rt Hon Robert
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*

Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Keith Hill.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments) and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises that different electoral systems may be appropriate for elections to different institutions; commends the Government's commitment to let the final decision on the voting system for the House of Commons be made by the people in a referendum; and welcomes the Government's approach which allows for a full debate in the country on the merits of the Jenkins system before a referendum is held.

Business Statement

7.13 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, Mr. Deputy Speaker, I would like to make a short business statement. Following the statement earlier today by my right hon. Friend the Home Secretary, the business for tomorrow will now include, at the end of the Opposition day, a motion on the Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB Order) 1999.

Sir George Young (North-West Hampshire): In the light of what my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said earlier today, the Opposition support the change of business outlined by the Leader of the House to put right the deficiency described by the Home Secretary.

Mrs. Beckett: I am grateful to the right hon. Gentleman, as I know is my right hon. Friend the Home Secretary.

Mr. Tom King (Bridgwater): When the order is debated tomorrow, could there be a statement about how, for nearly a month, people could not be arrested on suspicion of planning a terrorist offence? That was known to the Home Office and to the Home Secretary for more than a month, yet nothing was done. That is a serious dereliction of duty. If a terrorist offence had been committed during that time, hon. Members can imagine what the consequences might have been: people could not have been arrested because such activities were not unlawful. The matter clearly needed to be dealt with urgently, and I understand that the order that has been produced—

Mr. Deputy Speaker (Mr. Michael Lord): Order. This is not the time to debate that issue. This is a business statement.

Mrs. Beckett: If the right hon. Gentleman wishes to debate the order tomorrow, no doubt he will be able to do so. He has made the same point that he made earlier. Once the matter was drawn to his attention, my right hon. Friend the Home Secretary had a duty to seek legal advice—and that process is usually not short in duration. Secondly, as I understand it, it was pointed out in earlier exchanges today that there are other measures on the statute book to deal with the issues in question. These are specific provisions that are considered necessary, but we are not without protection if we do not deal with them. However, it is considered important—and the Government believe it is important—to bring the measures into effect as speedily as possible.

Mr. Paul Tyler (North Cornwall): The serious point made by the right hon. Member for Bridgwater (Mr. King) notwithstanding, the House recognises that the Government have responded speedily to the situation, have made a business statement as quickly as possible and are dealing with the matter at an early opportunity. We welcome that fact and look forward to the debate tomorrow.

Mrs. Beckett: I am grateful to the hon. Gentleman for recognising—as I hope do all hon. Members—that the

[Mrs. Beckett]

Government could not anticipate that the House would be ready to deal with this matter so speedily. We are grateful to hon. Members on both sides of the House for being prepared to make an early change in the business.

Mr. Michael Howard (Folkestone and Hythe): Given the Government's response to the invitation that my right hon. Friend the Member for Bridgwater (Mr. King), my hon. Friend the Member for Woking (Mr. Malins) and I extended to the Home Secretary earlier this afternoon, it would be churlish of us not to welcome this change of heart. However, will the Leader of the House acknowledge that it is a change of heart, that this was not the Government's original intention and that the Government should have shown far greater urgency in restoring to the statute book measures that are needed to deal with these matters and which—contrary to what the right hon. Lady said a moment ago—are not covered precisely by the other existing offences? If they had been covered precisely by the other offences, there would have been no need to create these offences in the first place.

Mrs. Beckett: With respect to the right hon. and learned Gentleman, I accept that the matters are not covered precisely. However, he will understand—I suspect better than many—the point that my right hon. Friend the Home Secretary made earlier today. We are not utterly without cover when it comes to such matters. The right hon. and learned Gentleman talked about a change of heart and the need for greater urgency. I remind him—I say this with respect; it is not a criticism—that he does not, perfectly understandably, spend a great deal of time considering the business of the House and other matters of such rather arcane detail.

It has been, and is, the consistent view of Opposition Members—I do not attack them for it; it is perfectly reasonable for them to hold such a view—that the Government should give proper notice of changes in business and that they should be respectful of the wishes and the will of the House. The Government have responded with as much alacrity as was conceivable to the signals from those on the Conservative Benches that they were prepared to make an early change in the business and to debate the matter with the utmost urgency. I do not think we can be blamed for that.

Mr. John Gummer (Suffolk, Coastal): I wonder whether the right hon. Lady will reconsider her response to my right hon. Friend the Member for Bridgwater (Mr. King). She said that we did not need to worry about the months that were lost because we "were covered"—those were her words—by other legislation. If we were covered by other legislation, why has the right hon. Lady come to the House now to urge us to deal with the matter urgently? Does she not understand that it does not take a month to obtain legal advice about such an issue? The Government have got it wrong and the right hon. Lady is the unfortunate person who must answer to the House because of it.

Mrs. Beckett: The right hon. Gentleman seeks to put into my mouth words that I have not uttered. I reject those words. I did not say that there was no need to worry. I simply said that we were not utterly without statutory protection—which is the same point that my right hon. Friend the Home Secretary made earlier. The right hon. Gentleman knows that better than anyone.

It is perhaps not entirely within the best traditions of the House to take the attitude and approach that is being taken at the moment by those on the Conservative Benches, as if my right hon. Friend has been in some way grossly derelict in his duty. He is an extremely conscientious Minister and he is assiduous in his duty to the House and the honour that he pays to its traditions.

I do not think that my right hon. Friend should be criticised for not taking it for granted that the House would be prepared to do anything that the Government wished to restore the provisions to the statute book, at about 10 seconds' notice. Rather, he is to be congratulated on his readiness to recognise that the House might want further notice and on his ability to move speedily when it became clear that the House was prepared to accept the urgency of the matter.

Mr. Humfrey Malins (Woking): Can the right hon. Lady explain why the Home Secretary seemed to imply this afternoon that the matter needed to be remedied, but could be remedied in due course? There appeared to be no hurry whatever. How can it be that he has suddenly changed his mind? Will she accept that only pressure from my right hon. Friends and myself this afternoon has brought the urgency of the matter to the Government's mind?

Mrs. Beckett: No, I do not accept any of that, and my right hon. Friend did not give any indication that he thought that this was a matter of leisure and of lack of urgency. He paid proper respect to traditions, to the request for notice and to the understandings in the House that Members should have notice of what is being debated and that the consent of the House should not be taken for granted. In my view he should be given credit for that, not blamed for it.

Church of England (General Synod) (Measures)

7.21 pm

Mr. Peter Bottomley (Worthing, West): On a point of order, Mr. Deputy Speaker. I may not be the only Member who might be tempted to raise issues related to Christ Church, Oxford, to St. George's, Windsor, or to Westminster abbey, but we gather from the report from the Ecclesiastical Committee that the Measure does not apply to either St. George's or to Westminster abbey and only in small part to Christ Church. Could we have guidance on how far we able to refer to events at those three places of worship in the debate?

Mr. Deputy Speaker (Mr. Michael Lord): The answer is simply that it will be in order to refer to those institutions in general terms, as far as they relate to the matter we are debating, but it will not be in order to go into any detail about events that have happened in those establishments, which may be what the hon. Gentleman has in mind.

7.22 pm

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): I beg to move,

That the Cathedrals Measure, passed by the General Synod of the Church of England, be presented to Her Majesty for her Royal Assent in the form in which the said Measure was laid before Parliament.

It gives me great pleasure to introduce the Measure to the House, not only because it represents a significant step in the process of affirming and strengthening the role of the cathedrals of the Church of England, which are a vital part of the life of the Church, the life of the nation as a whole and our national heritage, but because that process has been initiated and supported by the cathedrals themselves and because the Measure reflects much of the best practice which cathedrals have already adopted.

Much of the Measure deals with the governance of the cathedrals. The existing legislation was laid down more than 35 years ago. Under it, different cathedrals have adopted a variety of structures, and not all of them are equally suitable for the 21st century. A number of cathedrals have attempted to update those structures, but, under present legislation, that means going through a fairly lengthy and complex procedure. Partly as a result of that, and also because of a desire to review the working of the cathedrals as a whole, the cathedrals asked the two archbishops to set up a commission to examine those issues.

The commission, under the chairmanship of Lady Howe of Aberavon, had broad terms of reference and its report, "Heritage and Renewal", which was published in 1994, covered many aspects of the life of the cathedrals. The commission's recommendations were widely welcomed and are being taken up in various ways. The Measure stems from the main recommendations, which can be implemented only by legislation.

The Measure will set up a single framework for the efficient, effective and transparent governance of all cathedrals, providing the governing bodies with proper support, ensuring accountability and encouraging effective links with the bishops and the diocese as a whole. The governing body will be a new chapter, which will be a different body from the existing chapters in some cathedrals. It will include the senior cathedral clergy, the dean and the residentiary canons, but it will also include others, including a proportion of lay people. A number of cathedrals already have people other than the cathedral clergy on their governing bodies and I am sure that they would vouch for the advantages that that brings.

The chapter will be supported on financial matters and investment management by a finance committee, which will include people with financial expertise. There will aiso be an administrator, who may be a voting member of the chapter. Again, that reflects what is already happening in a number of cathedrals.

A new feature is the creation of a council—a larger body to which the chapter will be accountable—with a chairman chosen by the bishop. That body will also consider the budget prepared by the chapter and decide on any future changes to the cathedral's constitution within the terms of the Measure. In addition, there will be a college of canons, including almost all the cathedral clergy and, in particular, the honorary canons or the prebendaries, who are often parish priests in the diocese. In some cathedrals, lay canons will also be included. The college will receive an annual report from the chapter.

There must be a roll of the worshippers at the cathedral and members of its parish, should it have one, or of members of the wider "cathedral community" should there be no parish. The cathedral community will also be represented on the council. All that provides a framework, setting out a basic and common structure of organisation and accountability. However, each cathedral is justly proud of its traditions and the cathedrals operate in varying local contexts and circumstances. Thus, the Measure deliberately allows a good deal of flexibility to cathedrals within the basic framework so that they can take all those factors into account.

The Measure sets out to make the constitutions of the cathedrals responsive to future needs by making the process of change much simpler while ensuring that clergy and laity have a right to make representations about what is proposed. Above all, the Measure provides that everyone who has functions under it must have regard to the basic purpose of the cathedral—namely, that it is the so-called "seat" of the bishop of the diocese and a centre of worship and mission.

The Measure received overwhelming support from the General Synod, and I know that many cathedrals are enthusiastically preparing to implement it should it be passed by the House and by the other place shortly. It will help the cathedrals to continue to play their important role in the life of the Church and of the nation effectively in the years to come. I therefore invite the House to approve the Measure.

7.29 pm

Mr. Robert Key (Salisbury): We are very grateful to the hon. Member for Middlesbrough (Mr. Bell), the Second Church Estates Commissioner, for introducing the Measure and thank him for all the work he has put in over the past year and more. We are also grateful to the Ecclesiastical Committee.

Out in the real world, people do not know what the Ecclesiastical Committee is, and I think they assume that it is an ad hoc Committee of fully paid-up members of the

[Mr. Robert Key]

Church of England—that, of course, it is not. It is a Committee of both Houses and of all parties and none, notably cross-Benchers in the House of Lords, and of all denominations and none. It was set up to ensure that Church of England legislation impacts reasonably on the citizens of this country—of whatever denomination, or none, they may be.

The Committee consists of a number of distinguished hon. Members who have given a great deal of service, and none greater than my hon. Friend the Member for South Staffordshire (Sir P. Cormack), who has served some 28 years on the Committee. We congratulate him on that. Two members of the Committee represent cathedral cities—Exeter and Southwark. I had anticipated that they would be here tonight and had hoped to refer to them, but neither took part in the relevant proceedings of the Ecclesiastical Committee, either the examination of witnesses or the decision to agree that the Cathedrals Measure was expedient on 18 June 1998. However, it gives me great pleasure to see my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) here as he represents St. Paul's cathedral.

May I declare an interest at this point? I am a member of the guild of stewards of Salisbury cathedral. That is not some grand office: it simply means that I take the collection and welcome visitors. To those who work in our cathedrals, particularly volunteers, the kerfuffles in the abbey and the events at Lincoln have an air of virtual reality—or, indeed, complete unreality in some cases. At Salisbury, the dean and the precentor, above all, keep an eye on the stewards. We all know that there are stewards and stewards. Those of us who visit other cathedrals around the country know that some stewards are pompous, some are vain, some are control freaks, some are quick-witted and some are otherwise, and some are over-enthusiastic with visitors.

When one is a steward, one never quite knows what will happen. One never knows where the processions will go; one is not sure whether there should be incense or not, and what difference that will make; one never knows how many people will turn up for Sunday school; and one does not know whether to use two bags or three for the collection, and whether they will be dropped. Those are the realities of life in a cathedral, as opposed to the legalistic discussion that the Ecclesiastical Committee has enjoyed over the past year or so.

Volunteers in cathedrals must now be aware of health and safety rules. They must know how to evacuate a cathedral, how to give medical assistance—I vividly recall running out of aspirin for somebody a couple of weeks ago in Salisbury cathedral—and how to cope with revellers at midnight services and interrogations from earnest American visitors seeking tombs. A couple of weeks ago, I was challenged by an American claiming that his ancestor was St. Margaret of Scotland and asking where her chapel was. Fortunately, I knew the answer. Unfortunately, we also have to cope with the grief of the stricken, the downhearted and the bereaved.

The cathedral communities are rich and rounded, and it is a privilege to serve in them. I have known Salisbury since I was two years old. I recall lighting the Christmas tree in Salisbury cathedral 50 years ago.

Mr. Peter Bottomley: The tree or the candles?

Mr. Key: I lit the candles, not the tree. Now, candles are too dangerous and we have to have twinkling little electric lights, which are a bit twee. Never mind, they are still wonderful.

My late father was the Bishop of Sherborne, which is a suffragan of Salisbury, and later of Truro. My son was a chorister in Salisbury and my daughters attended the Sunday school.

I have discussed the Cathedrals Measure with my bishop and my dean, and I have read the Measure and the report of the Ecclesiastical Committee. Incidentally, I have met the Dean of Westminster to discuss the administration of the abbey and the issue of Royal Peculiars.

I support the Measure, although I do so with some regrets. First, I regret very much the deeply damaging fiasco at Westminster abbey concerning its most distinguished former organist. That should simply never have occurred. Due process of law has now been followed, at substantial cost. To most people, the outcome remains unhappy and unsatisfactory.

Inevitably, all of that drew in the Royal Peculiars. I appreciate and agree that they are quite different from cathedrals, and in due course proposals may be put to the Ecclesiastical Committee by the legislative committee of the Synod. The bad press surrounding all of that was deeply wounding to all those involved, not just in Westminster abbey, but throughout the Church, however humble their function—passing the collection bags—or much more exalted occupations. I shall draw a line under that subject, because I am sure that other hon. Members will wish to refer to it.

My other regret and reservation is that the ancient statutes of our cathedrals have worked most of the time and in most cathedrals. However, synodical government has not worked particularly well since its introduction. It has undermined the authority of the archbishops, bishops, deans, chapters and parish priests in the name of wider participation and greater accountability. Ultimately, however, it has done little to increase either.

Mr. Peter Bottomley: A number of us would not necessarily agree with what my hon. Friend said about Westminster abbey, although this is not the place to have that discussion. Lack of defence should not therefore be taken as all-round agreement.

On synodical government, does my hon. Friend accept that many archbishops have said that synodical government is pretty grim, but that it might be slightly less grim than taking all stages of Church legislation through this House, which would have been the alternative?

Mr. Key: The archbishops may agree with that, and I am sure that they do not want to have a grim life and will do anything to make it a bit easier. Nevertheless, I stand by what I said: I regret the diminution in the authority of bishops in the Church of England and, indeed, other bishops.

The bishops are under great pressure. Indeed, they have never been under greater pressure and I deplore the unwarranted attacks that are made on them from time to time. I leap to the defence of my bishop, who was accused

by a Sunday tabloid of leading an extravagant life style, with champagne breakfasts and all the other nonsense that goes with that. It is important to get this matter in perspective and to realise that a senior diocesan bishop earns about half the pay of a Member of Parliament and about the same as the head of a village primary school in my constituency. Just as business men do not count their offices, their secretaries or their expenses as income, nor do bishops—quite properly. The same applies to journalists, council staff or anybody else. It is hypocrisy of a high order to attack bishops, deans or any other members of the clergy, who are, by any standards, modestly paid, on those grounds.

Cathedrals, however, have become big business. They now call for a new quality of leadership and management, which was not needed 50 or even 10 years ago. The lay functions involved in running our cathedrals have grown enormously, as have the responsibilities for the fabric, the worship, the music and the volunteers. Even responsibility for the sandwiches and cups of tea has grown out of all proportion. It has sometimes been wounding to volunteers when they have had to be told that things have become so professional that they simply cannot keep up with the requirements.

Above all, the Measure entrenches and spreads best practice, much of which already exists. For example, since I first had the privilege of worshipping in Salisbury cathedral, the numbers involved in the life of the cathedral have risen dramatically. There are two choirs instead of one, and we established the first girls' choir in the country. The cathedral school has grown, and the responsibilities of the chapter office have increased. The cathedral's budget has risen, as have the charges for entering the cathedral, which is visited by tourists from all over the world. However, it must be said that the heating and the sound systems work, thanks often to the friends of the cathedrals, who meet much of the cost.

The cathedral close no longer looks tatty as it did when I was a child. Indeed, it may have gone a little far in the other direction and have become something of a millionaires' row, with all respect to my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), who occupies a house in the close. He is very welcome.

Management problems for our cathedrals have also increased. Above all, the number of worshippers has risen dramatically. I remember how empty Salisbury cathedral was when I was a child, and I attended most Sundays. By comparison, today congregations are measured in hundreds on an ordinary Sunday and by thousands at the great festivals. We should acknowledge that.

Congregations are up, and the electoral roll is up. Salisbury has an electoral roll of 504 this year. The offertory fund is up: we are paying our way as a congregation. The fund stood at £127,000 last year. Last year, the guild of stewards, of which I am a junior member, undertook 1,480 individual duties at 315 services. And we should not forget the 56 "holy dusters" who keep the stalls, the lights and so on clean and shining bright.

Let us put this in perspective. The Measure is intended to spread best practice. Those of us who serve in cathedrals are proud to do so, and the Measure gives an added dimension to the quality of our lives while, hopefully, giving something back to our communities.

I have not dwelt on the legalistic issues. I simply wanted to say, on behalf of those who work as volunteers in our cathedrals, that I for one support the Measure.

7.41 pm

Mr. Frank Field (Birkenhead): It is always a pleasure to speak in debates on Church matters, because of the way in which my hon. Friend the Member for Middlesbrough (Mr. Bell) introduces them. Anyone who was unsure of what the Measure was about will, after hearing his speech, understand what we are discussing.

Debates such as this sometimes reveal the most unexpected circumstances. This evening, we have seen someone who is normally one of our more liberal and free-spirited Members making what I would describe as a rather ugly rush at the Chair, taking on the role of censor and trying to prevent others from making, in their simple and humble way, the contributions that they think best. I applaud the way in which you, Mr. Deputy Speaker, gently pushed the rush aside.

I know of the experience that my hon. Friend the Member for Worthing, West (Mr. Bottomley)—I shall call him my hon. Friend—has had both in London and in his constituency. He is astute enough as a politician to be aware of that, in the crucial run-up to a general election two years hence, he must widen his appeal. He must not appeal just to more liberal spirits in his constituency; there is also the authoritarian side, and their votes. He is clearly after those votes, and he is happy to use a Church Measure to show that there is an even nicer side to the face that we already know.

Mr. Peter Bottomley: I accept my right hon. Friend's chiding.

I suspect that I am not the only person to have read many books by the Dean of Westminster. I think them well worth reading, and I commend them to those who concern themselves with these matters.

For some reason or other, for 20 years I failed to be appointed to the Ecclesiastical Committee, having been a trustee of Christian Aid and chairman of the Church of England Children's Society. I watched with frustration as the committee engaged in all sorts of discussions. If I suspected that this Measure would lead to a rerun of what was in the publicity—I am sure that that is not my right hon. Friend's intention—I would find that equally frustrating.

Mr. Field: We now see a third side to my hon. Friend's character. We see not only the free spirit and the authoritarian, but the angst that he feels as a result of his exclusion from the Ecclesiastical Committee. When there is the possibility of an open debate, he tries to undertake your task, Mr. Deputy Speaker—an attempt that you gently rebuffed—in deciding what we can and cannot discuss.

My hon. Friend will be pleased to know that I do not think that we should ever, in any way, abuse our position or privilege in the House. During the debates that will follow from the Measure, I shall be happy to repeat outside the House what I say inside. I am sorry if that adds yet more to the administrative costs of our abbey across the road.

I discussed how we should approach the debate with my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). She, too, is worried about what has gone on in the abbey. When I talked to her about it yesterday, I said that I had two particular questions in mind. First, if this reform had been in place at the time,

[Mr. Field]

could the scandal at Lincoln have been prevented? Secondly, if it had been in place, could the scandal at Westminster abbey have been prevented?

We know that there is to be a special inquiry into the Royal Peculiars, and I shall return to that shortly. However, while discussing the issue with my hon. Friend the Member for Crewe and Nantwich, I reflected that, because there is much to be said about the abbey, we ought to ask for a special debate on the subject. That would enable us to discuss not just that long-standing and sad saga, but much of the information that has come to light more recently.

For example, at the weekend, we read in *The Sunday Times* that some members of the chapter are being given loans, as though the abbey were some sort of merchant bank. We know from the accounts that have just been published that administrative costs have risen by nearly two thirds. I would guess that that increase—an increase of more than half a million pounds—is largely to do with the legal fees incurred. We also note that the abbey gives only 1 per cent. of its income to charitable causes, although Synod—which was mentioned by my hon. Friend the Member for Middlesbrough—has said that we should give 5 per cent. of our income to such causes. But it would be wrong to try to bring issues concerning the abbey into the debate—indeed, you would not allow me to do so, Mr. Deputy Speaker—and my hon. Friend the Member for Crewe and Nantwich and I will therefore seek time for a proper debate about what we think has been going on there.

Nevertheless, Mr. Deputy Speaker, you would no doubt have protected the privileges of Back Benchers if they had wished to point out to my hon. Friend the Member for Worthing, West that one of the reasons why the Measure will have such a smooth run is that the Church has announced an inquiry into the Royal Peculiars. Tonight's debate might have been slightly different if that inquiry had not been announced.

Let me end by issuing a plea to the inquiry. I beg it not to get things out of proportion, and not to throw the baby out with the bathwater. There is clearly an issue regarding what happens in an institution that is a Royal Peculiar when some person behaves badly, and may have to be sacked; and it is clearly immensely difficult if the head of the organisation involved is our monarch. I hope, therefore, that the inquiry will be limited in what it seeks to do. I hope that it will help to answer the question that I have raised, and will not rein back on the special privileges enjoyed by the abbey, St. George's chapel, Windsor and the other Royal Peculiars. I think that it adds immensely to the quality of life in this country that people can do things differently in different places. It would be sad if, because of the serious problems that the abbey has experienced, we encouraged the inquiry to make the Royal Peculiars uniform with other cathedrals.

I shall, in the normal way—along with my hon. Friend the Member for Crewe and Nantwich, and, no doubt, other hon. Members in other parties—seek time for a debate enabling us to look properly at what has happened at the abbey. I end, however, by saying again that I am more than happy to repeat outside what I say under privilege here.

7.49 pm

Mr. John Gummer (Suffolk, Coastal): We are discussing, in a very pleasant atmosphere, a Measure presented by the Church of England that is intended to regulate the way in which cathedrals are run. I believe it to be the most far-reaching Measure on this subject that has been presented to the House since 1833, when an ecclesiastical titles Measure removed a large number of members of the cathedral bodies of the time as well as a number of bishoprics in Ireland, where there were few worshippers but many bishops. Two Bills were presented at about the same time, both as a result of the great Reform Bill. So it has been a long time since any serious thought was given to the matter of cathedrals.

The House should recognise that part of the reason why such thought has not been necessary is that cathedrals' structure has been sufficiently flexible that, in different ways and at different times, they have been able to move in meeting the needs not only of the nation but of the diocese that each serves. I therefore share the concern of the right hon. Member for Birkenhead (Mr. Field) that the various establishments' flexibility—which is so important—and the differences between institutions should not be lost in seeking to find a solution to fundamental difficulties that have arisen.

I hope that it will not be misunderstood if I say that one of the problems with cathedrals goes right back to the point in the Reformation when rather different bodies became cathedrals. Until then, those bodies had not been of a cathedral type. A very few of the bodies became Royal Peculiars, and others became the seat of the diocese's bishop. The latter bodies long met a perceived need, but were also burdened with having to carry the weight of the establishment.

There is no doubt that there was some heaviness in the type of structure that those bodies inherited. That was the basis of the 1833 reforms, in which those whom we now call honorary canons became honorary, rather than receiving significant emollients. The reforms were also the background to the novels of Trollope, who was writing about an earlier time in which people such as Vesey Stanhope spent most of the year in Italy, while paying a small sum to someone else to sing the services for which he was responsible. Vesey Stanhope returned only when the appalling Bishop Proudie discovered what had been happening.

Although that type of cathedral has long since gone, there are still those who have operated within the new structure in a way that is difficult to understand, causing great scandal. It would be wrong to deny that the Measure is the result of that fact. On this occasion—unlike that of the churchwardens Measure—the Church of England has not found a solution and then sought a problem. It had a problem and had to find a solution, and this Measure is that solution.

The Ecclesiastical Committee had to consider why the Measure should not affect all institutions of a similar type. My hon. Friend the Member for Worthing, West (Mr. Bottomley) suggested that it would perhaps be better if we referred to none of those institutions. However, as the right hon. Member for Birkenhead said, the truth is that the Measure has taken so long to be considered by the House because, had it come to the House before the Church of England—finally, after all the pressure—decided that it would investigate and produce a report on

the Royal Peculiars, the Measure probably would not have been passed. Hon. Members would have had to say: "Until there is proper provision for all similar institutions, it is not possible to pass this limited Measure." That was the very strong feeling of the Ecclesiastical Committee, and it would be odd not to refer to those situations and conditions, even if only in passing.

I am sad about several aspects of the Measure. The first is that it is necessary, essentially because a small number of individuals failed to resign when they should have done. A mid-western American Catholic bishop was asked what he thought about the conduct of the current President of the United States. He said, "It is very simple: it is very odd that he didn't realise that he needed to resign." He made no other comment on the matter. However, that comment was very interesting, as it seemed very clearly to apply also to at least two people who have been at the heart of our debates on the matter. Had they resigned, I doubt whether this legislation would have been needed at all.

The legislation is convenient and will sort out some issues, and the Church of England—which has moved from hierarchy to bureaucracy without any intervening stage of democracy—is very pleased about it, because it is neat. I believe that neatness is the enemy of civilisation. I am therefore sad that we shall now have a neater Church of England, simply because some people failed to recognise that they should resign.

We shall—compounding the sadness—now have to have more committees. I have been both an Anglican and a non-Anglican, and have therefore seen the Church from both inside and outside. Although it forced me out, I still love it. It has so much of importance. But I still despair of the constant desire to solve all its problems by establishing yet more committees.

The hon. Member for Middlesbrough (Mr. Bell), in his charming way, in all fairness, could not describe the Measure without mentioning how the committee structure would be changed—for that is at the heart of the proposals. The new Church of England's answer to all problems is: "Another committee, with wider reference and greater connection with more people." I really wonder whether that will forward the Kingdom of God—which, oddly enough, is what cathedrals are supposed to do.

I found that part of the debate particularly bleak, for it proposes a bureaucrat's solution. I am not at all sure that the House should not be considering a rather different Measure—one to get rid of committees, to reduce bureaucracy, to close down Church House entirely, and instead to allow the Church of England to reform itself from bottom up. I am sure that such a Measure would not have done more for all Britain's cathedrals than almost anything else. Nevertheless, that is not what we are doing. We are considering a Measure that is designed so to trammel and confine the cathedrals of our land that those for whom eccentricity became positively dangerous might be stopped.

I am sad also that members of the Ecclesiastical Committee have had to press for the same trammelling to apply to three other institutions that, unaccountably, are omitted from the Measure.

The House does not consider this type of Measure in debates on Second Reading, in Committee, and in other stages. I am therefore thinking that this debate is a mixture of all those stages, and hope that it will be in order to refer to matters that are not dealt with in the Measure. One such matter is the application of the Measure's provisions to Christ Church, Oxford, to St. George's chapel, Windsor, and, of course, to Westminster abbey.

We have just seen a remarkable example of how St. George's, Windsor is able to contribute to national life, and we already knew the fascinating mixture that is Christ Church, which is both a college and the cathedral of the Oxford diocese. They demonstrate the curious differences between the types of institution that this type of legislation has to cover.

Unfortunately, Westminster abbey has not been a good example of such flexibility. I endorse the request made by the right hon. Member for Birkenhead for a full-scale debate on the situation at the abbey, not least because of the revelations in relation to its accounts. I should also like to address the general issue of cathedral accounts—which I am not at all sure is addressed in the Measure. Cathedrals are now in receipt of large sums of money and happily, at long last, the state has begun to recognise that the whole community, not just those who go to church, has a responsibility to keep the roof on. We are one of the meanest countries in the world in terms of our support of the churches. It is a sad thing, but it is true. The cathedrals now have rather more than they did, but often it is not enough. They also receive money from tourists. No cathedral or similar institution receives as much as Westminster abbey.

It is proper for parliamentarians to ask how that largesse is used on behalf of all of us. In an odd way, the cathedrals are an example of stewardship. The general run of them were not built by the Church of England. They were seen as different institutions historically and they are under guardianship on behalf of many others in the Church of England. I hesitate to say this, but it is interesting to see how much larger a proportion of a much smaller income is used for charitable purposes by Westminster cathedral at one end of Victoria street compared with Westminster abbey. It is proper to ask why, and who makes such decisions.

It is also proper for us to know more about the uses to which the money raised from tourists and others is put, but my last point is about the individuals involved. I was brought up in a cathedral city. I went to a cathedral school and my father was a member of a cathedral chapter, so I declare an interest over a considerable length of time. Cathedrals are able to operate because of the devoted work of large numbers of people, many of them lay people, as my hon. Friend the Member for Salisbury (Mr. Key) said. We need to make sure that those people can play a full part in the mission of the cathedral.

Cathedrals are not there to be historic monuments. They are there to provide a witness of the enduring power of the faith of Jesus Christ. We ought not to have a debate such as this without talking in those terms. If we fail to do that, we miss out the central issue. Perhaps, in that context, I can say what grieves me most about the need for this legislation and the legislation that we are likely to see very soon. There is something about the structure of cathedrals today that enables people to feel that they are theirs and that they have certain comfortable positions which it is almost improper to suggest ought to be very carefully thought through.

I am not sure that every member of a cathedral chapter has a job description or proper targets for what they ought to be doing. That sounds very oddly modern, but if we

[Mr. John Gummer]

are to have a bureaucratic Church let us have some of the advantages of modern bureaucratic practice. If the Dean of Westminster carefully considered what his job description ought to be, which I think him not to have, he might, indeed I think he would, agree with me that there comes a moment when it is best for the sake of everyone to go. Were that to have happened, I doubt whether this House would have had to ask for another Measure to follow this one. If it had happened in two other cathedrals, I doubt whether we would have had to have this Measure.

The reason why I care about the matter so passionately is that we live in a society in which variety is increasingly difficult. Everyone needs to be within a defined box lest something goes wrong. The people who make that variety so difficult to uphold are the individuals who, when they have used the power that they have been given beyond reasonable limits, do not recognise that their independence demands the responsibility to know when to go.

The Measure is before us because two people did not know when to go. The one that is coming will be before us because one other also failed in the responsibility to the independence and variety which has up to now been the glory of our cathedrals and has explained why for 160 years we have not had to have a debate.

8.6 pm

Mr. Peter Brooke (Cities of London and Westminster): I shall make only a brief speech. My speech was to some extent contingent on the way in which the debate went. I declare an interest, at least at this moment, as a lay adviser to St. Paul's cathedral since 1980. The lay body owes its origins to the great late Launcelot Fleming, who, as Bishop of Norwich, was responsible for the creation of lay advisers to that cathedral taken from across the diocese. The chance that Alan Webster came to St. Paul's after having been the Dean of Norwich meant that the idea was then developed at St. Paul's. Launcelot Fleming went on to become the Dean of St. George's, Windsor and thus has a walk-on part in our debate.

The lay body of St. Paul's has had the considerable benefit of the advice of Lady Howe of Aberavon, to whom the hon. Member for Middlesbrough (Mr. Bell) referred. It was valuable advice. I understand that the dean and chapter of St. Paul's welcome the Measure. The lay body to which I have belonged for 19 years will cease before the millennium and the new body that will be created under the Measure will take over.

I notice that my hon. Friend the Member for Worthing, West (Mr. Bottomley) has now left the Chamber. In the context of his references to the Ecclesiastical Committee, I shall simply remark that I have never sought to be a member of the committee and I have suffered no distress to my psyche from the fact that I have not so served.

I could not be unaware, however, of the involvement of certain right hon. and hon. Members in the matter of Westminster abbey. I mention wholly neutrally and without any angst the fact that there were no particular contacts with me at the level of constituency courtesy about those involvements. I feel no angst because I have been long accustomed in my 22 years in the House to the fact that the majority of my colleagues regard my constituency as the equivalent of the district of Columbia—without any democratic representation at all. Those who would be deeply hurt and offended if I were to appear in their constituency without having sent them a postcard have no hesitation in traversing my constituency in hobnail boots. That is not a reference to the manner in which people have behaved in this matter, but I hope that a brief reference to events at Westminster abbey is in order—events to which allusion has been made by one or two other participants in the debate.

I am grateful to the right hon. Member for Birkenhead (Mr. Field) and my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) for not pressing the matter in the context of the debate, other than in the references that they have made, but it is fair to say that they have made certain animadversions. The dean and chapter have accepted Lord Jauncey's judgment. The only observation that I would make—I am touching on things that have been said before—is that the dean and chapter in the matter to which oblique reference has been made sought to work within the employment law of this country, not under any special jurisdiction or position that the Royal Peculiar afforded them.

I have only once appeared—I think that this is relevant—in an industrial relations tribunal case. It was, in the light of subsequent developments, a fairly remarkable case to have participated in, as my counsel was the present Lord Chancellor and the pupil whom he brought to the case was the present Prime Minister. It is to the credit of both those right hon. Gentlemen that we won the case.

However, I learned from that experience that one of the most disagreeable features—my brother is a lawyer although I am not—of being involved in any such case is the very firm advice that one receives from lawyers that one must not behave in as open and generous a manner in the ordinary conduct of business as one would naturally wish to do with someone with whom one has worked closely in the past. It is a very disagreeable condition to be in; I have been in it myself.

Mr. Gummer: I wonder whether my right hon. Friend would accept the following: many of us feel that when Christians deal with other Christians, every effort must be made not to go to law. I believe that that is actually a gospel demand. The issue—it was the issue long before the employment rules were reached—is what was referred to in Lord Jauncey's judgment about the rules of natural justice. I want to go further and suggest to my right hon. Friend that perhaps the true concern is that people did not behave as brothers at the beginning, but allowed the situation to develop until lawyers got involved. I am sure that my right hon. Friend is absolutely right: once the lawyers get involved, it is very difficult to be charitable.

Mr. Brooke: I am reasonably sure, Mr. Deputy Speaker, that you would not allow me to follow my right hon. Friend down that—

Mr. Deputy Speaker: Order. That is quite correct. I think that we are now in danger of having the debate that we must not have.

Mr. Brooke: I anticipated your view, Mr. Deputy Speaker, so my right hon. Friend's words will be in the *Official Report* and no words that I might say in response will be—but then he is a much more shrewd and cunning parliamentarian than I am.

I am grateful to the right hon. Member for Birkenhead for not seeking to hold up the Measure this evening. In areas outside the Peculiars, it is obviously welcomed by deans and chapters up and down the land, so it is a thoroughly good thing that it should proceed.

As to the commission that has been appointed in connection with the Royal Peculiars, I understand that the dean and chapter of Westminster welcome that; as their local Member of Parliament, I certainly do, too.

If the authorities of the House were to pay due attention to the suggestion of the right hon. Member for Birkenhead, supported by my right hon. Friend the Member for Suffolk, Coastal, that there should be a debate, it would be better if the debate occurred in the aftermath of the commission's report rather than in advance of it, but I would certainly wish to participate in it, were it to occur. I support the Measure before us.

8.13 pm

Sir Patrick Cormack (South Staffordshire): My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) said that he had never sought to be a member of the Ecclesiastical Committee. If he had served on it, he would have enriched it. His wisdom and his contributions would have enlivened our discussions. I hope that, even at this late stage in his most distinguished parliamentary career, he might consider expressing a desire to serve on that committee.

I hope, Mr. Deputy Speaker, that you and the House will forgive me if I say something that might technically be slightly out of order. My right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) mentioned Westminster cathedral. Until now, there has been no opportunity in the House to pay tribute to the very great Christian who died last week and who will be buried tomorrow—Cardinal Basil Hume. I should like to do so now. If all those in positions of authority within all the Churches showed his degree of Christian charity and humility, not only would we not be having this debate tonight but we would not need to have many on Church affairs. He has made an outstanding contribution to the spiritual and social life of the country. It is right that that should be on the record.

My hon. Friend the Member for Salisbury (Mr. Key) mentioned my long membership of the Ecclesiastical Committee. Twenty-eight years is indeed quite a long time, and I believe that I hold the record for serving on it longer than anyone else. It is a most unsatisfactory committee because it has no power to do more than exercise a certain amount of influence. We can never amend any Measure that comes before us. As the right hon. Member for Birkenhead (Mr. Field) knows too well, we are faced with the stark choice of deeming a Measure expedient and letting it proceed and come to the House, or sending it back to Synod because we do not deem it expedient. To be realistic, it is unlikely that the committee's terms of reference will be rewritten, but it is useful to place on record the fact that, from time to time, it is a very frustrating committee of which to be a member.

I must declare an interest in that I am an elected member of the General Synod. The hon. Member for Middlesbrough (Mr. Bell), who spoke with his customary lucidity, is on the General Synod too, ex officio. I am now the only Member of either House of Parliament to have been elected to the General Synod by the most peculiar system of proportional representation that we were castigating an hour or so ago in the Chamber. That body could be vastly improved, especially if every member of every electoral roll in the country had a vote for Synod representatives, but that is not in order this evening.

When I was on the General Synod, I did not support the Cathedrals Measure because I have always felt that hard cases made bad law. Although I am not suggesting that the Measure is bad law, and I will commend it to the House, it seemed to me that the rich diversity of our ecclesiastical life, of which my right hon. Friend the Member for Suffolk, Coastal spoke eloquently, was being to a degree dragooned and made uniform by the Measure, and all because there had been a couple of incidents which, understandably, had given cause for disquiet—especially the events at Lincoln.

I cast no criticism at the work of Lady Howe—a good friend of many hon. Members present—and her cathedrals commission, which went into the matter with great diligence and thoroughness and, I believe, visited every cathedral in the country. I visited almost every cathedral in the country when I wrote a book on cathedrals in 1984, and I was struck by the excellent way in which most of them were managed, their treasures presented and the worship—the most important thing—carried out. They are beacons and centres of excellence in every sense.

I would not want anyone to think that the Cathedrals Measure was in any way a vote of no confidence in the way in which our cathedrals have been organised and managed by their deans and chapters and provosts during the past 50 years. We are very fortunate in the way our cathedrals are managed. My hon. Friend the Member for Salisbury, who has enormous experience of its beautiful cathedral and who spoke eloquently about all the work that the volunteers do, emphasised that.

I hope that the new Measure, which I support, will not put the dead hand of uniformity on the way cathedrals are organised. I support the Measure—I am not suggesting that the House should do anything other than support it—but I hope that our speeches will send a message that, within the House, we do appreciate the rich diversity. We do understand that the way Lincoln is run, when it is run properly, is not necessarily precisely the same way as Exeter or Ripon should be run. I hope that all those who have charge of our great cathedrals, especially those who will be members of the new Bishops Council, will not feel that they have always to consort to ensure that what is done in one cathedral is precisely replicated in another.

It would be wrong not to refer briefly to what has been said about the abbey. I, too, welcome the fact that there is to be an inquiry into the Royal Peculiars although I deeply regret the necessity for it. I do not want to be accused of passing any judgment. Regardless of who has been right or wrong, what has happened over the past year has done enormous damage to the Church of England.

If cathedrals are the beacons of our national Church, the abbey is the supreme lighthouse. It is perceived by many as the embodiment of the national Church. It is tragic—I use the word deliberately—that events should have happened there that have shaken people's confidence in the national Church. I hope that the inquiry will be thorough but not protracted and that when it is complete its findings will be able to be debated both in Synod and in the House.

[Sir Patrick Cormack]

I hope that everyone who has been involved in the affairs of the abbey over the past year will recognise that there is a great deal of repair work to be done and many bridges to be built if confidence is to be restored. I am not seeking to apportion blame, but the abbey is not a very happy place at the moment for many people who have given a lifetime's service to it. I want that to be remedied at the earliest possible date.

The Measure is important and will transform the way in which our cathedrals are managed and presented in a way that no other Measure has ever done. My right hon. Friend the Member for Suffolk, Coastal said that it was the biggest change since 1833. That is true, but it is a different sort of change. It is a managerial change and it is extremely important that those who occupy new positions of authority in the Bishops Council and elsewhere never lose sight of the fact that a cathedral church—the seat of the bishop of the diocese—is the building most people look up to. In its services and the dignity of its worship, it should be the embodiment of all that is best in the Anglican Church. If the Measure can assist in making that the norm, that is good.

It would be very sad if the House were to divide on the Measure, and I am glad that it is not going to do so. I know that there are those present who, had there not been the promise of the inquiry into the Royal Peculiars, would have felt that they had to make that statement. I know that my right hon. Friend—I am pleased to call him that—the Member for Birkenhead is one of those. We can all now go forward in a positive spirit. I wish the Measure every success.

8.24 pm

Mr. Stuart Bell: I am glad that the hon. Member for South Staffordshire (Sir P. Cormack) used this opportunity to pay tribute to the late Cardinal Hume. I knew him when he was given the freedom of the city of Newcastle way back in 1981, and we stayed friends from that time forth. The last time he was in the House I reminded him of that event and he said that it was one of the happiest moments of his life. In his simplicity lay his greatness: he who was given such honour in his lifetime felt that the greatest honour of all was to be given the freedom of the city where he was born. I associate myself with the thoughts expressed by the hon. Gentleman.

The late cardinal was a great supporter of Newcastle United. Listening to the hon. Member for Worthing, West (Mr. Bottomley), who wanted to be on the Ecclesiastical Committee, to the right hon. Member for Cities of London and Westminster (Mr. Brooke), who never had such an ambition, and then to the right hon. Member for Suffolk, Coastal (Mr. Gummer), who is on it, I thought that it might be time for some free transfers.

As Second Church Estates Commissioner, I appreciate the contribution that the right hon. Member for Suffolk, Coastal makes to our debates and proceedings, as I appreciate those of the hon. Member for South Staffordshire and my right hon. Friend the Member for Birkenhead (Mr. Field), who is still here even though he has outside engagements.

These debates may be sparsely attended, but we have some of the finest debaters in the Chamber here tonight and they have made scintillating contributions. The hon. Member for Salisbury (Mr. Key) told us that he was brought up almost in the precincts of the cathedral—I know that his father was a bishop—and one gets a wonderful sense of richness and depth from these debates, in which it is a great pleasure for me to participate.

Reference has been made to Westminster abbey and to St. George's chapel, Windsor. Both my right hon. Friend the Member for Birkenhead and the right hon. Member for Suffolk, Coastal mentioned the memorable royal wedding there. I was told that it was the last royal wedding of the century, which is not surprising, but those wonderful television commentators have to tell us something. As the House knows, neither of those is a cathedral: they are Royal Peculiars, as are the chapels royal. The Howe commission's remit did not extend to them and the Measure does not apply to them.

The House is aware of an announcement made on 18 May that, at the request of the Dean of Westminster, the Dean of Windsor and the Bishop of London, as dean of the chapels royal, Her Majesty the Queen has agreed to appoint a new commission to review the organisation, management and accountability of those institutions. It will report to Her Majesty through the Lord Chancellor. The review will not affect the institutions' status as Royal Peculiars, but the three deans' request arose out of their concern that the relevance to the Peculiars of the principles on which the Howe commission based its findings should be properly considered.

The new commission will be chaired by Professor Averil Cameron, warden of Keble college, Oxford. The other members will be the Dean of York, the very Rev. Raymond Furnell, who, until recently, was chairman of the Association of English Cathedrals, and was a member of the steering committee for the Measure; and Sir Brian Jenkins, chairman of Woolwich plc and a former Lord Mayor of London. It will combine the various types of expertise needed to tackle this important subject successfully, and the three deans have publicly committed themselves to doing all that they can to assist it. It will be for the new commission to consider how the spirit of the Howe recommendations can best be applied to those unique institutions.

Quite apart from the fact that the Measure does not cover Westminster abbey, which is the subject of a separate review along with the other major Royal Peculiars, I am sure that right hon. and hon. Members will understand that it would not be right for me to comment on the case of particular loans to particular individuals, but the general subject of the finances of cathedrals received close scrutiny from the Howe commission and is dealt with by the Measure.

I have already referred to the finance committee of the chapter, which will advise the chapter on financial and investment management, and will include members who have expertise and experience in these fields.

The chapter must prepare an annual budget for the cathedral, which must be considered by the council. The chapter must produce an annual report and accounts in accordance with the best professional standards and practice, as specified by the Church Commissioners. The Church Commissioners have prescribed detailed guidelines for the accounts, and they have the power to inquire into any shortcomings. The accounts must be audited, and they and the annual report will be considered by the council and the College of Canons. That will help

to ensure that every cathedral's financial affairs are dealt with properly, effectively and openly on the basis of professional advice, and are regularly subject to proper scrutiny.

The right hon. Member for Suffolk, Coastal referred to Christ Church, Oxford, which is a cathedral of the diocese of Oxford and thus fell within the Howe commission's remit. The Howe commission visited it and examined its affairs in detail. However, it is also part of an Oxford college, and is governed by the statutes of that college. It has always been recognised as a unique case which cannot be governed by the same legislation as the other cathedrals. Equally, it was recognised that the principles underlying the Howe commission's recommendations could not be applied in the same way as to other cathedrals.

The dean and canons of Christ Church have been anxious to ensure that the cathedral complies with these principles. I have placed in the Library a note explaining that the cathedral is within the spirit of the Measure in matters such as accountability and communication, lay participation, proper financial management, careful scrutiny of budgets and accounts, and strong links with the diocese.

My final and parting words are to say how much I have welcomed the co-operation of those on the Ecclesiastical Committee, and the kind thoughts and sentiments of my right hon. Friend the Member for Birkenhead, the right hon. Member for Suffolk, Coastal and the hon. Member for South Staffordshire—I shall run out of names shortly. They have all contributed sensibly to an important Measure, which has taken five years to get to the House. I am happy to commend the Measure to the House.

Mr. Deputy Speaker (Mr. Michael J. Martin): Before I put the Question, may I say on a personal note that I welcome the comments made about Cardinal Hume. I mourn his passing: he was a good friend to many of us in the House.

Question put and agreed to.

Resolved,

That the Cathedrals Measure, passed by the General Synod of the Church of England, be presented to Her Majesty for her Royal Assent in the form in which the said Measure was laid before Parliament.

Church of England (General Synod) (Measures)

Queen's consent, on behalf of the Crown and the Duchy of Lancaster, signified.

8.33 pm

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): I beg to move,

That the Care of Places of Worship Measure, passed by the General Synod of the Church of England, be presented to Her Majesty for her Royal Assent in the form in which the said Measure was laid before Parliament.

In section 1(2) of the Measure it should say

"Subject to subsection (5) below"

and not subsection (4), as incorrectly printed. That saves me from coming back to the House, as the Home Secretary did earlier today.

The House may be pleased to note that this is a fairly brief Measure, and does not compel anyone to take action under it unless they wish to do so. However, it forms a significant part of the Church of England's legislative process for safeguarding the Church's places of worship, which are an important aspect of this nation's heritage. The Church has been carrying out that process in partnership with the Department for Culture, Media and Sport and English Heritage, and this Measure will help to fill a gap in the arrangements for ensuring that all those buildings are well cared for.

I should stress, as the Ecclesiastical Committee did, that this Measure relates only to places of worship linked to the Church of England. Thus, it does not apply to places of worship that belong exclusively to other Christian Churches or to the buildings of non-Christian faiths. Its origins lie in the so-called ecclesiastical exemption from listed building and conservation area controls for ecclesiastical buildings, which are for the time being used for ecclesiastical purposes and in the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994, which cut down the scope of the exemption.

In the case of the Church of England, the main provisions of the 1994 order restricted the exemption to buildings that are within the Church's legal controls: that is, those relating to cathedrals or the Church's faculty system, which covers parish churches and some other places of worship. They are stringent legal systems of control, although they take account of the need to use the building concerned effectively for the Church's worship and mission.

However, the 1994 order also contained other exemptions for a number of buildings that were not within any effective form of control under either secular legislation or the Church's own systems. They included the Ecclesiastical Peculiars, so called because they lie outside the jurisdiction of the bishop of the diocese—some chapels of religious communities of monks and nuns; chapels of schools, colleges and various other institutions; and some shared church buildings that are used jointly by the Church of England and other Christian Churches.

The Church and the Government agreed that this situation was not satisfactory. It was always known that the special exemption in the 1994 order would be withdrawn sooner rather than later. The Church of

[Mr. Stuart Bell]

England agreed with the Government that it would bring legislation to the General Synod to allow the places of worship in the categories that I have mentioned to opt into the Church's system of control under the faculty jurisdiction if they wished. If they did not, and if the buildings in question were listed buildings or in conservation areas, they would normally come within the secular listed building and conservation area controls once the special exemption in the 1994 order was revoked. The main object of the Measure is to fulfil that agreement. Briefly, it provides that the proper authority or authorities for a place of worship that falls within the categories in section 1(2) can have it entered on a list kept by the Council for the Care of Churches, which is the central Church advisory body on, among other matters, the use, care and conservation of places of worship. They can also apply to have the buildings removed from the list if they wish.

While a place of worship is on the list, it will be within the faculty jurisdiction and, in most cases, within the provision for five-yearly inspection by a qualified architect or surveyor in the Inspection of Church Buildings Measure 1955. The list will be open for public inspection and copies will be made available to the Department for Culture, Media and Sport; English Heritage; the national amenity bodies; and the local planning authorities concerned.

The position of places of worship that fall within section 1(2) will be clear. They will be within the faculty jurisdiction or they will be subject to the normal listed building or conservation area controls or an alternative agreed with the Department for Culture, Media and Sport. As a result, the so-called gap in control, which has existed for many years in the legal arrangements for safeguarding such places of worship, will be filled.

Faculty jurisdiction will not be a soft option. The faculty system exercises careful control over changes to the buildings that it covers and it has been strengthened in recent years in close consultation with the Department and English Heritage. Aspects of it are being looked at again in the light of the recent report on ecclesiastical exemption produced for the Department.

We have consulted widely at each stage of the legislation with individual institutions and representative bodies as well as with the Department and English Heritage. A great deal of account has been taken of their comments and suggestions.

This modest Measure is urgently needed so that the Department for Culture, Media and Sport can make progress on revoking the temporary exemptions under the 1994 Order. It had the overwhelming support of the General Synod, it has the support of English Heritage and it has been declared expedient by the Ecclesiastical Committee of Parliament. I ask the House to approve the Measure and take a further step to protect some of the finest parts of the nation's built heritage.

8.41 pm

Sir Patrick Cormack (South Staffordshire): I shall be brief. I thank the hon. Member for Middlesbrough (Mr. Bell) for the way in which he has presented the Measure. As he says, it is modest, but important. There is scarcely a town or village in England where the church is not one of the most prominent buildings, and in many cases it is the most prominent and the building of greatest historical and architectural interest. One can trace the social history of our country through its parish churches. It is vital that they should be properly conserved and that there should be proper controls on internal and external alterations and additions. They must be subject to regular architectural inspection. I speak as a churchwarden who has some responsibility for a lovely old church. The Measure will help. I commend it to the House and thank the hon. Gentleman for the way in which he has introduced it. I hope that we shall give it a swift passage on to the statute books.

8.42 pm

Mr. John Maxton (Glasgow, Cathcart): I do not intend to vote against the Measure, although I was tempted to vote against the previous one when I came in for the end of that debate. It is absurd that, in the last six months of the 20th century, the House of Commons still devotes three hours to debating one Church. It never debates any other religion. Most other religions would rightly bitterly resent any interference by this House in the running of their affairs, yet the Church of England is still given time to debate its reforms, which have to be brought here for approval. That is totally wrong. It is the Church of England and this, as we are so often reminded by Conservative Members, is the Parliament of the United Kingdom, not just England.

Mr. Robert Key (Salisbury): It is always a pleasure to see a Scottish Member intervening in the affairs of England, even though he has his own Parliament now. If the hon. Gentleman had taken the trouble to read the Measure and attend the debate, he would understand that the purpose of the Ecclesiastical Committee is not to be the voice of the Church of England, but to ensure that Church of England legislation does not bear down oppressively on all the citizens of the United Kingdom, including his constituents.

Mr. Deputy Speaker (Mr. Michael J. Martin): I should like to say to the hon. Member for Glasgow, Cathcart (Mr. Maxton)—

Mr. Maxton: You are not going to let me go far down that road.

Mr. Deputy Speaker: It is not a question of going far down it. The hon. Gentleman cannot go down that road at all, because it is outwith the terms of the Measure. He can speak only about the Measure.

Mr. Maxton: To finish my point, the House should not be debating the issue. The Church of England should be disestablished.

The Measure adds more churches and religious buildings, including school chapels and others, to the list of those to be protected. Last week, the Select Committee on Culture, Media and Sport took evidence from English Heritage. It transpires that English Heritage spent £40 million on preserving churches, and that is only a small fraction of the state money that it receives. Although the Measure has no direct financial implications, does the

fact that extra buildings are being added to the list mean that, eventually, the Church of England will come back to the Department looking for more money?

Sir Patrick Cormack: The hon. Gentleman has not read the Measure or, if he has read it, he has not understood it. Buildings are not being added to the list; it is merely a question of whether they maintain the ecclesiastical exemption to which very high standards are applied, or whether they opt for the secular system, to put it very simply and crudely. It is not a matter of adding vast numbers of buildings to the list.

I am extremely surprised that the hon. Gentleman, who is normally exceptionally civilised and enjoys the cultured and sensible things of life, should be making such an iconoclastic speech.

Mr. Maxton: I am making an iconoclastic speech because I do not believe that taxpayers' money—whether it is lottery money or from anywhere else—should be spent in over-large amounts on one particular religion.

As I have said in the House, I am an atheist and anti-clerical and I do not believe that religion should play the large part that it does in the House or elsewhere. In my opinion, we spend far too much time and money on preserving something that I personally do not believe in. Will my hon. Friend the Member for Middlesbrough (Mr. Bell) say whether the Measure has any direct or indirect financial implications?

8.46 pm

Mr. Peter Brooke (Cities of London and Westminster): It would be wrong to say that I was provoked to speak by the hon. Member for Glasgow, Cathcart (Mr. Maxton); nor would it be appropriate to say that the working of the Holy Spirit has brought my hon. Friend the Member for Salisbury (Mr. Key) and myself to the Chamber on this occasion, but he will remember, as I do, that, when the Department for Culture, Media and Sport was set up, he and I inherited the issue of the ecclesiastical exemption.

I remember the order being delayed by my raising questions about exactly the bodies that are referred to in clause (1)(2) and I am indebted to the Second Church Estates Commissioner for having introduced the Measure when I was here for other purposes so that I am brought wholly up to date with the narrative. Although it was extremely interesting to hear the views of the hon. Member for Cathcart, they were not strictly germane to the Measure that we are discussing.

8.48 pm

Mr. Stuart Bell: I always appreciate the interventions of my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) which remind me of my last conversation with an atheist, who told me, "I am an atheist, thank God." I appreciate our various conversations on these important subjects and I am happy that he has intervened in the debate and put the record straight. Of course, the Measure places no financial obligations on the state.

Mr. Key: Although it is hardly germane to our debate, as the hon. Member for Glasgow, Cathcart (Mr. Maxton) has intervened, let me say for the record that the Earl of Cathcart was buried today at Middle Woodford church in my constituency.

Mr. Bell: These debates have the potential of developing very widely, and, as you are in the Chair, Mr. Deputy Speaker, we are allowed to enjoy a short diversion.

I can say sincerely that the Measure places no financial obligation on the state. As I said at the beginning of the debate, it does not compel anyone to take action unless they so wish. It is a matter entirely for the additional bodies. If they wish to participate, they can, and if they do not wish to participate, they are under no obligation to do so.

The entire process has been carried forward in partnership with the Department for Culture, Media and Sport and English Heritage. It allows those who so wish to have their place of worship placed within the categories that I described earlier and entered on a list kept by the Council for the Care of Churches, which is the central Church advisory body. That will assist those places of worship, if they so wish, to have proper use, care and conservation of their buildings. This is a positive but small Measure which will try to maintain the heritage that we all enjoy, in our own different ways, of our chapels, churches and places of worship.

Question put and agreed to.

Resolved,

That the Care of Places of Worship Measure, passed by the General Synod of the Church of England, be presented to Her Majesty for her Royal Assent in the form in which the said Measure was laid before Parliament.

The Speaker's Absence

Motion made, and Question proposed,

That the Speaker have leave of absence on Thursday 1st July to attend the opening of the Scottish Parliament.—[*Mrs. Beckett.*]

8.50 pm

Mr. John Maxton (Glasgow, Cathcart): I rise briefly to make this point. Of course, I have no intention of objecting to the Speaker attending the opening of the Scottish Parliament next Thursday. It is entirely appropriate that she should do so on what will be an historic occasion. However, I find it slightly odd that, again, at the end of the 20th century, the House should have to pass a motion to allow our Speaker to have one day's leave of absence to attend such an occasion.

The last time this happened was when Madam Speaker received an honorary degree from my old university, Oxford, and the House had to pass a motion to allow her to do so. I am asking my right hon. Friend the Leader of the House, who is the Chairman of the Modernisation Committee, whether she should take this minor custom of the House to the Committee and see whether we should abolish it, and allow the Deputy Speaker automatically to take the Chair whenever Madam Speaker has to leave to attend certain occasions.

8.51 pm

Sir Patrick Cormack (South Staffordshire): For the second time this evening, I find myself in total disagreement with the hon. Member for Glasgow, Cathcart (Mr. Maxton). I warmly endorse the motion. It is right and proper that Madam Speaker should accept this invitation, but it is right also that we should keep this convention within the House. There is a similar convention in the other place—the Lord Chancellor always has to seek leave of absence if he does something. It is right and proper that that should be the case, and I hope that the Speaker has a wonderful day.

Mr. Peter Brooke (Cities of London and Westminster): Will my hon. Friend take this opportunity to reveal to the hon. Member for Glasgow, Cathcart (Mr. Maxton) that we are not yet in the last six months of this century?

Sir Patrick Cormack: Yes. It is surprising that one so numerically literate is 18 months out, and I am most grateful to my right hon. Friend for pointing that out. The new century does not begin until 1 January 2001, and it is about time that people realised that.

Mr. Maxton: Do we take it, therefore, that we have another 18 months to ensure that the millennium dome works?

Sir Patrick Cormack: I will not be tempted down that road—even if I could walk there on water, as the hon. Gentleman doubtless could. I hope that the Speaker has a splendid day next Thursday, and I am delighted to support the motion.

8.53 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I am sure that we all hope that the Speaker has a splendid day. My hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) made his point with courtesy, and he was wise not to object to the Speaker being away. Hon. Members are wise to remember the courtesies open to the Speaker. I take my hon. Friend's point—as I do that of the hon. Member for South Staffordshire (Sir P. Cormack)—about the historic nature of this measure, and I accept my hon. Friend's reminder as to whether we should take the matter under advisement. On this occasion, the House would be well advised to pass the measure speedily.

Question put and agreed to

Air Guns (Safety)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

8.54 pm

Mr. Jeff Ennis (Barnsley, East and Mexborough): I am conscious of the fact that tonight's Adjournment debate is starting early, so I shall be happy to take interventions from either side of the House—although it looks as if we shall not hear from many Opposition Members.

I am grateful for the opportunity to debate on the Floor of the House the important issue of the safety of air guns. There is no doubt in my mind that the Government need to take seriously incidents involving air guns. After all, we now have probably the tightest hand gun legislation in the world—and rightly so—since the implementation of the Firearms (Amendment) Act 1997. The Government's actions in tightening up hand gun legislation were widely welcomed after the tragic events in Hungerford and Dunblane. The Government's actions have been more than vindicated by recent horrendous incidents on high school campuses in the United States.

I applied for this Adjournment debate because in recent months there have been two serious incidents involving the misuse of air guns in my constituency. The first, and by far the more serious, occurred in January in Grimethorpe. Adam Yoxall, a 10-year-old boy, was tragically hit in the eye by an air gun pellet while playing in a local wood. As a direct consequence, he has now lost the sight in his left eye, and surgeons have been unable to remove the pellet, for fear that, if they do, he risks losing the sight in his other eye. The problem is that the pellet is not lodged in Adam's eye but is floating around in the aqueous humour.

Adam has to attend Rotherham hospital every six weeks so that doctors can monitor whether any infection is present that might spread to his good eye. I can only imagine how distressed Adam's parents must feel about the situation. Since the incident, Adam has suffered from trauma attacks and receives professional counselling. I saw Adam's parents over the weekend, and they informed me that the incident has affected Adam's behavioural patterns and his educational progress. I am sure that the whole House will want to wish Adam and his family all the best for the future.

The second incident in my constituency happened in April, in Thurnscoe. A boy of 12 was left in agony after being shot in the back by a sniper. He was sitting on a bench when he was hit in the back by a pellet which penetrated his clothing and left him with a bright red and painful area on his back. He was taken to Mexborough Montagu hospital and allowed home after treatment. Police efforts to trace the sniper unfortunately failed to identify the culprit.

I am sorry to say that those occurrences are not isolated incidents. In 1996, the last year for which figures are available, 1,203 offences in which air weapons were used were recorded by the police.

Mr. Michael Clapham (Barnsley, West and Penistone): As I understand it, air rifles come in two calibres—the .177 and the .22. The .22 is the more powerful, and I am told that a .22 air rifle can penetrate a metal sheet. Does my hon. Friend agree that the manufacturers of air rifles could technically reduce the power of those weapons that are not used on ranges? Does he think that that measure would provide some safety for the public?

Mr. Ennis: My hon. Friend makes a valid point and I appreciate his knowledge on the subject. I am not an expert on air rifles, but I understand that, on certain weapons, the power of the mechanism can be adjusted. If people are stopped by the police when they are in possession of such weapons, they turn the power of the weapon down so that it conforms to the air gun legislation. As I said, I am not an expert, but I have heard of weapons with that feature and am obviously worried about them, too.

I noted earlier that the general trend is that the number of air gun incidents is falling, and I said that there were 1,203 such incidents in 1996. In contrast, there were 1,718 recorded offences in 1992, but even one recorded air gun incident a year is one too many, and we should not be complacent.

Dr. Nick Palmer (Broxtowe): Does my hon. Friend agree that there is also an animal welfare element to this problem? The Cats Protection League has estimated that 10,000 cats a year are shot with air guns, and that is a source of considerable anguish to pet owners.

Mr. Ennis: I am grateful to my hon. Friend. I do not want to embarrass him, but I intend to quote from the ten-minute Bill that he introduced last year on that very point. With my hon. Friend's permission, I shall respond to that issue later in my speech.

Air gun weapons are by no means a new scourge on society. About 20 years ago, I was a victim of an air gun incident. At the time, I was a teacher in the Hillsborough area of Sheffield. One beautiful summer's evening, I was driving up a steep hill towards the village in which I lived. The car slowed as it crested the hill, which was about a mile from my house. I had the window down, and suddenly felt a sharp pain in my chest. I wondered whether I was having a heart attack or an angina attack. I immediately stopped the car, and noticed a pellet in my lap. When I turned around, I saw a couple of youths running away across the fields with an air rifle.

Clearly, that could have been a very serious incident. If the pellet had hit me in the face I could have lost control of the car and skidded off the road, perhaps hitting a pedestrian or colliding with another vehicle. In many respects, I was fortunate. I raise my experience of being the victim of such an attack because I did not report it to the police at the time; I am sure that the figures that I cited represent only a fraction of the real number of offences committed each year.

What can the Government do to reduce the number of air gun incidents and the consequent distress caused to victims and their families? I looked at the current legislation, and, on paper, the controls appear quite tight, especially given that 4 million air guns are estimated to be in use in this country.

In January 1998, a ten-minute Bill, the Acquisition and Possession of Air Weapons (Restriction) Bill, was sponsored by my hon. Friend the Member for Broxtowe (Dr. Palmer), who I am glad to see in his place this evening. That Bill attempted to raise the minimum age for

[Mr. Ennis]

possessing an air weapon from 14 to 17, and to address the enormous problem that domestic animals and wild birds are often the target of air gun offenders. It also recognised that a huge amount of human suffering is caused by those offenders.

My hon. Friend the Member for Broxtowe pointed out that, every year, large numbers of cats, dogs, horses and wild birds—including swans—are the victims of air gun attacks. He said that, every year, 10,000 cats are either maimed or killed by air guns. That is equivalent to about 30 cats per day.

I am not convinced that such a measure would reduce the problem significantly, however. Many of the incidents that occur involve children even younger than 14. I believe that there is a genuine need for better enforcement and better education. Better enforcement of current legislation by the police would certainly have an impact on the level of abuse and misuse of air weapons.

The practical problem of better enforcement is that many incidents involve very young children. In some cases, they are as young as eight or nine and the incidents in which they are involved are, in many cases, their first offences. Initial punishment tends to be only a caution or a warning. Yet the incident may be serious, and many people feel that the punishment does not fit the crime.

Better education is essential if parents and children are to realise that air guns are not toys, but potentially lethal weapons which should be treated as such.

Dr. Palmer: Does my hon. Friend welcome the initiative taken by the British Association for Shooting and Conservation, which has persuaded some British manufacturers to include leaflets in air gun packaging? The problem is with imported air guns.

Mr. Ennis: I thank my hon. Friend for that valid point. The initiative is a step in the right direction and it is good that British manufacturers are leading the way.

I was speaking of education. In the short term at least, the Home Office should consider funding a video for junior and secondary schools to highlight safety and the proper use of air guns as well as the legal consequences of flouting the law. The Home Office should also consider producing a leaflet outlining the facts that children could take home to their parents. Many air gun incidents are a direct consequence of lack of parental responsibility.

In February, the Earl of Mar and Kellie asked in the other place whether the Government had any plans to legislate for inclusion of air guns in the firearms licensing scheme. In response, Lord Williams of Mostyn stated:

"The Government have no plans at present to introduce legislation to require the certification of low-powered air guns. There are already laws in place to control the use and possession of these guns and we shall keep under close scrutiny the way in which they are used. In particular, we have asked the Firearms Consultative Committee to consider existing controls as part of their 1999 work programme."—[*Official Report, House of Lords*, 25 February 1999; Vol. 597, c. 142.]

Has the FCC carried out that review, or will it be programmed for consideration later in the year? Even with the review, it would be right to discuss this extremely important public safety issue in greater detail in the Select Committee on Home Affairs, which could draw positive conclusions on an emotive subject.

As long as tragic incidents such as the one that befell Adam Yoxall are taking place, the Government cannot afford to be complacent about the safety of air guns. We need to educate youngsters and their parents about the dangers. We must repeat that air guns are not toys, but potentially lethal weapons. With the co-operation of local police forces, we must ensure effective enforcement of control of air weapons.

9.9 pm

The Minister of State, Home Office (Mr. Paul Boateng): The House owes my hon. Friend the Member for Barnsley, East and Mexborough (Mr. Ennis) a debt of gratitude for enabling us to consider the safety of air guns. All hon. Members would join me in expressing our deepest sympathy for young Adam and his family following the serious injury that he has sustained. Sometimes, those outside the House do not realise the importance that we, as Members, attach to Adjournment debates as a means of raising constituency issues that have a real resonance in our own local areas, but which, in turn, also strike a chord much more widely than in the areas that we represent as individuals.

The seriousness with which the House treats such concerns is shown by the fact that my hon. Friend is accompanied this evening by no fewer than four other Labour Members. That is an indication of the way in which this particular case has struck a chord with other hon. Members, who have knowledge of, and a constituency interest in, the matter that he raises. He told us of Adam Yoxall, a 10-year-old, who, while playing with a group of friends, was seriously injured by an air gun that one of the children had taken from home without permission. The gun was handled by another child; it went off and the pellet hit young Adam in the eye at fairly close range. That caused severe damage, as my hon. Friend described. As a result of one moment's loss of control, a life will be severely affected for its duration.

The South Yorkshire police described that incident as a terrible accident. It was truly terrible. We need to reflect on the circumstances in which it occurred, and, this evening, we have been given the opportunity to do so. That incident points to the importance of ensuring that air guns are kept securely, and are never kept in a place in which they might be accessible to young children. Adults need to learn that lesson, and we need to ensure that it is learned so that children do not have access to air guns. As my hon. Friend says, air guns should not be seen as being an extension of the pop gun, or as some sort of toy; they are extremely dangerous implements.

My hon. Friend mentioned a second incident, which appears to have been a deliberate act to inflict harm on a young boy. That introduces an altogether different element into the equation—one that the whole House will want to deplore, because, again, it has resonance for us all. I must point out to my hon. Friend that, glad as I am to respond to the debate, he has caused me some agitation. In order to fulfil my duties and responsibilities to the House, I had to leave a packed church in my constituency, where at least 300 people had gathered to meet local police, and council and community leaders, to express their concern about a spate of shootings in my constituency. Those shootings led to loss of life and have obviously been a cause of considerable concern, so I very much feel for him in the concerns that he expresses to the House this evening.

When such events occur in one's constituency, one's first and most important instinct is to ensure that the House knows about them. That is very important and should not be underestimated. Secondly, one wants to ensure that something is done as a response. I hope that I do not trespass on your indulgence, Mr. Deputy Speaker, by pointing out that that is why we place such value on our links with our constituents. That is why it is always important that they know that they have someone who, on occasions such as this, can raise a particular constituency interest.

Our main concern must be to reduce the sort of dreadful incident about which we have heard tonight. One such incident must be regarded as one too many. That is why the main thrust of the legislation governing air guns—and indeed the legislation governing all firearms—is aimed at protecting public safety. For the purpose of firearms legislation, an air gun is a weapon with a barrel through which a missile is discharged by the use of compressed air or carbon dioxide.

However, it must be borne in mind that not all air guns can be classed as firearms. Section 57 of the Firearms Act 1968 defines a firearm as

"a lethal barrelled weapon capable of the discharge of any shot, bullet or other missile."

Thus, in order to be classified as a firearm, an object must be a weapon; it must have a barrel through which some kind of missile is fired, and the effect of the missile at the target must be lethal. Lethality is defined in law as:

"capable of inflicting a more than trivial injury".

A trivial injury is one that involves only superficial damage, such as bruising. Put plainly, if the pellet from a particular gun is capable of penetrating the skin, that gun is classed as a firearm.

Firearms experts at the Forensic Science Service advise that the lowest-power level at which a penetrating injury can occur is at a muzzle energy of about 1 joule, which equates to roughly 0.75 ft lb. Some air guns—those of the type generally referred to as airsoft guns; as my hon. Friend said, that title is something of a misnomer—have muzzle energies of about 0.5 ft lb, which is well below that level. As a result, they do not fit the definition of a firearm and do not come under the control of the Firearms Act. The Forensic Science Service believes that, at those very low power levels, such guns are incapable of penetrating even vulnerable parts of the body, such as the eye—although a direct hit from very close range would cause bruising.

A step up from airsoft guns are low-powered air guns. They are pistols with a muzzle energy below 6 ft lb but greater than 0.75 ft lb and rifles with muzzle energies between 0.75 ft lb and 12 ft lb. Hon. Members can see that there is considerable variation in those specifications. Such guns do not have to be kept on a police-issued firearms certificate, but, because they are capable of inflicting a penetrating wound, are none the less classed as firearms.

High-powered air guns of the type often used for hunting small game or in the control of vermin must be kept on a firearms certificate in the same way as any other firearms that come under the control of section 1 of the Firearms Act. That brings high-powered air guns into the same category as high-powered deer-stalking rifles, for example.

Even though there is no need to apply for a firearms certificate in order to buy and keep one, low-powered air guns are clearly firearms and, as such, fall within the scope of the Firearms Act. A wide range of offences relates to firearms, but the ones with most relevance to air guns concern age limits, the carrying and discharging of guns and the carrying of air guns in relation to other crimes. For example, it is an offence—this has an important bearing on the points made by my hon. Friend—to give an air gun to anyone under the age of 14 or to sell an air gun to anyone under 17. Having a loaded air gun in a public place is an offence, as is firing one within 50 ft of a public road. Trespassing with an air gun, be it in a building or on open land, is also an offence.

I must say something about the offence of selling to anyone under the age of 17 an air gun of the type that I have described. It may seem incredible to those who attend, listen to or read about our proceedings that it is necessary to point out that that is an offence. However, I am afraid that some utterly unscrupulous merchants take every opportunity to sell such air guns—and their associated paraphernalia—to suggestible and susceptible young people.

A number of Members of the House will have had run-ins with such dealers, not least in relation to proper concerns that have been raised, particularly by Labour Members, about certain sorts of knife which are all too readily available. They are sold to members of the public and to susceptible and impressionable young people in particular. It is right to point out the nature of the offence of selling such air guns to anyone under 17.

At the top end of the scale, possessing an air gun with the intent to commit a crime is a serious offence, as is possessing an air gun with the intent of endangering life or property. There are a range of penalties for those various offences, from heavy fines for the lesser ones, such as those relating to age limits, to life imprisonment for going armed to commit a crime or carrying an air gun with the intent to use it to murder. The punishment imposed in any individual case will naturally depend on the gravity of the offence committed.

It is also an offence to possess a high-powered air weapon without a firearms certificate issued by the police. Before issuing a certificate, the police need to be satisfied on a number of points. They need to be sure that the applicant is a fit and proper person to be entrusted with a firearm, that the gun will be kept securely when not in use and that the applicant has a good reason for possessing a gun in the first place.

Target shooting, which is a recognised discipline, is usually taken as a good reason, but I understand that the most usual reason for people to buy a high-powered air gun is to hunt small game or vermin. That ought not to include cats. My hon. Friend the Member for Broxtowe (Dr. Palmer), to whom my hon. Friend the Member for Barnsley, East and Mexborough referred, has expressed concern about the misuse of air guns of varying power for that purpose.

Using air guns in such a way inflicts an extremely unpleasant form of cruelty on animals.

Mr. Clapham: My hon. Friend will be aware that air guns are used to kill wild birds. Does he believe that

[Mr. Clapham]

increasing the fine for anyone caught killing wild birds would be a deterrent? Has he considered introducing such an increase?

Mr. Boateng: The use of air guns against wild birds, particularly protected species, is a serious act. It may also be an offence. It is to be hoped that those in the courts who are responsible for sentencing are aware of the gravity of such environmental offences, in respect of both the use of the air gun and the protection of the environment, which protected status is designed to ensure. We must keep the issue of sentencing and the environment under close review.

Mr. Bill O'Brien (Normanton): Can my hon. Friend say when the weapons used in the offences referred to by my hon. Friend the Member for Barnsley, East and Mexborough (Mr. Ennis) will be confiscated? There must be some mechanism for confiscating them from those individuals? Does anything in the law say that that can happen?

While I am on my feet, may I say that we appreciate the fact that my hon. Friend has had to leave his constituency, where many people want his presence, to respond to this debate?

Mr. Boateng: I thank my hon. Friend and other colleagues for the expression of that sentiment. It is much appreciated.

Yes, the courts have general powers of forfeiture in relation to the commissioning of firearms offences. It is important that forfeiture, or more accurately, confiscation, is available to the courts. That power is often used on the recommendation of the police, which is the most usual way of bringing about confiscation, but the courts will want to consider what, if any, powers they have to act on their own volition. It is a deterrent and a form of protection that has much to commend it.

May I say a few words—my hon. Friend the Member for Barnsley, East and Mexborough was good enough in his speech to refer to it—about the statistical trends that are revealed in relation to air guns and their misuse? It must be made clear from the outset that every incident involving air gun misuse is unacceptable, particularly those that cause injury to children. Obviously, it is important to see the issue in perspective, and my hon. Friend has done that in the fair way in which he presented his arguments.

Over the years, there has been a slight increase in the overall number of air gun-related incidents. Nevertheless, as my hon. Friend said, the figures show that control is having an effect on the number of incidents in which people are injured. From 1987 to 1997, the most recent period for which figures are available, the incidence of injury caused by air gun misuse has shown a steady year-on-year decline. In 1997, there was a significant reduction in the number of injuries from air gun misuse in comparison with those recorded in 1987—from 1,782 to 1,194. In addition, only 125 of the incidents in 1997—less than 11 per cent. in total—consisted of an injury more serious than superficial bruising. It must be said, however, that that is more by chance than by design, because how does one know when one has discharged an air gun? The consequences may be much more serious. Nevertheless, that is what the statistics reveal.

As for fatalities, mercifully there was only one between 1993 and 1997. Prior to that, there was an average of one fatality a year, with a maximum of three in any one year. However, even one a year is too many. That represents one family without a loved one, and the idea that there should be three in a single year is absolutely horrific.

There is no room for complacency. Our aim must always be to reduce the number of injuries by air guns to none. The figures are encouraging in so far as they go, compared with the dreadful toll taken on our roads every year by the irresponsible misuse of that most widely owned possession, the motor car.

As for the legitimate use of air guns, the vast majority of air gun users are simply target shooters who pursue their chosen sport in a thoroughly responsible and disciplined manner. They would be horrified at the thought of doing anything with an air gun that might put themselves or their fellow citizens at risk. The sport of target shooting is a recognised Olympic event. Indeed, traditionally our British competitors excelled at it and achieved great success for this country. Many shooting clubs have air gun ranges at which young people, as well as more mature and novice shooters, are taught to use air guns safely and responsibly under proper tuition and supervision.

Air guns are also frequently used by clubs to introduce new members to firearms and to demonstrate their safe handling before such probationers are allowed to handle the more powerful conventional firearms in a club's main range. That means that new shooters have experience of handling safer weapons before being allowed to come into contact with much more powerful cartridge-firing guns.

Despite that responsible use of air guns, however, and despite the requirements of the law, a minority of young people still have or gain access to air guns, and choose to use them irresponsibly and sometimes dangerously. The Government view the misuse of air guns and the flouting of the law by youngsters as a cause for serious concern. That is why—this is entirely separate from the firearms legislation—we have introduced measures to deal more effectively with young people who break the law in any way.

My hon. Friend the Member for Barnsley, East and Mexborough, and other hon. Friends who are present, have expressed their strong support for the Crime and Disorder Act 1998, which introduced a range of measures to reform the youth justice system. There is the final warning triggering intervention by local agencies to nip offending in the bud, the halving of the time currently taken to process young offenders from arrest to sentence, and the child protection order, which can be used when it proves necessary to ensure that young children are kept of the streets and out of trouble late at night. Much of the trouble that can be caused by the misuse of air guns occurs when children are out and about unsupervised, sometimes late at night.

One of the most important aspects of the Crime and Disorder Act is the ability that it gives to courts to refer first-time offenders elsewhere. We are taking that further in the Youth Justice and Criminal Evidence Bill, which is currently in Committee. First-time offenders who own up

to their offences will be given the opportunity to be dealt with outside the criminal justice system, and to face up to their responsibilities and their offending through the good offices of a youth offender panel.

That is an important move. It brings together social services departments, health departments, education departments, the police and probation services, which will examine the nature of the offence involved and consider how education and instruction might help to prevent reoffending. My hon. Friend the Member for Barnsley, East and Mexborough put his finger on it when he referred to that. Under the Youth Justice and Criminal Evidence Bill, a person who had misused an air gun in the way described by my hon. Friend, and had caused injuries such as those described by him, could be required to engage in a series of activities—for between three and 12 months—designed to demonstrate the consequences of such action in a local accident and emergency department. Such a person could be required to take lessons from an appropriately authorised person in order to learn how air guns should be handled, and to be made aware of the consequences of the mishandling of air guns.

The Crime and Disorder Act already gives courts the power to make a reparation order requiring such young people to make specific reparation, either to the victim of the crime or to the community that has been harmed. Indeed, the Youth Justice Board for England and Wales—which was established to develop work programmes and conduct research into how best to prevent offending by young people—is considering ways of ensuring, through the £85 million development fund, that services are stimulated locally to make proposals aimed at preventing offending by young people. I shall draw this debate to the attention of the board, so that it might consider its implications for its work on offending involving air guns and firearms generally.

My hon. Friend the Member for Barnsley, East and Mexborough made a good point on the use of videos. We have to be innovative and prepared to use newer technologies in ways that attract and retain young people's interest and involvement, and video is just such a medium.

Mr. Ennis: I thank the Minister for his reply so far—he has said many encouraging things. However, I asked specifically about the question asked in another place by the Earl of Mar and Kellie, and answered by Lord Williams of Mostyn, about whether the Firearms Consultative Committee could examine the air guns issue as part of its 1999 workload. Will the Minister briefly say something on that point?

Mr. Boateng: Call me old-fashioned, but, in debates, it is always my practice—as the silent one, the Government Whip, my hon. Friend the Member for Streatham (Mr. Hill) will testify—to leave the best for last. That is what I have done today.

The measures that I have outlined today, with current firearms legislation, will be aimed at reducing still further the incidence of injury caused by misuse of air guns. However, as I said, there is no room for complacency. It is important that the firearms legislation that I have mentioned should be kept under close scrutiny, to determine whether anything further must be done to protect public safety.

I have therefore determined to ask the Firearms Consultative Committee, the independent statutory body which advises the Government on firearms matters, to consider again controls on air guns in its programme of work for this year. I look forward to receiving the committee's report later in the year, and to consider any recommendations that it may make to improve air gun safety. I shall be particularly interested in any recommendations that it makes on education and enforcement, which, as my hon. Friend the Member for Barnsley, East and Mexborough said, are key elements.

I am particularly grateful to my hon. Friend for initiating this debate, and to my other hon. Friends who have taken the trouble to attend it. I should very much welcome an opportunity to meet them when I have the Firearms Consultative Committee's report in order that we can discuss the recommendations and findings that it makes.

On that note, I thank my hon. Friend again for initiating this debate. To go back to the very beginning of this evening's proceedings, let us remember young Adam and his family. That incident is what kicked the debate off. A constituency Member's determination to raise in an Adjournment debate a case of significance with widespread ramifications led us to be gathered here tonight and it is right that, as we close the debate, we should think of Adam Yoxall and his family and wish him a speedy and full recovery.

Question put and agreed to.

Adjourned accordingly at twenty minutes to Ten o'clock.

House of Commons

Thursday 24 June 1999

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Economic and Monetary Union

1. **Mr. Nick St. Aubyn** (Guildford): What discussions he has had with the Governor of the Bank of England on the employment consequences of EMU; and if he will make a statement. [87056]

The Chancellor of the Exchequer (Mr. Gordon Brown): The Governor and I talk regularly about economic issues. As a result of the Government's October 1997 statement on their position on EMU, the Governor and I also sit on the standing committee on euro preparations. There is also a parliamentary committee on EMU preparations, which all parties have been asked to join. Our decisions on EMU will be made in the national economic interest.

Mr. St. Aubyn: In February, the Prime Minister told us to prepare to join the euro. This week the right hon. Gentleman told us that the economic conditions are not right; the Secretary of State for Trade and Industry told us that the economic conditions are not right; and the Governor of the Bank of England, in published evidence, told us that the conditions may never be right. Why should British business have to spend billions of pounds preparing for the euro when the Prime Minister is not prepared even to promote it?

Mr. Brown: It is British business that is saying that the decision on EMU should be made in the national economic interest. It is the Conservative party that is saying that, such is its ideological objection to EMU, that, even if the national economic interest suggested joining, it would not join. If the hon. Gentleman would care to look at the views that have been expressed by business men within and outside the CBI, he will see that they make it absolutely clear that they have no support for the Conservative position on EMU.

As for who is best at advancing the national economic interest, perhaps the hon. Gentleman will look back on the letter that he wrote to *The Daily Telegraph* on Tuesday in which he made clear his views on EMU, but also, interestingly, commented on the economy. Did he say that there was a recession, or that there was stagnation? No. His words were words of congratulation. He talked about this year's "resurgence of the economy." At every Question Time between now and the general election, we shall remind him of his congratulations to the Government.

Mr. Bill Rammell (Harlow): Independent economic estimates have suggested that a successful single currency could add 0.5 per cent. to Britain's GNP, significantly boosting employment prospects. If that is the case, and if the criteria for entry are met, does the Chancellor agree that it is essential that that issue is put to the people in a referendum, and that it would be wholly wrong, simply in the interests of one political party, to refuse to put that question to the people for an arbitrary period of 10 years?

Mr. Brown: I am grateful to my hon. Friend, who points out a fundamental flaw in the Opposition's policy. Some Opposition Members say that they would not join a single currency for 10 years; others say—I think that the shadow Chancellor is one of them—that they would never join. I welcome two new Members to the Opposition Front Bench. One, I understand, is totally against the single currency; the other is totally for the single currency.

Mr. Kenneth Clarke (Rushcliffe): Does the Chancellor agree with the Monetary Policy Committee of the Bank of England that the excessive strength of sterling against the euro is now causing a risk of deflation and of our falling far too far below the inflation target, and that it may need to be corrected? Does he further agree that the lasting misalignment of sterling with the euro and the currencies that preceded it is now giving us the worst trade deficit with our European markets that we have had for eight years, causing great damage to our manufacturing and exporting industries? Will the right hon. Gentleman encourage the MPC to continue to incline towards reducing interest rates in order to bring floating sterling back to a more sensible relationship with the euro?

Mr. Brown: I am grateful that the economic debate on the Conservative Benches is being entered into on the matter of economics, not simply politics. I welcome the former Chancellor to our proceedings, although he will again be surprised to see the strength with which Conservative Front-Bench spokesmen are against the position that he holds on EMU. I hope that he, too, will come to the view that it is a good thing that we made the Bank of England independent, and I hope that he will try to persuade his colleagues that the Conservative Front-Bench position of being completely against the independence of the Bank of England threatens a return to stop-go in the economy. The strength with which the Conservatives have opposed the independence of the Bank of England makes it almost impossible for them, with any integrity, to change their position between now and the general election. With regard to the exchange rate, as the former Chancellor will know, 80 per cent. of the rise in the exchange rate took place under him.

Mr. Geraint Davies (Croydon, Central): Given the resurgence of our economy about which we have already heard—and, therefore, the strength of sterling versus the euro—will my right hon. Friend support Chancellor

Gerhard Schröder in his changes in tax and expenditure to make the German economy more competitive in order to encourage exports into Germany and to boost the strength of the euro, so that, alongside the resurgence in demand from the far east and more trade to the United States, we see balanced growth across Europe?

Mr. Brown: I am grateful to my hon. Friend for pointing out the importance of the rest of Europe: 50 per cent. of our trade is with the rest of Europe, and 3 million jobs depend on it. A Conservative party that would threaten to detach us from Europe would put at risk British industry, British manufacturing and British jobs.

On the agenda for reform in Europe, my hon. Friend will know well that it is the British Government who are pushing not just for the reform of labour markets and employment policy, with our employment action plans, but for the reform of capital markets and product markets to make the single market work more effectively for British business and British jobs.

Mr. Malcolm Bruce (Gordon): Does the Chancellor accept that there is a real threat to British jobs from the current high exchange rate, high real interest rates and uncertainty over the Government's intention on the single currency, borne out by the comments of the Prime Minister and the Secretary of State for Trade and Industry—made, interestingly enough, abroad rather than in this country? Is it not time that the Government, led by the Prime Minister, made a clear declaration of intent to join the single currency and set out a timetable of measures to achieve convergence and to secure the winning of a referendum?

Mr. Brown: There are two positions in this debate that we do not support—the first is to rule out joining the single currency whether it is in the national economic interest or not, and the other is to join the single currency now, even when it is clear that, at this stage, the convergence tests have not been met. I know that the hon. Gentleman is one of the six candidates for the leadership of the Liberal Democrats, but he does not need to make outrageous statements to put forward his case.

Mr. Barry Sheerman (Huddersfield): Is my right hon. Friend aware that the Committee on euro preparations—which my right hon. Friend established under my chairmanship—met this morning, and that, yet again, we had an empty chair not filled by any member from the Conservative party? If the Conservatives are serious about scrutiny—as is suggested by the original question from the hon. Member for Guildford (Mr. St. Aubyn)—would it not be a good idea for them to become members of that committee, so that they could help us to scrutinise properly?

Mr. Brown: I am grateful to my hon. Friend, whose chairmanship of the committee is much valued, and I am grateful that all other parties have joined the committee. I suspect that the reason why the Conservative party cannot join the Committee is that it cannot decide whether to put on it the Front-Bench spokesman who supports the single currency or the Front-Bench spokesman who opposes the single currency.

Mr. Francis Maude (Horsham): In the light of the confusion that is being sown deliberately, will the Chancellor today confirm that the Government's policy remains the same, and that the Government are, in his own words,

"committed in principle to economic and monetary union"?

Does he agree with the Chancellor of the Duchy of Lancaster, who said that it would be "extraordinary" if a Labour Government were not to hold a referendum on this issue with a view to scrapping the pound soon after the next election?

Mr. Brown: The confusion is on the Conservative Front Bench, where there is someone supporting the single currency and someone opposing it. *[Interruption.]* Conservative Members are getting very upset about this. The hon. Member for Grantham and Stamford (Mr. Davies), one of those trying to make sedentary interventions, says about the policy of opting out of joining a single currency:

"It would be completely crazy and contrary to the national interest to throw away our option to join the single currency."

Not only is the Conservative party divided between the Back Benches and the Front Benches, it is divided within the Treasury team. The Government's position is the October 1997 statement—that is what we are pursuing.

Mr. Maude: I am grateful to the Chancellor for highlighting the sense of our policy. The Government have continued to refuse to abandon the national changeover plan, despite nobody having voted for it. It is a bit like starting to build a house without applying for planning permission. Given that the Chancellor is committing hundreds of millions of pounds of taxpayers' money—and that he is asking businesses to commit hundreds of millions of pounds of their money—to a decision that even the Prime Minister admits hardly anyone supports, will the Chancellor be on the platform on 9 July with the other leaders of the scrap the pound campaign at its 15th relaunch? Or is he, like the Prime Minister, so gutless that he expects others to do his dirty work for him? Why can he not summon up the courage to stand up for what he believes in?

Mr. Brown: First, there is no organisation called "the scrap the pound campaign". Secondly, the position on the single currency is unchanged. As for trying to push through the national changeover plan, and costs within it, without parliamentary discussion, it was discussed last week in the Committee considering the Finance Bill and it will be discussed on the Floor of the House. Any expenditures will be with parliamentary approval, so the right hon. Gentleman had that completely wrong.

I suggest that the right hon. Gentleman goes back to the drawing board, and has a meeting of his Treasury team, He should ask the hon. Member for Grantham and Stamford whether he still agrees with this statement:

"Taking irrevocable decisions before you have to and before the essential facts are available is bizarre and indefensible."

Tory Front Benchers believe not only that their policy is

"crazy and contrary to the national interest"

but that it is "bizarre and indefensible". I hope that they will do some preparations before the next Treasury Question Time.

Mr. Derek Twigg (Halton): Is it not important to listen to the views of business on employment? ICI, which employs more than 4,000 people in my constituency, has clear views on the euro and the single currency.

Speaking of the bizarre, the hon. Member for Guildford (Mr. St. Aubyn) suggested in the Finance Bill Committee that there was a similar argument for retaining the euro option as for retaining the nuclear deterrent. Is that not bizarre?

Mr. Brown: As I understand it, the hon. Member for Guildford (Mr. St. Aubyn) said:

"Even if we change the Maastricht treaty and disengage in the next Parliament, it will be possible for a Government in 50 or 100 years to renegotiate."—[*Official Report, Standing Committee B*, 17 June 1999; c. 674.]

The Conservatives' position is becoming more difficult to understand by the minute. I take it that their extremism is now such that they would not join a single currency even if it were in the national economic interest; they would oppose making preparations, as my hon. Friend the Member for Huddersfield (Mr. Sheerman) said, even though the CBI, the British Bankers' Association and British Chambers of Commerce are all sitting on our preparations committee, along with every political party other than the Conservative party; they would opt out of European legislation; and they would renegotiate the treaties of membership. That is a manifesto not for leaving Europe or the euro but for leaving their senses.

Tax Revenues

2. **Mr. Michael Fabricant** (Lichfield): What estimate he has made of the change in tax revenues in 1999–2000 as a result of the Budgets since July 1997. [87057]

The Chief Secretary to the Treasury (Mr. Alan Milburn): Costings of the measures in the July 1997, March 1998 and March 1999 Budgets can be found in tables 2.2, 1.5 and 1.3 respectively of the appropriate "Financial Statement and Budget Report".

Mr. Fabricant: I am not sure that I will thank the Minister for that answer. Do the tables agree with an impeccable source which says that the increase in taxes this year as a result of the Budgets has been £7.1 billion; that it will be £10.5 billion next year; £9.3 billion the year after; and £40.7 billion over the lifetime of this Parliament? If the right hon. Gentleman disagrees with that, is he aware that he is disagreeing with the economics and statistics section of the House of Commons Library?

Mr. Milburn: The hon. Gentleman is wrong about that, just as he is wrong about most things. If he wants to trade facts, let me tell him that, this year, the tax burden is lower than it was last year; and that, next year and the year after, it will also be lower than it was last year. Another fact is that, if the Conservative party had remained in power, in accordance with the Budget that the right hon. and learned Member for Rushcliffe (Mr. Clarke) set in 1996, in each of those years, the tax burden would have been higher.

The Conservatives have not learned any of the lessons of the general election, when they lost the trust of the British people on tax. Even now, they are planning to increase the taxes of the poorest families in the land. If they had their way and abolished the working families tax credit, 1.5 million of the poorest families would face an extra £24 a week on their tax bills. What clearer contrast could there be between today's Conservative party, committed to penalising the poorest families, and today's Labour Government, committed to helping them?

Mr. Christopher Leslie (Shipley): Is my right hon. Friend aware of the effect that Conservative amendments to the Finance Bill would have on Government revenues? The cumulative total of what they have proposed so far is more than the extra £40 billion that the Government have allocated for schools and hospitals. Is it not irresponsible for the Conservatives to say that they would match our commitment of £40 billion for schools and hospitals yet to fail completely to say where the money is to come from?

Mr. Milburn: I am grateful to my hon. Friend for that information. He keeps a wary eye on the pledges that the Conservatives make. They think that they can get away with it in the Finance Bill Committee, but they cannot. My hon. Friend is absolutely right: the Conservatives' figures do not add up. The shadow Chancellor says that he wants to match our record increases for health and education but fails to will the means to do so. The amendments that the Conservatives have tabled in the Finance Bill Committee would mean £40 billion less for health and education. Now it is clear: the dividing line is between the Conservative party, committed to £40 billion less for hospitals and schools, and the Labour party, committed to £40 billion more.

Mr. Oliver Letwin (West Dorset): As the Chief Secretary was so notably unwilling to answer the question from my hon. Friend the Member for Lichfield (Mr. Fabricant), and for the information of those of us who are new to the Front Bench, will he relieve a genuine perplexity on our part about the Labour Government in the light of the Prime Minister's self-proclaimed 100 per cent. rock-solid attachment to new Labour? What is new about a Labour Government raising taxes? Does the novelty perhaps consist in the fact that, instead of announcing it, they pretend that it is not happening?

Mr. Milburn: I welcome the hon. Gentleman to the Front Bench; I suspect that we will have some fun with the new Conservative Front Benchers. Everybody in the country, apart, apparently, from them, knows that taxes are falling. We have introduced the new 10p starting rate; cuts in the basic rate of income tax; cuts in national insurance contributions which even now are benefiting 20 million people; and increases in family income through the working families tax credit and the minimum wage. Those measures were all opposed by the Conservative party.

Mr. Denis MacShane (Rotherham): Is not one of the major problems of tax revenue caused by those gentlemen who so arrange their affairs as to avoid paying taxes due in this country? Will my right hon. Friend agree to commission the Inland Revenue to investigate Mr. Michael Ashcroft's tax arrangements? It cannot be right that a man who funds the Conservative party so arranges his affairs as to avoid paying tax and then uses the money that he saves to pay for the isolationist policies of the new anti-European Tories. It is wrong that the party of artful dodgers is paid for by a tax dodger.

Mr. Milburn: It would be wrong to comment on the tax affairs of any individual British citizen, but I suspect

that my hon. Friend's question is more tailored to Conservative Front Benchers, so perhaps they would be prepared to answer it. The one form of monopoly that they appear to support is the monopoly provision for the financing of the Conservative party.

Road Fuel Duty

3. **Mr. Christopher Chope** (Christchurch): What was the level of road fuel duty per litre of diesel in 1998–99 in *(a)* the United Kingdom, *(b)* Ireland and *(c)* other countries of continental Europe. [87058]

The Economic Secretary to the Treasury (Ms Patricia Hewitt): The rate of duty on ultra-low-sulphur diesel in this country is 47.21p per litre, and on standard diesel the rate is 50.21p per litre. In other countries of continental Europe, the rates range from about 18p per litre in Luxembourg and Greece to 28p per litre in Italy. In the Republic of Ireland, the rate is 23.47p per litre.

Mr. Chope: I am grateful to the hon. Lady for that factual reply. What message does she draw from those facts? Surely the message is that our road haulage industry and all those who use diesel are being priced out of business by the uncompetitive tax burden imposed on them by the Government. What message does she have for people such as Mr. and Mrs. Martin, who run Dorset Heavy Haulage and have written to me to say that they are threatened with being put out of business by the Government's tax policy on diesel? Will she accept that one of the verdicts to be drawn from the recent European elections, in which five times as many people voted Conservative in my constituency as voted Labour, is that the Government have got their policy on the taxation of diesel totally wrong?

Ms Hewitt: My message to the hon. Gentleman is that, in the Budget, we froze the rates of vehicle excise duty for most lorries; we doubled the reduction in VED for the cleaner lorries; and we cut the duty on ultra-low-sulphur diesel relative to ordinary diesel so that that differential is now the widest in the European Union, with the beneficial result that very soon all diesel bought in this country will be cleaner diesel. I remind the hon. Gentleman that it was the Conservative Government who introduced the road fuel duty escalator—in the days when they believed in doing something about environmental pollution. They have now become such an extreme party that they have abandoned that policy and their commitment to improving air quality.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My hon. Friend the Economic Secretary is right to say that it is unrealistic to look at only one element of road hauliers' overheads. However, will she continue to keep a close eye on the effect of environmental taxes? I know that the Conservative Government introduced those measures, but I still have the strange, old-fashioned idea that the Conservatives often do things wrong. Might it not occasionally be helpful if we did not pick up the debris that they left behind?

Ms Hewitt: My hon. Friend is right to point out that, to assess the position of the British road haulage industry, we must look at total business costs, not just one element. For a typical road haulage firm, business costs could be nearly £600,000 a year higher in the Netherlands than in Britain. In Belgium, they would be nearly £820,000 a year higher than here.

We continue to keep under review the impact of all taxation, including environmental taxes. In line with our statement of intent on environmental taxation, we pay special attention to the impact on income distribution and on international competitiveness. With my right hon. Friend the Minister for Transport, we are having very useful discussions with the road haulage industry through the road haulage industry forum that we have established.

Mr. Graham Brady (Altrincham and Sale, West): The Government remain committed to increasing levels of duty on diesel, thus making it difficult for hauliers to run their fleets on that fuel. They have also introduced some commendable incentives for the use of compressed natural gas and other alternative fuels. However, does the Economic Secretary agree that one of the reasons why businesses are reluctant to spend huge sums of money to convert to the use of compressed natural gas is that they are not confident that the fiscal incentives will remain in the long term?

Will she guarantee that those fiscal benefits will remain in the long term and that the Government will continue to cut costs for using compressed natural gas, just as they are increasing them over time for diesel?

Ms Hewitt: I am grateful to the hon. Gentleman for his welcome for the measure in the Budget cutting the duty on road fuel gases by 29 per cent. Of course we shall continue to ensure that fuel duties, and road transport taxation in general, contribute to our goal of achieving cuts in CO_2 emissions, improving local air quality and thereby people's health.

Third-world Debt

4. **Ms Julia Drown** (South Swindon): What agreement was reached at the recent G8 Finance Ministers' meeting with regard to reducing the debt burden of the poorest countries; and if he will make a statement. [87059]

10. **Ann Clwyd** (Cynon Valley): What progress was made on debt relief at the Cologne G8 summit. [87066]

The Chancellor of the Exchequer (Mr. Gordon Brown): Two weeks ago, at the G7 Finance Ministers meeting in Frankfurt, we took forward proposals for faster, deeper and wider debt relief. Agreement was then reached a week ago at the G8 Summit in Cologne on an initiative that will reduce the debt owed by the poorest countries by up to $100 billion. Under the proposals, two thirds of official debt of the poorest countries can be written off.

I want to applaud the work of the Churches and non-governmental organisations in helping ensure that outcome.

Ms Drown: I thank my right hon. Friend for that answer. The Government deserve much congratulation for their work in securing further and faster debt relief. I was also pleased that the Prime Minister told the House on

Monday that he wanted further progress on debt relief to be made. That is needed because, even after Cologne, Tanzania will still be expected to pay $5 per person per year. That is much more than the health budget in that country, which still needs to spend much more money on basic health care to save lives.

Will my right hon. Friend say what further steps can be taken to make further progress on debt relief, and will he assure the House and the public that the relief achieved at Cologne will not be funded out of our already overstretched aid budget?

Mr. Brown: I can reassure my hon. Friend on her final point. What was agreed at Cologne was that 38 countries will be able to benefit from the debt relief—many more than were in the scheme beforehand—and that debt relief can be made possible by the end of 2000. There are three things that we must do between now and October, which is when the International Monetary Fund and the World Bank meetings will finally confirm many of the proposals.

First—my hon. Friend's point about Tanzania applies to other countries as well—we want to ensure the front-loading of debt relief. That means that debt relief will be available immediately, and debt interest payments can be reduced. Secondly, we want the World Bank's millennium trust fund, which has received $100 million from the British Government and $171 million in total, to gain funds from other countries. We want to encourage other countries to contribute to the fund, and also private companies that are involved throughout the world.

Finally, and most important for the long term, we want debt relief to be linked to poverty relief in the most immediate way. We want to create a virtuous circle of debt reduction, poverty reduction and economic development. That is the hope for the countries about which we are talking.

Ann Clwyd: My right hon. Friend has always described debt relief as a great moral issue, and has pursued it with great vigour. He has been among the leaders on the matter in the G7 countries. The package brings important relief to eligible countries, but they must still pay more in debt servicing than they can spend on health and education. What progress is my right hon. Friend likely to make with the IMF and the World Bank? In conversations with representatives of those international institutions, the International Development Committee has found continued rigidity and lack of flexibility in their attitudes to some of the poorest countries, such as Rwanda, which, in addition to recovering from genocide, is trying to service its debt.

Mr. Brown: I thank the International Development Committee for all its work on debt relief. Post-conflict proposals exist to help countries such as Rwanda to come more quickly into the debt reduction process, just as there are policies for post-catastrophe countries, such as Honduras and Nicaragua. My hon. Friend should not underestimate what is being done. Subject to the terms of the agreement, two thirds of the official debt of the poorest countries will be written off. That includes £20 billion in Overseas Development Administration loans, $30 billion from the previous package—for which my predecessor as Chancellor should be congratulated on leading the way several years ago—and £50 billion, or $70 billion, as a result of the negotiations.

The package makes a major change because we want debt relief in 2000, the millennium year. The work of the Churches and the 120,000 people who sent cards to the Treasury over the past few weeks have succeeded in keeping debt relief alive in many countries around the world. From talking to fellow Finance Ministers, I know that that has had a substantial impact on public opinion. At the World Bank meetings in October and in IMF meetings, we will be determined that the link between debt relief and poverty relief should be recognised. My hon. Friend should recall that IMF gold sales will be approved for the first time, and the millennium trust fund will be set up.

Sir Peter Tapsell (Louth and Horncastle): May I ask the Chancellor why the Government's proposals for reducing the debt burden on the poorest countries include having the IMF sell about 310 tonnes of its gold holdings? Is the Chancellor aware that, in Washington on Monday, Mr. James Motlatsi, president of the National Union of Mineworkers of South Africa—which has more than 200,000 members—told many leading United States Congressmen that, if the downward pressure on the gold price were maintained, at least 80,000 of his members would become unemployed? That would be the effect on South Africa alone, but 30 of the 41 poorest countries that we are trying to help are gold exporters, and, on average, each gold miner supports 10 people.

Mr. Brown: The sale of gold is only one among the issues surrounding debt relief. I should have thought that the hon. Gentleman would wish to welcome the general package of debt reduction.

Sir Peter Tapsell: Answer the question.

Mr. Brown: I am coming to it, but I should have thought that someone on the Conservative Benches would wish to welcome the debt reduction proposals.

Every country in the G7 is supporting the IMF gold sales. They are now agreed as an international policy and other countries on the IMF interim committee will endorse it. The income from gold sales enables the IMF to do far more than it would otherwise be able to do to secure debt reduction. It is obvious that the hon. Gentleman is not concerned about the question at all: it is about debt reduction.

Mr. Edward Davey (Kingston and Surbiton): Unlike the Conservatives, the Liberal Democrats wholeheartedly congratulate the Chancellor on the work that he has done to achieve the debt relief package. I wish him well in the work that he has pledged to undertake to make further progress. We all hope that he succeeds. Will he take this opportunity to confirm to the House that the United Kingdom contribution to debt relief will be additional to the Department for International Development budget in the period of both this comprehensive spending review and future ones? When will the G7 countries become more specific about their precise contributions to debt relief?

Mr. Brown: On the first point, yes. On the second point, we expect announcements from the countries that are members of the G7 soon about the contributions that they will make to the millennium trust fund. There is also

a proposal for the European development fund, which is made up of contributions from member states, but outside the EU budget, and which has substantial surpluses, to make a one-off contribution to the World Bank to enable it to reduce debt or make a one-off contribution to the countries with debts. I hope that that proposal will command support throughout the House.

Working Families Tax Credit

5. **Helen Jones** (Warrington, North): What estimate he has made of the number of people in Warrington, North who will benefit from the working families tax credit.

[87060]

The Chancellor of the Exchequer (Mr. Gordon Brown): I regret that estimates for the Warrington, North constituency are not available at this stage, but 200,000 families in Merseyside and the north-west will be helped by the working families tax credit in its first year of operation. In total, 1.5 million families in our country will benefit.

Helen Jones: I thank my right hon. Friend for that reply. Many people in my constituency welcome the lifeline that will be offered them by the working families tax credit and the encouragement to people in work and others to take low-paid jobs. Can my right hon. Friend tell me and them what the effect on those families would be if the Opposition were ever in a position to carry out their threat to get rid of the working families tax credit and force people back into reliance on benefit, which will affect them not only in the immediate term but in terms of their long-term prospects of progressing through work?

Mr. Brown: I am grateful to my hon. Friend. It is true that 1.5 million families will benefit. Three million children in total will benefit. The average gain to the individual family is £24 a week. Some families will be £50 a week better off as a result of the combined measures for child support that we are introducing. More than 850,000 children and 1.5 million families will be lifted out of poverty. That is a major change from the situation that we inherited. For more than 20 years, child poverty had risen to the point where 40 per cent. of children were born into low-income households. I should have thought that that would be a dividing line between us and the Conservatives at the next election, as my hon. Friend says.

The former social security spokesman for the Conservatives said:

"We would cut the working families tax credit".

The leader of the Conservative party says:

"It is a tangible difference between the parties."

Of course the shadow Chancellor, not to be outdone, says that the welfare spending involved

"is economic and social lunacy."

What to him is economic and social lunacy to us is elementary justice.

Mr. Ian Bruce (South Dorset): May I ask the Chancellor—[HON. MEMBERS: "Seventy-seven."] Actually, two and a half times the Labour side since a week last Thursday. How much does the Chancellor rely on statistics in this matter? I ask that question seriously, because the Government suggested that some 2 million people would be affected by the minimum wage and would get a pay rise in April this year. The statistics provided by the Government statistical service show that wage rises in April this year were at a rate lower than that in April of the previous year. Why do the statistics seem to be at odds with what the Labour party is saying about low pay and family tax credit?

Mr. Brown: I am grateful to the hon. Gentleman for raising the subject of the minimum wage and the working families tax credit, but before he asks the question again, perhaps he will deal with this simple point: why, when he talks about the minimum wage, can he not say that the Conservative party supports it? Why does it continue to oppose it and every measure that we have introduced to relieve child poverty? The party's extremism is such that it is against the new deal, against the working families tax credit, against the child benefit increase and against the minimum wage.

Taxpayers (Conscience)

6. **Mr. Jeremy Corbyn** (Islington, North): What policy is adopted by his Department in respect of taxpayers who do not wish to pay certain elements of taxation on grounds of conscience.

[87061]

The Chief Secretary to the Treasury (Mr. Alan Milburn): There are no special arrangements for taxpayers to withhold tax on grounds of conscience.

Mr. Corbyn: Could the Minister consider whether it would be right to introduce such a measure? The Italian Parliament has draft legislation before it that would allow Italian taxpayers to divert a proportion of their tax from the armed services to peace building, and there are three relevant petitions before this House. Given the huge rebuilding costs that will fall to this country and others in Kosovo and elsewhere where there has been conflict, perhaps we should have a peace-building fund that could invest in conflict resolution, reconstruction and trying to prevent terrible wars and civilian conflicts.

British taxpayers have a right of conscience not to participate in the armed forces in time of conscription and should have a similar right in time of peace to ensure that part of their tax goes to peace, not war.

Mr. Milburn: We will deal with the costs of reconstruction in Kosovo in due course. Although I understand my hon. Friend's deeply held convictions on the issue—his view is shared by others in this House and elsewhere—the Government have a duty and obligation to make proper provision for our country's defences. That is precisely what we are committed to doing. I say in all candour that his proposal would undermine our ability to do that, and that is why the Government will not contemplate it.

Mr. John Wilkinson (Ruislip–Northwood): Is not the element of our taxes that taxpayers least like paying the net contribution to the European Union, over which they have no democratic control and which goes to such causes as the subsidy for tobacco growing and the misapplication of funds, waste and fraud?

Mr. Milburn: I congratulate the hon. Gentleman for two reasons: first, on the most imaginative bid for a place

on the Front Bench so far, and secondly, for acting as a continual reminder to us that the Conservative party has been become a genuine one-issue party.

Mr. **Tam Dalyell** (Linlithgow): As my hon. Friend said that he would come to a question on Kosovo in due course, would he care to take the opportunity of answering Question 29?

Madam Speaker: But not yet!

Business Taxation

7. **Mr. John Bercow** (Buckingham): If he will make a statement on the level of business taxation. [87063]

The Financial Secretary to the Treasury (Mrs. Barbara Roche): The Government keep the level of business taxation under constant review.

Mr. Bercow: I acknowledge the hon. Lady's woefully inadequate reply. Can she tell the House whether it was through amnesia caused by stress that she failed to mention the proposed climate tax, the company car tax, the fuel tax, the vehicle excise tax, the windfall tax, the abolition of the tax credit on dividends and the huge hike in national insurance contributions under this Government? What about the crucial fact, emphasised by Sir Clive Thompson, the president of the Confederation of British Industry, that the cumulative effect of this Government's imposts will be to raise business taxes by £20 billion in the lifetime of this Parliament? Does she recognise that, if the Government continue at their present rate of confiscation, they will soon make Dick Turpin look like a charitable donor?

Mrs. Roche: I make some allowances for the hon. Gentleman because his mind is obviously distracted now that he has been elevated to yet another Front-Bench team. He does seem to be suffering; he has forgotten that the Labour Government have cut the main rate of corporation tax. We now have the best possible regime for businesses in this country—the small firms rate of corporation tax and the Small Business Service. I also remind him that, under the previous Tory Government, a business went bust every three minutes. That is why we have been able to get employment figures up; that is why we have been able to work with businesses in the way that we have. It struck me as somewhat odd that the hon. Gentleman did not mention that, in his very own constituency, there has been a drop in unemployment of 32 per cent. That came about because of our management of the economy.

Ms Joan Ryan (Enfield, North): Those in businesses in my constituency and across north London generally tell me and their representative groups, such as the North London chamber of commerce and the North London manufacturing action group—of which my hon. Friend will be aware through her own constituency work—that they are very happy with the positive approach that the Government have taken on business taxation and on other policies to support business, in order to help business to grow and hence to create jobs. Will my hon. Friend comment on what I have been told recently by business people? The main problem—as they see it—is the way the Opposition continually talk down our economy and undermine the efforts made by our businesses and their success.

Mrs. Roche: My hon. Friend is right. I know from my own experience—because my hon. Friend and I have the great privilege of representing constituencies in north London—the extensive contact that she maintains with the businesses in her constituency. The greatest threat to business in our country is the way in which the Opposition woefully ignore the business organisations in our constituencies and talk them down. The Opposition talk down our economy; they are clearly not acting in the national interest.

Dr. Vincent Cable (Twickenham): Following consultations that took place week between the Inland Revenue and representatives of hundreds of thousands of service workers in information technology, offshore oil and other knowledge-intensive industries, is the Financial Secretary aware of the considerable dissatisfaction in those industries, and of the fact that the Revenue simply does not understand how those flexible, freelance industries operate? Will she agree to issue a consultative paper, setting out in detail how the regulations will apply, so that the Government's legitimate concern to stop tax avoidance does not drive those crucial industries off shore or destroy them?

Mrs. Roche: I notice that the hon. Gentleman mentioned the legitimate concerns of Government. That is why my hon. Friend the Paymaster General is consulting so widely; that is why we shall listen to the representations that businesses make. I am sure that the hon. Gentleman will agree that it is most important that there be a level playing field, and that the people who are legitimately required to pay tax pay it. Of course, there is no question on our part of trying to get at legitimate businesses. We are trying to achieve a balance in this matter and that is what we shall do.

Climate Change Levy

8. **Mr. Peter L. Pike** (Burnley): What progress has been made in deciding the details of the proposed climate change levy. [87064]

The Economic Secretary to the Treasury (Ms Patricia Hewitt): We are working closely with business on the detailed design and implementation of the climate change levy, which will make a significant contribution towards reducing greenhouse gas emissions. The levy will entail no increase in the overall burden of tax on business, as the revenues will be fully recycled; and, following the recommendations of Lord Marshall, we recognise the special position of the energy-intensive industries, given their high energy usage and their exposure to international competition. We intend to set significantly lower rates of the levy for energy intensive sectors that agree targets for improving their energy efficiency. Detailed negotiations are now under way with the sectors concerned.

Mr. Pike: I thank my hon. Friend for that helpful answer. While everyone accepts the main objective of environmental improvement, does she recognise that the

manufacturing industries that are high-energy users have genuine fears that we may drive them and their investment out of the country, resulting in a loss of jobs and an adverse effect on our balance of payments? That will not have a beneficial effect on the world environment. Does my hon. Friend acknowledge that there should be a special case for combined heat and power schemes, which could perhaps be exempt from the levy?

Ms Hewitt: I thank my hon. Friend for that question. Of course we understand the concerns of manufacturing industry. That is why we have said that we will not take an across-the-board approach to the levy but will set significantly reduced levy rates for energy-intensive sectors that agree our targets for improving energy efficiency.

On the issue of renewables, we have not ruled out the possibility of an exemption. We are consulting on how to treat combined heat and power schemes within the climate change levy, as they can make a substantial contribution to improving energy efficiency, thereby cutting greenhouse gas emissions.

Mr. David Heathcoat-Amory (Wells): After the fiasco of road fuel duties—which have effectively made the British haulage industry uncompetitive in European terms—why are the Government planning to do the same on a wider basis next year by imposing a general energy tax on the rest of industry? How will the Minister answer the many international firms that have explained to her that, even at a lower or rebated level, they will have to respond to the additional business tax by switching their operations and their investment away from the United Kingdom?

How can the Government expect to be taken seriously on this issue when, at the same time, they are forbidding many of the same firms to invest in gas-fired electricity generating plants, which would cut carbon dioxide emissions? When will the Government sort themselves out on this issue and remove this threat to competitiveness, jobs and industry, which will do nothing for the environment in the longer term?

Ms Hewitt: The right hon. Gentleman is wrong about the transport industry and wrong about the impact of the climate change levy. As Lord Marshall proposed, there must be recognition of the special position of the energy-intensive sectors. That is why, following his recommendations, we said that there will not be an across-the-board approach to the levy. There will be significantly reduced rates for those industries, providing that they agree the targets for energy efficiency improvements.

We are in detailed negotiation with industry about this issue, in line with our statement of principles on environmental taxation. Meanwhile, the right hon. Gentleman has been reduced to making offensive remarks in the Finance Bill Standing Committee about Lord Marshall, who has done so much to move this debate forward, particularly in the business community. It shows once again how completely out of touch this extremist Conservative party is with the business community.

Mr. Ian Pearson (Dudley, South): Is my hon. Friend aware that the proposed climate change levy would be a nightmare for many small and medium-sized manufacturing businesses in my constituency; and that cutting a deal with major energy users will be of little or no help to them? Does she agree that measures that lead to booming supermarket profits but busts in large swathes of the manufacturing sector are absolutely no good for the British economy? Will my hon. Friend look to reducing the proportion of national insurance rebates, increasing the amount of money allocated to energy efficiency schemes, and ring-fencing some of them for small and medium-sized businesses?

Ms Hewitt: Perhaps I should remind my hon. Friend that, as my right hon. Friend the Chancellor said in the Budget statement, the new climate change levy will entail no increase in business taxation because the revenues will be recycled both through a reduction in employers' national insurance contributions, thus helping to promote employment, and through specific support—as my hon. Friend suggests—to small and medium-sized enterprises to help them achieve greater energy efficiency.

We made it very clear in our statement of intent on environmental taxation that we would always design environmental taxation in order to protect and, where possible, enhance the international competitiveness of British industry. That is what we are doing in our negotiations with industry, and I trust that my hon. Friend will support us in seeking not only to protect competitiveness but to reduce environmental damage.

EU (UK Contribution)

9. **Sir Teddy Taylor** (Rochford and Southend, East): What estimate he has made of the gross and net contributions by the United Kingdom to the EU in the current calendar year; and what the figures were in 1998.

[87065]

The Chief Secretary to the Treasury (Mr. Alan Milburn): In line with established practice, the Government are arranging for information about the UK's gross and net contribution for the years in question to be published shortly, in the annual White Paper "European Community Finances".

Sir Teddy Taylor: Although the Government do not appear to have those figures, do they agree that the gross contribution to the European Union exceeds £100 billion since we joined, and that the net contribution of £33 billion has cost the average British family £2,400? In view of the appalling amount of fraud and mismanagement in the EU, can the Government give us an assurance that they will not agree to further expenditure by the EU, and that they will argue strongly for a fairer contribution by the United Kingdom, which, under Governments of both parties, has paid in a huge amount since we joined?

Mr. Milburn: That is precisely what the Government succeeded in obtaining for the UK at Berlin. The Opposition argued that we would lose the UK's abatement, but we retained it. Moreover, we got a good deal for the regions and nations of our country, with objective 2 status, objective 1 status and so on.

It is always useful to have a question from the hon. Gentleman on European issues. Not so long ago, he was a voice in the wilderness on the Conservative Benches,

but now he represents mainstream Conservative opinion on Europe. He is a reminder that the Conservative party's position on Europe is to weaken Britain in Europe, to isolate Britain in Europe and, ultimately, to withdraw Britain from Europe.

Mr. Tom Clarke (Coatbridge and Chryston): Does my right hon. Friend agree that the figures will highlight the indolence and negative approach of the previous Government to Europe, by contrast with other member states—for example, the Republic of Ireland, which can show a great deal for its proactive commitment? Given the Government's intention to play a full role in Europe, is my right hon. Friend as confident as I am about the figures that will emerge in future?

Mr. Milburn: My right hon. Friend is right. The best way for Britain to get the best from Europe is to take a leading role in Europe, and that is what we have done. The lifting of the beef ban, the successful retention of the UK's abatement, and more investment in our regions and nations show what happens when a UK Government take a leading role in Europe, rather than standing on the sidelines, as the previous Government did.

It is worth reminding right hon. and hon. Members, as my right hon. Friend has just done, that 3 million jobs and 60 per cent. of our trade depend on our relationships with Europe. We are securing jobs, investment and industry by engaging in Europe. Those would all be threatened by the Conservative party.

Road Fuel Duty

11. **Mr. Nicholas Winterton** (Macclesfield): If he will make a statement on his policy on taxation of road fuel. [87067]

The Economic Secretary to the Treasury (Ms Patricia Hewitt): My right hon. Friend the Chancellor of the Exchequer has confirmed the Government's commitment to cutting greenhouse gas emissions by 2010, in line with our Kyoto and domestic targets. The road fuel duty escalator, which was introduced by the previous Government, is an important part of the Government's policy to reduce emissions of greenhouse gases and to improve local air quality. We estimate that the fuel duty escalator will save between 2 million and 5 million tonnes of carbon annually by 2010.

Mr. Winterton: I am not sure that that is an answer to the question. Does the Minister accept that practically all goods and products that are delivered to shops, factories and other premises throughout the United Kingdom are delivered by road? Does she believe that not only the managers and directors, but the employees of all the transport companies in my constituency—Kirks Transport, Swains Transport, Coopers Transport, Whittakers Transport, Stevens Transport and Dane Valley Transport—are wrong when they say that the Government are following a policy that is detrimental to the UK haulage industry and is increasing costs dramatically? Further, the policy acts against the interests of the many people who live in rural areas where there is no public transport and never will be. Many of those people are on low wages. Will the Minister change the policy and end the fuel escalator?

Ms Hewitt: I congratulate the hon. Gentleman on mentioning so many of his local transport firms. I seem to recall that he supported the previous Government, who introduced and increased the fuel duty escalator. This Government have cut corporation tax and have frozen the rate of vehicle excise duty for lorries. I hope that he will congratulate us on that.

I also remind the hon. Gentleman that air pollution in this country contributes to more than 8,000 deaths every year and to more than 10,000 annual hospital admissions. Every sector, including road transport, must make its contribution to cutting greenhouse gas emissions and improving air quality by finding more efficient ways of transporting goods and people. I notice that the Conservative party these days opposes not only tax credits and child benefit but measures that will improve children's health.

Business of the House

12.31 pm

Sir George Young (North-West Hampshire): May I ask the Leader of the House to give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 28 JUNE—Second Reading of the Financial Services and Markets Bill.

TUESDAY 29 JUNE—Opposition Day [16th Allotted Day].

Until about 7 o'clock, there will be a debate entitled "Delays in the Issue of Passports". Followed by a debate entitled "Planning and Transport Congestion". Both debates will arise on Opposition motions.

WEDNESDAY 30 JUNE—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Remaining stages of the Disability Rights Commission Bill [*Lords*].

THURSDAY 1 JULY—Debate on armed forces personnel on a motion for the Adjournment of the House.

It may be convenient for the House if I say at this point that, if agreement is achieved at the political talks in Belfast by the deadline of 30 June set by the Prime Minister, it will be the intention of my right hon. Friend the Secretary of State for Northern Ireland as soon as possible thereafter to lay a devolution order under section 3 of the Northern Ireland Act 1998, appointing the day for the transfer of powers to the Northern Ireland Assembly. A draft order would come before this House and the House of Lords on 1 July for approval. Of course it is not possible to be certain of the outcome of the negotiations, but I thought that it would be helpful for the House to be aware of the Government's intentions at this stage in case an agreement is reached next week.

FRIDAY 2 JULY—Debate on drugs on a motion for the Adjournment of the House.

The House may also be asked to consider any Lords messages which may be received.

The provisional business for the following week will be as follows:

MONDAY 5 JULY—Progress on remaining stages of the Finance Bill.

TUESDAY 6 JULY—Conclusion of remaining stages of the Finance Bill.

WEDNESDAY 7 JULY—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Opposition Day [17th Allotted Day].

There will be a debate on an Opposition motion. Subject to be announced.

THURSDAY 8 JULY—Remaining stages of the Youth Justice and Criminal Evidence Bill [*Lords*].

FRIDAY 9 JULY—The House will not be sitting.

The House will also wish to know that on Wednesday 7 July there will be a debate on 2000 Preliminary Draft Budget Overview European Standing Committee B. Details of the relevant documents will be given in the *Official Report*.

[*Wednesday 7 July 1999:*

European Standing Committee B—European Union document: SEC(99) 6000: 2000 Preliminary Draft Budget; Relevant European Scrutiny Committee Report: HC 34-xxi (1998–99).]

Sir George Young: The House is grateful for next week's business and an indication of the business the following week.

The right hon. Lady referred to Northern Ireland. As she knows, the situation there continues to cause concern on both sides of the House. We support the Good Friday agreement, and we all hope that the talks will have a successful conclusion. Although we have Northern Ireland questions on Wednesday and the possibility of a debate on a draft order, I wonder whether that affords the House sufficient opportunity to express its views on a serious matter that has not been debated in the House for some time. Will she, after discussions through the usual channels, consider a statement or debate on Northern Ireland?

The House would still like to debate the report of the royal commission on long-term care, which was published some time ago and is of interest to many of our constituents. Can the right hon. Lady shed any light on that? When might we have such a debate?

When can we have our usual debate on policing in London, in the light of the serious and deplorable riots in the City of London last week?

May I press the right hon. Lady on time for debates on public expenditure and the economy? I have raised the matter on many occasions, and over several months. It is not right for the House of Commons to have no framework for discussion of key issues of this kind. Can the right hon. Lady confirm that we will debate the economy before the House rises for the recess, and that she will then set out how and when the House will debate the economy, and public expenditure, during the course of a parliamentary year?

I see from the Order Paper that the Secretary of State for Health is to answer a written parliamentary question on medical cloning. In view of the interest and controversy surrounding the issue, would it not have been better for the Secretary of State to make a statement to the House?

There is mounting interest in the dates relating to the summer recess. We all understand the difficulties involved, but could the right hon. Lady shed some light on the matter, so that the many people who work here can begin to make realistic plans?

Mrs. Beckett: As the right hon. Gentleman said, the whole House wants the discussions in Northern Ireland to have a successful outcome. I shall ensure that the issue is raised through the usual channels—although, as the right hon. Gentleman himself pointed out, there are Northern Ireland questions, and there may also be potential for a debate. The matter will have to be kept under review.

The right hon. Gentleman raised the issue of long-term care—a matter that he has raised on a number of occasions. Discussions are continuing but, as will be clear to him, the Government have a heavy programme of legislation and, because of events in Kosovo, have also had a heavy programme of debates. Although I am

conscious of the fact that the House wants to discuss issues such as long-term care, I am not sure that it will be able to do so at an early date, although I do not rule that out in the slightly longer term.

The right hon. Gentleman asked for a debate on policing in London. I agree that the events of recent days make the issue even more pertinent, and I hope to find time for such a debate in the near future.

The right hon. Gentleman also asked for a debate on economic matters. Of course, we have just had Treasury questions. Discussions have been taking place about the pattern of future debates, and I have proposals which I hope can be discussed and agreed through the usual channels—perhaps, if we are lucky, as early as next week. The right hon. Gentleman pressed me to arrange a debate before the summer recess. I expect there to be a public expenditure debate before then and, as I said, I hope to be able to make proposals for the pattern of such debates over the year.

The right hon. Gentleman pressed for a statement on medical claims.

Sir Patrick Cormack (South Staffordshire): Cloning, not claims.

Mrs. Beckett: I beg the right hon. Gentleman's pardon.

I understand why the right hon. Gentleman pressed for such a statement, but I think that he will understand that a good many statements have been made. The Government have undertaken to try to avoid statements on Opposition days, which compresses the time available. It is a difficult situation. As you have pointed out in the past, Madam Speaker, there is nothing improper about Ministers' making policy decisions known by means of written answers on occasion, although obviously we try to arrange for statements to be made when that is possible.

The right hon. Gentleman asked me about recess dates. I am well aware that both Members and staff are anxious to make their arrangements. Uncertainties remain about possible future business, but I hope to be able to give the House more information in next week's business statement.

Mr. David Winnick (Walsall, North): At a time when we are learning of terrible atrocities in Kosovo, can we be reassured that, if and when the guilty are brought before the International War Crimes Tribunal, Lord Bingham will have no input whatever in the sentencing or appeal procedure? In view of his latest outburst, would it not be appropriate for the Lord Chief Justice to consider his own position?

Mrs. Beckett: I understand my hon. Friend's concern that those who are responsible for events in Kosovo should be brought to justice. I rather suspect, however, that I might fall foul of your strictures, Madam Speaker, were I to be drawn further down the path that my hon. Friend has identified.

Mr. Paul Tyler (North Cornwall): Will the Leader of the House make urgent representations to the Secretary of State for Health for an immediate—early, at least—statement on new-variant CJD? Has she seen this morning's press report to the effect that an instruction has been issued by the Department of Health that there may be a risk of contamination from the use of trial contact lenses? The Association of British Dispensing Opticians apparently had no advance notification of the instruction. There has certainly been no notice of it to the House, and no explanation of what is happening.

The Leader of the House will recognise that there is very real concern about new-variant CJD, and that it has been a long time since the Department of Health, or any other Department, gave any indication of the Government's current thinking on it. This latest announcement has all the hallmarks of a knee-jerk reaction such as the House suffered on 20 March 1996, when the previous Government made their bombshell announcement.

Mrs. Beckett: I understand the hon. Gentleman's concern, which I am sure is felt on both sides of the House. I cannot undertake to find time for an urgent debate on the matter, although I shall certainly draw his anxieties to the attention of my right hon. Friend the Secretary of State for Health. It is my understanding that the precise terms of advice and guidance to opticians are being worked on in consultation with the professional bodies. However, I think that both sides of the House will understand that my right hon. Friend wished to alert people, at the earliest possible date, to a possible risk identified to him by the Spongiform Encephalopathy Advisory Committee.

Mr. Bill O'Brien (Normanton): Will my right hon. Friend consider an early debate on the Government's policy on reducing the licence fee for small cars? Many constituents are now finding that, although vehicles are registered as 1100 cc, technical details and obstacles are preventing many elderly people and people on low incomes from benefiting from the Government's policy, thereby creating great unrest and unfairness in many areas. The House should have an opportunity to resolve that problem and to try to persuade the Chancellor of the Exchequer that there should be a margin of tolerance, between 1100 cc and 1200 cc. Will my right hon. Friend allow a debate on the matter?

Mrs. Beckett: I am grateful to my hon. Friend. I must admit that the problem that he describes had not previously come to my attention, although I can well understand why it would cause anxiety and discontent. Although I cannot undertake to find time for a special debate, I draw my hon. Friend's attention to the fact that we shall have two days' debate—5 and 6 July—on the Finance Bill. He may find an opportunity to raise the issue then.

Mr. Peter Brooke (Cities of London and Westminster): Although I appreciatively reinforce the request of my right hon. Friend the Member for North-West Hampshire (Sir G. Young) for a debate on policing in London, I understand that, next week, because of the creation of the Welsh Assembly, the Standing Order underpinning the Select Committee on Welsh Affairs may fall. When might the Leader of the House contemplate having a debate on the report of the Select Committee on Procedure introduced by my hon. Friend the Member for Macclesfield (Mr. Winterton)?

Mrs. Beckett: I am grateful to the right hon. Gentleman for drawing my attention to the issue, as I had

[Mrs. Beckett]

not been aware that the Standing Order might fall. Also, I certainly take his point about the interest in the report of the Select Committee on Procedure, and am mindful that such reports are important and should be considered by the House. Equally, he will understand that there is great time pressure, particularly at the end of the Session. I therefore cannot give him the undertaking he seeks, but undertake to bear the matter in mind.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Before the end of the Session, will my right hon. Friend take back to the relevant Committee the whole question of Members of Parliament not having the right to speak in the House about their visit to an overseas territory if that visit was not made with the Commonwealth Parliamentary Association or the Inter-Parliamentary Union? It is slightly absurd that, although the House of Commons will know who is paying for a particular trip—it will be recorded—the hon. Members involved cannot raise any issue about that particular country. As, presumably, the whole point of hon. Members travelling the globe is to get a mild inkling of what is going on—[HON. MEMBERS: "Hear, hear."]—would it not be sensible at least to look at the rule again?

Mrs. Beckett: I am mindful of the great anxiety in the House that there should be absolute probity and transparency. I am not sure whether I ought to say this, but I have considerable sympathy with the point that my hon. Friend has raised. It is not entirely clear to me what would be the mechanism or how easy it would be to trigger re-examination of these matters. However, some hon. Members are involved in discussing them and they may like to take her observations on board, as well as the clear welcome that her words received across the House and in all parties. It is important for us to have the highest possible standards but, equally, as my hon. Friend said, if hon. Members have a valuable contribution to make and the position is clear and known, I understand her observations and her concern.

Rev. Martin Smyth (Belfast, South): You will know, Madam Speaker, that I have been pressing for a debate on Northern Ireland for quite some time as Question Time does not allow us to examine certain issues. The Leader of the House may be aware that police salaries have been increased by 4.5 per cent. and that 80 per cent. of the Royal Ulster Constabulary's expenditure goes on personnel; yet, as a result of budgetary pressure, the police are not now able to do neighbourhood patrols. That is because the House is not aware that the RUC is still focused primarily on dealing with those who are disturbing the peace and on terrorism. May I press the Leader of the House for a debate and express the desire that, in the coming days, the Government do not travel down the road of "hope so" rather than that of reality?

Mrs. Beckett: I shall certainly add the hon. Gentleman's representations to those that I have already received requesting a debate. I understand his point about the work of the RUC. With regard to his final words, almost everyone in the House hopes that there can be agreement in Northern Ireland because the alternative is too awful to contemplate.

Mr. Peter L. Pike (Burnley): My right hon. Friend will be aware that, in Kashmir, there are still incursions and problems between India and Pakistan. There is grave concern as both countries now have nuclear power and ballistic missiles. Is there any possibility of a debate on that critical situation before the recess?

Mrs. Beckett: I cannot undertake to find time for a special debate, although my hon. Friend's concern about the problems and the fighting in Kashmir is shared across the House. Everyone hopes that the talks that have been taking place will ease some of the difficulties. However, although I cannot undertake to find time for a special debate, no doubt we will have a pre-recess debate and my hon. Friend may have the opportunity to raise the matter then.

Mr. Eric Forth (Bromley and Chislehurst): Does the right hon. Lady agree that it would be helpful to Ministers to have a debate in the House about the way in which they announce new business, new proposals and new policies outside the House? She must be aware that there is increasing concern about the propensity of Ministers to make announcements outside the House. Not only does that allow them to avoid questioning by right hon. and hon. Members, but, inevitably, it diminishes the standing of the House of Commons with regard to the Government and enhances the role of the media and the areas where the announcements are made.

I hope that the right hon. Lady agrees that this is becoming an urgent and important matter. It need not be a long debate; a fairly short one would suffice, but it would help to clarify in the minds of Ministers what their responsibilities are and what their relationship with the House of Commons should be, and stop this distressing trend that seems to be going unnoticed and unchecked.

Mr. Dennis Skinner (Bolsover): It was always the same.

Mrs. Beckett: I fear that I cannot undertake to find time for such a debate. I entirely share the view of my hon. Friend the Member for Bolsover (Mr. Skinner) that it was ever thus. The statistics show that Ministers in this Government have made far more statements to the House than their predecessors did.

Ann Clwyd (Cynon Valley): My right hon. Friend will know that the export of arms to countries with bad human rights records is an important issue for many of us. Preventing such exports was also an important plank in the Labour Government's ethical foreign policy. Does she have any information on when the report on strategic arms exports for 1998 will be published and whether we shall have a debate in the House on it? The report for 1997 appeared two years late. One reason given was a problem with the computers. Is there still a problem with the computers, or can we expect the 1998 report to be published before the recess?

Mrs. Beckett: I am not aware of the likely publication date. Happily, I am also not aware of whether there is still

a problem with the computers. The delay to which my hon. Friend referred arose because of problems not only with the computers but with the records, which were time-consuming to resolve. I do not know whether the problems have been resolved sufficiently to enable a date to be set for the publication of the next report, but I shall draw her request to the attention of my right hon. Friend the Foreign Secretary.

Mr. Brian Cotter (Weston-super-Mare): I am sure that hon. Members know that, this week, we suffered our first losses of service men in Kosovo—Sergeant Balaram Rai and Lieutenant Gareth Evans of 69 Gurkha Squadron. I am sure that the whole House joins me in expressing condolences to the families. Lieutenant Evans came from my constituency—in fact, he was from Congresbury, the village in which I live. I hope that his family will gain some consolation from the selflessness and bravery that he showed during the action. There will be a debate on Thursday of next week on armed service personnel. Will the Leader of the House and the Secretary of State for Defence ensure that that opportunity is taken to address the grave concerns about the safety of personnel in the difficult circumstances in Kosovo? I look forward to hearing some words to that effect.

Mrs. Beckett: The whole House will wish to express its sympathy and to agree with what the hon. Gentleman said about recognising the bravery of those who have suffered and about sending condolences to the families concerned. I shall draw his wish for those concerns to be reflected in next week's debate to the attention of my right hon. Friend the Secretary of State for Defence.

Mr. Gordon Prentice (Pendle): Three hours ago, I received a faxed letter from the military aircraft division of British Aerospace, telling me that 880 jobs will be lost at Warton in Lancashire and a total of 2,200 jobs will go across the division. A decision has been made to build Eurofighter—more than 230 planes are going to the RAF at a cost of £40 million each, and more than £10,000 million of public money is being spent, most of which is going to British Aerospace. It is incomprehensible that there should be such major restructuring at the same time, with lots of jobs being lost. Aerospace is the life-blood of Lancashire. Will my right hon. Friend arrange for an early debate to discuss the important matter of aerospace and restructuring in detail?

Mrs. Beckett: I am sorry to learn of the matters raised by my hon. Friend. As he knows from experience, I well understand the importance of the aerospace industry in his part of the country. Restructuring in the aerospace industry is a matter of interest to many across the House. However, I fear that I cannot undertake to find time for an early debate. My hon. Friend will be aware of the process by which hon. Members seek to raise issues of wider concern for which a longer debate might be appropriate. Knowing his assiduity on behalf of his constituents, I am sure that he will pursue that avenue.

Mr. John Hayes (South Holland and The Deepings): The Leader of the House will be aware that the Secretary of State for Education and Employment is in the mood to name and shame. You, Madam Speaker, will be as delighted as I am that my county of Lincolnshire, under the enlightened control of Councillor Speechley and his team, does rather well in the right hon. Gentleman's list. Given that naming and shaming, will the Leader of the House make time for a debate on the steps that the Government are taking to reduce bureaucracy and red tape in our schools? I do not say that the problem started in 1997 but, as I go round schools, teachers tell me that it is getting worse. They are suffering from initiative fatigue. Heads want to be left to lead and teachers want to be left to teach. In the context of that debate, may we have a list of shame of those Ministers who have not only increased their personal bureaucracy with extra special advisers and lackeys, but imposed extra bureaucracy and red tape on the public and private sectors?

Mrs. Beckett: The hon. Gentleman will be aware that my right hon. Friend has done a great deal to reduce the amount that the Government spend on bureaucracy and red tape. I know that he will be pleased that his authority comes out of the tables well, but he will also know that they show 31 authorities delegating less than 80 per cent., with Tory Westminster the worst at 75 per cent. As to the hon. Gentleman's further remarks, I simply say that the Government seek to run an efficient and tight ship, and do so.

Ms Rosie Winterton (Doncaster, Central): Will my right hon. Friend find time for a debate on the energy industry, especially on mis-selling by domestic gas suppliers? Many problems in my constituency arise from the unscrupulous tactics used by companies to trick people into changing their supplier. Those companies then make it extremely difficult for the customer to return to the original supplier. I am sure that many other hon. Members know of such problems and I hope that, following such a debate, the Government might feel it necessary to take some action to curb such rogue companies.

Mrs. Beckett: I understand and sympathise with my hon. Friend's point and her pressure for a debate to focus attention on such matters. However, the matter lies very much within the responsibility of the regulator who, I know, has expressed concern about it in the past. I shall draw my hon. Friend's concern to the attention of the relevant Minister, but I am sure that she has also taken action to draw it to the regulator's attention.

Dr. Julian Lewis (New Forest, East): Will the Leader of the House consider finding time for the Secretary of State for Health to make a statement to the House about the lack of variety in artificial limbs supplied by the NHS, particularly for children? I have in mind the case of my eight-year-old constituent, Laura Giddings, who, the right hon. Lady may be aware, lost her leg in the blast in the Planet Hollywood explosion in South Africa. Limbs have to be replaced frequently as a child grows but, because nothing available on the NHS looks realistic, the child's psychological trauma is greatly increased. In such a statement, the Secretary of State could explain why, if money is the problem, parents who decide to pay privately for a better-quality limb should not be given at least an amount equivalent to the cost of an NHS limb, which they would have had free. That arrangement applies to wheelchairs, so why cannot it apply to artificial limbs for children?

Mrs. Beckett: I cannot undertake to ask my right hon. Friend to make a statement or to raise a debate on the

[Mrs. Beckett]

matter in the near future because there is so much pressure on the House's time. However, the whole House will sympathise with the point made by the hon. Gentleman. I imagine that he has drawn it to the attention of my right hon. Friend, but I will add to that the sympathy that is felt across the House.

Ms Joan Ryan (Enfield, North): Can my right hon. Friend find time for a debate next week on Europe? It is extremely important that we have such a debate at an early stage because of the extremism of the Conservative party on Europe, as it seeks to abandon the right-wing European People's party in search of more extreme friends elsewhere. It is important that all our MEPs can represent the best interests of the British people, taking the lead from the Labour Government. I fail to see how any Conservative MEP—given the position of the parliamentary Conservative party—can represent the best interests of the British people in Europe.

Mrs. Beckett: I understand my hon. Friend's desire for such a debate, and it would be attractive to spend time focusing on both the extremism and the division within the parliamentary Conservative party, whether here or in the European Parliament. However, tempting such a thought may be, I fear that it is a luxury for which I cannot, at present, offer to find time.

Mr. William Ross (East Londonderry): Given that the Government have clearly made contingency plans to change the business next week should there be agreement in Northern Ireland, and in the light of the serious threat of violence from Mr. Adams, which was published in *The Times* yesterday, have the Government made contingency plans to ensure that any violence perpetrated by the IRA or other terrorist organisations, if there is no agreement and if they do not get their own way, can be contained to ensure that the law-abiding people of Northern Ireland enjoy peace and quiet over the next few weeks?

Mrs. Beckett: Government plans for eventualities in Northern Ireland are the responsibility of my right hon. Friend the Secretary of State for Northern Ireland—they do not fall at my door. The announcement that I made was for the business of the House to accommodate the eventuality of an order needing to be laid because agreement had been reached. I am sure that the hon. Gentleman shares the hope of all in the House that agreement will be reached.

Dr. George Turner (North-West Norfolk): My right hon. Friend will be aware of the launch of the rural audit last week. This publication was commissioned by the many Labour Members who now represent rural or semi-rural constituencies. Will my right hon. Friend acknowledge that it would be timely for the House to have a proper debate, ahead of the autumn publication of the expected White Paper on rural affairs? The Government have committed themselves to addressing the many problems in rural Britain that we inherited from the previous Government. Would it not be helpful for the House to debate this matter before the summer, so as to inform the decisions to be made in the production of the White Paper?

Mrs. Beckett: I am aware of the launch of that document, which was an excellent piece of work and a credit to my hon. Friends who represent rural areas and who are doing so much to bring their concerns to the attention of the House. I understand my hon. Friend's concern that it would be timely for him and his colleagues to have a debate on those matters before the autumn. I cannot undertake to find time for such a debate, but my hon. Friend may like to bear in mind that, at some point in the autumn, an alternative forum will open in Westminster Hall. He may like to put in an early bid for it.

Mr. Owen Paterson (North Shropshire): The Government promised an integrated transport policy, but this last week has been awful for Britain's travelling public. It seems that the Deputy Prime Minister is losing out at every turn to the Treasury. More than £30 billion is taken from the transport industry, and less than £6 billion is put back. There have been ghastly problems on the tube and we have had the embarrassment of the Prime Minister zooming down a bus lane to avoid queues. In Shropshire, I continue to receive desperate representations from the haulage industry, and there is a £94 million backlog on Shropshire's rural roads. Could we have an urgent debate on the disintegrating transport policy of the Deputy Prime Minister?

Mrs. Beckett: The hon. Gentleman seems not to have noticed that I have announced a debate—next week, I think—on transport, in Opposition time. No doubt he will seek to catch your eye then, Madam Speaker.

I doubt that the £94 million backlog on Shropshire's roads arose since the general election. Before the general election, as we travelled around the countryside meeting people in the business community, we found that among their most pressing concerns was the desperate need for long-term investment in the transport infrastructure, which they had despaired of ever getting from the previous Government. It takes time to turn these things around.

Mr. Tam Dalyell (Linlithgow): Albeit that, in Treasury questions, the Chief Secretary told my hon. Friend the Member for Islington, North (Mr. Corbyn) that he had to wait for the answer to my question, Question 29,

"What (a) has been and (b) he estimates will be the effect on the Contingency Fund of (i) the conflict in Kosovo and (ii) the measures to be taken following the peace agreement relating to Kosovo",

that question, alas, was, astonishingly, not reached. Will my right hon. Friend ask the Defence Secretary to give a proper answer next Thursday on what are the costs so far and the likely costs not only of Kosovo, but of obligations that this country seems to be accruing towards the former Yugoslavia?

Mrs. Beckett: My hon. Friend identifies a genuine difficulty for Ministers, in that it would not always be right to pre-empt an answer due to be given on a later question in response to a supplementary question from someone else, as that can cause resentment. I know, however, that he was making a different point of substance about information that he seeks from my right

hon. Friend the Secretary of State for Defence. I will draw to my right hon. Friend's attention the fact that he is almost certain to be asked that question next Thursday.

Miss Anne McIntosh (Vale of York): Will the Leader of the House find time for an early debate on the new meat hygiene charges? The fact that a fully qualified veterinary surgeon must be present when animals are slaughtered has had the most devastating effect in the Vale of York, and the few remaining small abattoirs are likely to close soon if the charges remain. The cost of slaughtering animals has more than doubled since 1 April, even though the charges should not have been introduced until next year. That is making our producers much less competitive, as the charges do not apply to the producers of imported meat.

Mrs. Beckett: I am aware of those concerns. The Government are reviewing the charges and an announcement is expected shortly. Agriculture questions are on 1 July and a further opportunity to press my right hon. Friend the Minister of Agriculture, Fisheries and Food may arise then.

Mr. David Drew (Stroud): I associate myself with the remarks of my hon. Friend the Member for North-West Norfolk (Dr. Turner) and the response of my right hon. Friend.

Can we have a debate on prescription charges? After consultation with my right hon. Friends the Secretaries of State for Health and for Education and Employment, will my right hon. Friend consider having a debate on the way in which prescription charges affect those in receipt of a student loan? I want to raise the case of my constituent, Lucy Little of Nailsworth, who, because she is from a single-parent family and has to pay her way through university partly by working, now has to pay prescription charges, whereas better-off students who receive money from their parents get free prescriptions.

Mrs. Beckett: I hear and understand my hon. Friend's identification with the rural audit report. I agree that it was excellent.

I am aware that difficulties often arise with prescription charges, although I am obviously not familiar with my hon. Friend's specific constituency case. I fear that I am unlikely to find time for a debate on the matter in the near future, but I am sure that he will look for other opportunities to raise it.

Mr. Michael Fabricant (Lichfield): May we have an urgent debate on education, following the astonishing press release by the Secretary of State for Education and Employment, which states:

"Blunkett challenges LEAs on red tape spending"?

Is the Leader of the House aware that the Secretary of State has managed a double whammy of outrageous proportions? He has upset all the local education authorities by his inconsistent and spurious definition of central expenditure and he also continues to alienate teachers, who do not see any extra money trickling down to the classrooms and are suffocating under the daily notes that come from the DfEE instructing them what to do next.

Mrs. Beckett: As my right hon. Friend the Secretary of State for Education and Employment has made clear, local authorities were invited to supply the information that has been published and it was repeatedly cross-checked with them. He has also made it plain that, if there is some concern about the accuracy of that information, he will be more than happy for local authorities to publish what they believe to be the accurate figures so that people can examine the two cases side by side. That is a sensible approach. As for teachers not seeing money flowing to schools, I am sure that the hon. Gentleman is aware of the dramatic decline in class sizes for the youngest children, which was the key pledge made by the Government at the election. The hon. Gentleman mentioned teachers suffering under central control, but we all know who started that.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that nothing is more important for next Thursday than the special debate on providing devolved powers to the settlement in Northern Ireland? Nobody, certainly on this side of the House, would argue with that. However, in the event of that not happening—I hope that it does—what will be the position of all those people in the Assembly in Northern Ireland who will continue to be paid for producing what appears to be, for the past 12 months, nothing less than gridlock?

Mrs. Beckett: I am not entirely sure of the answer to that question. Everybody shares the view that few things could be more important within the United Kingdom than to see a settlement in Northern Ireland. I find it hard to believe that more than a handful of people would wish not to see that settlement endorsed, and the vast majority of people, wherever they live in these isles, wish to see a settlement that puts behind us the pain, violence and brutality that has disfigured that province for so long.

Mr. Robert Syms (Poole): Will the Leader of the House ask the Deputy Prime Minister to make a statement on the National Air Traffic Service? Last summer, an announcement was made that the service would be sold off. Since then, the proposal has received major criticism from the unions and many Labour Back Benchers. When will the Labour party's disagreements on the issue be resolved so that we can have either a decision to proceed or another Government U-turn, because the lack of progress is causing a loss of confidence in that important service?

Mrs. Beckett: I cannot undertake to provide an early announcement on that matter, but I will undertake to draw my right hon. Friend's attention to the concerns expressed by the hon. Gentleman. I am not sure which side he is on, as—if I recall correctly—the proposal was originally made by the Conservative Government. For the Conservatives to reverse their position would be not unusual, but commonplace.

Mr. James Gray (North Wiltshire): Will the Leader of the House confirm that the report by the urban task force chaired by Lord Rogers will be issued on Tuesday? Will she find time for an urgent debate on that report, on where we are to put the 3.8 million houses that we are told we will need in the next 20 years, and on whether ways can be found to encourage people to build them in the north-east and north-west of England which are economically so demanding of them? In that debate,

[Mr. James Gray]

would it also be possible to examine the scarcely credible claims of the Deputy Prime Minister to be the guardian of the countryside?

Mrs. Beckett: I am not aware of the timetable suggested by the hon. Gentleman. Of course, the House shares his concern about the issues of planning and housing, but I reject any suggestion that my right hon. Friend the Deputy Prime Minister is a less than worthy guardian of the countryside. He is a worthy guardian of all our interests.

Mr. Christopher Chope (Christchurch): May we have an early opportunity to debate the high price that is being paid for the Prime Minister's gimmicks? Would that give us an opportunity to discuss the revelation today by leading general practitioners that it costs as much for one patient to contact NHS Direct as a general practitioner receives for serving that patient for a whole year? That is a misdirection of resources which has been condemned by GPs, who say that the money would be better spent by them on behalf of their patients instead of in pursuit of a gimmick by the Government.

Will the Leader of the House also update us on the progress of the electronic commerce Bill? Has control of the Bill been transferred from the Department of Trade and Industry to the spooks at the Home Office?

Mrs. Beckett: The hon. Gentleman has submitted two separate requests for a debate. I can assure him that, when the Government have something to announce about e-commerce, we will announce it.

I was surprised and disappointed to hear the hon. Gentleman describe NHS Direct as a gimmick when it is an extremely worthwhile and potentially very valuable initiative. I am not aware that many general practitioners condemn it. With regard to the general tone of the hon. Gentleman's remarks, I thought it wrong and odd for him to talk about my right hon. Friend the Prime Minister as someone for ever churning out gimmicks, given his recent record in handling very serious international events in Yugoslavia and Ireland.

Mr. John Bercow (Buckingham): Will the Leader of the House arrange an early statement from the Secretary of State for Education and Employment on the failure of the Government's so-called new deal? A person who completes its training and education option is twice as likely not to find a job as to find one. Youth unemployment has risen in every quarter since the national introduction of the new deal. Moreover, almost half of those who participate in the new deal receive absolutely no benefit whatsoever from it. Is it not time that the Secretary of State made a statement accepting the verdict of the Business Services Association, which represents companies with an annual turnover of £8 billion? That organisation's verdict was that the new deal "is not working". Is it not time that the Secretary of State owned up to the fact that his flagship has sunk?

Mrs. Beckett: That is a long and elaborate request for what I assume is an urgent debate. I do not accept any of the hon. Gentleman's arguments, so I do not accept that there is a need for an urgent debate. The desperate wish of Conservative Members that the new deal should be a failure is a little sad. They want young people who languished in unemployment without hope for many years under a Conservative Government to remain without hope. The Government are not prepared to give up on them. We have put substantial resources into a scheme that is better and more successful than any in this country for many a long year—better, in fact, than any scheme ever before. It is disappointing that Conservative Members would rather gloat over the supposed failure of a scheme than welcome the success of the young people involved in it.

Mr. Oliver Letwin (West Dorset): Will the Leader of the House arrange an early debate on the worrying contrast between statistics developed by the House of Commons Library and the Government's statistical analyses? As was evident in the response by the Chief Secretary to the Treasury to my hon. Friend the Member for Lichfield (Mr. Fabricant) during Treasury questions, those two sets of statistics are wholly in conflict. Will the right hon. Lady find time for the House to determine whether the statistics department of the Library is in urgent need of repair, or whether it is the statistics departments of Government services—or the recollections of Ministers—that are in urgent need of repair?

Mrs. Beckett: When we are talking about accuracy in the handling of financial matters, my own recollection is clear. The hon. Gentleman may recall that members of the Conservative Government—they are now on the Opposition Benches—could not be trusted to give reliable statistics and information. One of the tasks willingly undertaken by the Government was to clean up and restore to independence the Government statistical service.

I understand that the hon. Gentleman's premise—that there is a conflict between statistics produced by the Library and the underlying case presented by the Government's Treasury team—is contested.

BILL PRESENTED

Genetically Modified Food and Producer Liability

Mr. Alan Simpson, supported by Mr. Tony Benn, Audrey Wise, Mr. John McDonnell, Mrs. Alice Mahon, Mr. Llew Smith, Mr. Robert Marshall-Andrews, Mr. David Chaytor, Mr. Jeremy Corbyn, Mrs. Maria Fyfe, Mr. John McAllion and Dr. Ian Gibson, presented a Bill to make further provision with respect to the safety of and liability for the deliberate release or marketing of genetically modified organisms and genetically modified food; to establish a genetically modified organism compensation fund; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 23 July, and to be printed [Bill 128].

Opposition Day

[15TH ALLOTTED DAY]

Widows

Madam Speaker: I have selected the amendment standing in the name of the Prime Minister.

1.20 pm

Mr. David Rendel (Newbury): I beg to move,

That this House welcomes the long-overdue extension of widow's benefits to widowers, and the doubling of Bereavement Payments; but notes that this costs only £100 million annually in the long term, compared with the £600 million cut the Government will make through the replacement of widows' pensions by a Bereavement Tax Allowance, the abolition of Dividend Tax Credits and the restriction of Council Tax Benefit on higher-value properties; regrets the Government's woefully inadequate response to next year's halving of widows' entitlement to additional pension; welcomes the fact that this is now under investigation by the Parliamentary Ombudsman; and calls on the Government to cease their attacks on the living standards of widows.

Before I begin, may I point out to the House an unfortunate transcription mistake? The motion printed in the Order Paper is not that which we had intended. I understand that the original motion was correctly transmitted to the Government and the official Opposition yesterday.

Madam Speaker: Order. The motion that stands on the Order Paper is the one that was given to the House. It was tabled by the Liberal Democrat party, it was checked by an officer of the party, and it has been presented to the House. Whatever dealings the Liberal Democrat party has had with the other main parties to try to amend the motion is a matter for that party. The motion on the Order Paper is the motion that the House will debate.

Mr. Rendel: I entirely accept that, Madam Speaker, and I am sorry if I seemed to imply anything else. I merely meant to inform the House of the words that were not properly transcribed. I entirely accept that an error was made, and I apologise to the House for it.

The motion originally transmitted to the official Opposition and the Government last night contained, after the words "by a" and before the words "Bereavement Tax Allowance", the words:

"Bereavement Allowance; deplores the loss of widows";

I apologise for that unfortunate error. It is one of those things that occasionally happens, but we must take the blame as it happened in our Whips Office last night.

At least two aspects of changes in legislation relating to widows and benefits are welcome. The first is the extension of widows benefits to widowers. For the first time, the benefits are gender neutral, and that is absolutely right. There is no reason to suppose that men who have been bereaved of their spouses need any less protection than women similarly bereaved. It is unfortunate that change has taken so long to occur. The Government waited until the pressure from a European court case forced them to make a change that should have happened long before.

Secondly, the Government were correct to double the bereavement payment from £1,000 to £2,000. The original payment was introduced long ago, and the costs of bereavement have considerably increased since then. Most of us have probably been involved in arrangements for a funeral, and we all know that costs have been escalating for some time. The £1,000 payment should have been increased before now, and the extent of the increase is evidence of that. Such a big jump should not have been necessary.

Rather less welcome is the fact that bereavement payment is still extended only to those below pension age. It would have been better to extend it to all. At the very least, if that was all that the Government could afford following their massive cuts in widows benefits, the payment should have been extended to the very poorest pensioners. It is odd that those below pension age should receive extra help with paying for funeral and other costs, while those above that age, who are often the poorest, should not receive equivalent help.

There are of course ways in which the allowance could be set up so that only the poorest pensioners received the payment. As we suggested in the Committee stage of the Welfare Reform and Pensions Bill, it may be possible to make the bereavement payment only to pensioners already on income support who had therefore proved that their means were very small. The Liberal Democrats would prefer to go beyond that because, as we have often said in the House, some of the poorest pensioners are for one reason or another not in receipt of income support. A case can easily be made for extending the payment to those of pension age, especially the poorest.

Mr. Eric Pickles (Brentwood and Ongar): Does the hon. Gentleman recall that, in the Budget press releases issued by the Inland Revenue, the Chancellor promised that these very people would be taken care of? It subsequently emerged that they would not be taken care of and the promise had to be retracted in Committee.

Mr. Rendel: The hon. Gentleman makes a good point. I am delighted to have it added to my argument. It is a worthwhile point to include.

One further point that must be made on this subject takes up something that the Government said in the Committee stage of the Welfare Reform and Pensions Bill. They claimed that there was no need to hand a bereavement payment to pensioners because the equivalent sums were included in the benefits paid to pensioners. We pointed out that, if that were true, it was surely illogical. One assumes that the payment will in most cases be applicable only once in someone's retirement. It is illogical that the one-off payment should be spread over all the pensions and benefits given to pensioners. It is as if the Government were forcing people to start saving something out of their pensions and benefits from the moment that they retired for the day their spouse died. The sensible way is for the Government to make a one-off benefit.

I have pointed out one or two things that are right about the Government's benefit changes. What is wrong about them?

Ms Sally Keeble (Northampton, North): Does the hon. Gentleman accept that the Government have also

[Ms Sally Keeble]

introduced a carers pension, which will apply particularly to women and help women who have stayed at home to look after children or people with disabilities? It is a big support for family life and for women, especially widows.

Mr. Rendel: We are debating widows in this case. Some widows and some widowers are carers, but that is a different aspect of the changes. We will no doubt welcome many other aspects of the benefit changes that the Government have promised but that perhaps have not yet been introduced. We are talking specifically about widows on this occasion.

Ms Keeble: If the hon. Gentleman thinks that we should talk only about matters that relate to widows, why has he included higher-value properties in the motion? What does that have to do specifically with widows?

Mr. Rendel: I assure the hon. Lady that there is a specific reason for including higher-value properties. It is largely widows who live in such properties. As I was about to explain to the House, I intend to leave that aspect of the motion to my hon. Friend the Member for Northavon (Mr. Webb), who will talk about that and two other aspects in a moment.

The aspects on which I will not take the time of the House at this stage are the abolition of the bereavement tax allowance, the abolition of dividend tax credits and the restriction of council tax benefit on higher-value properties. As the hon. Lady has referred to it, I shall explain further. It is often people who are left living alone in large properties when their families have moved out who are hit by that cut. That is sadly often widows.

What else is wrong with the Government's policies? The two aspects of our motion on which I intend to concentrate are the replacement of widows pensions by a bereavement allowance and the state earnings-related pension scheme. Government figures in answer to written questions show that the first will mean a long-term cut of £600 million to widows, compared with the £100 million cost of all the things that we have supported and welcomed. The long-term net saving to the Government—the net cut in benefits to widows—from all the changes amounts to £500 million. That is what the Government are taking from widows in the long term.

The Government have told us all along that they intend to cut the welfare bill but, instead of going for the areas where we would expect them to make savings, such as fraud, they are targeting some of the most vulnerable groups, including widows. All those who were expecting to get widows pensions believe that they have been paid for out of national insurance contributions; they are a contributory benefit. The spouses of people whose widows pensions are being removed have paid contributions to them and have expected during all their working lives that their widows would receive the pensions.

The wives of some people who are at the end of their working lives, or who are approaching that point, are much younger than they are. I have a constituent of 65 whose wife is only 50. If he dies before she reaches retirement age, she will get not the widow's pension but only the small bereavement allowance, which lasts for only six months. Because he has already reached retirement age, he has no means of setting aside extra savings to make up for what he had expected her to get. As with the SERPS change, there is a strong case for saying that, were the Government to play fair with such people, they would at least delay the introduction of the new scheme to allow those who could still make up the difference to put aside extra savings. That would reduce the risk of there being people who cannot make it up because they have already reached retirement age.

A more important argument against targeting widows by removing their pensions is that the bereavement allowance that will replace them is available for far too short a time. The Government propose that it should last only six months. Most hon. Members will have had people write to them to say that six months is far too short a time to expect a widow to get back on her feet after bereavement. Bereavement is traumatic and takes time to get over. Many widows may have been out of work for some time if they have been staying at home looking after families or ailing spouses before their deaths. If they are not well trained in modern skills for modern jobs, things may be difficult for them. They may need time to retrain before they can get back into work. As we all know, it takes some time to find a job.

To suggest that one should be able to go straight back to work within a month or two is absurd in the modern age. Even if one has completed a period of training, it may still take some time to get back into employment. In effect, the Government are telling people, who may have been out of work for some years, that, the day after their husbands die, they should walk into the nearest jobcentre and say, "I want a job. I am available, I am trained and I can work within a few months." That is absurd.

Some cases of bereavement are even more traumatic; many Members will have heard of such cases. I quote from the response of the National Association of Widows and the Widows Advisory Trust to the document, "A New Contract for Welfare: Support in Bereavement", in which those proposals were originally outlined. The response states:

"To pay this benefit for 6 months makes a mockery of the title, 'Support in Bereavement'."

I also quote the words of Patricia Thomas of Survivors of Bereavement by Suicide—I am sure that we can all understand that to lose a spouse through suicide is an even more traumatic event, and one that it is likely to take even longer to overcome. Patricia Thomas writes:

"Unfortunately I am well qualified to comment, having been widowed when my husband committed suicide 5 years ago. I was 45 and left not only with the responsibility of supporting two teenage sons and an eight year old daughter, but also having to face the fact that I had to make provision for my old age, as my husband's private pension could not be inherited by myself."

She makes the same point that I made about getting back into full-time work. She writes:

"I discovered how difficult it is to find full-time work. Both ageism and employers' worries about the conflicting demands on mothers with school age children appear to be significant factors . . . I have had poorly paid posts of 20 and 24 hours per week, both of which have ended in redundancy."

That is the real situation for widows in our society today; it is not one that is met at all by the Government's proposals.

Given those difficulties, the Government should consider at least two new measures. First, there should, at the very least, be a longer lead time before the

introduction of those proposals. Secondly, the bereavement allowance should be paid for much longer than the six months that the Government propose. It could be paid for up to five years and the Government would still achieve a net saving on their proposals. To pay the allowance for six months would give them £500 million net savings; they could easily afford to pay it for up to five years and there would still be a net saving.

The second part of our motion relates to the SERPS changes. That problem originated with the previous Conservative Government; no one should blame the current Labour Government for the fiasco of the initial failure to warn people about the change initiated by the Conservative Government in 1986. That Government introduced a policy of halving the additional pension, based on SERPS, paid to women after their husbands die. That halving is due to take place from 5 April next year. In one sense, people were given considerable warning—unlike the changes to which I referred earlier, for which we ask for a longer lead time—because the previous Government allowed a long lead time from 1986. However, although there was a long lead time, no one knew about it, because the previous Government failed to tell people what they were doing. It was worse than that; they continued to send out leaflets and letters from the Department of Social Security making it clear that the full SERPS entitlement would transfer. They made no mention whatever of the fact that it would make a difference when the male partner died.

Unfortunately, the present Government cannot be absolved of all blame. Having come to power in 1997, they continued to issue wrong information through the Department. The leaflets, which had been corrected by then, made some mention of the change, but people who wrote to the Department were often given the wrong information. We have considerable evidence to the effect that letters were sent out late last year giving people the wrong information.

Mr. Pickles: I apologise for stopping the hon. Gentleman in mid flow, but I must point out that letters giving the wrong information were sent out this year.

Mr. Rendel: The hon. Gentleman just got in before me: I was about to come to that point. There is evidence that, as recently as April this year, one or two inaccurate letters crept through the system and were sent out—even after the Government had explicitly told the Benefits Agency to clarify the position.

I asked the Minister by way of an oral question whether he planned to introduce some sort of compensation for people who had been misled by his Department. He promised me on 8 March this year that there would be a compensation scheme: he did not say what it would be, but he said that he would at least consider it. That is welcome news so far as it goes. However, more than three months later, we have been given no details of what compensation scheme is expected. People are worried about what will happen. They took the wrong decision, based on false information from the Government, and they do not know what will happen to their wives when they die. Some such people may be aware that they are nearing the ends of their lives and they do not know in what state their widows will be left.

I am happy to say that, as a result of efforts by me, my hon. Friends and other hon. Members, the parliamentary ombudsman has decided to examine the issue. I hope that he will advise the Government not only that they should introduce some sort of compensatory scheme for those who can prove that they were misled and that their financial situation has been damaged as a result, but that the whole scheme should be delayed. The introduction of the scheme should be put off until beyond next year. The ombudsman has promised that he will inform us of his advice to the Government well in advance of the provisional implementation date of 5 April next year. I hope that we will get his advice soon. I hope also that the Government will not wait for the ombudsman's advice before making up their own mind as to what sort of compensation scheme should be introduced. The Government must move ahead: three months is quite long enough to work up a decent scheme.

There is widespread fury about what has happened among those who have been misled. I am sure that all hon. Members have received letters from all over the country from people who are angry about what has occurred. Mr. W. K. Bennett wrote to say:

"I could not believe that such an important change to the income of so many people had not received more publicity (from either the Government, politicians or the media)."

Mrs. Betty Tilford wrote:

"perhaps we should all kill off our husbands before the 6th April deadline".

In saying that, she picked up on the comments of the present Leader of the House when she spoke to the original legislation in 1986. She said:

"I advise anyone who is married to a man who is lingering on 5 April quickly to shove a pillow over his face, because it will halve the pension entitlement if the husband dies on the following day. It is extraordinary that the Government should place people in such a position . . . They will be taking away rights that have been earned."—[*Official Report, Standing Committee B*, 27 February 1986; c. 470.]

There is a further aspect to the campaign to get the Government to change their mind—

Mr. Phil Willis (Harrogate and Knaresborough): I trust that my hon. Friend is not proposing such draconian ways of dealing with the situation. Does he not find it bizarre that, a few months ago, the House debated the mis-selling of private pensions in the second-tier phase, and that the Government ran television advertisements alerting people to the fact that they may have been mis-sold second-tier pensions, yet there has not been a single television advertisement or press release and no campaign to alert people to a measure that could have an immense effect on their lives?

Mr. Rendel: My hon. Friend is entirely right. It seems unbelievably hypocritical that the Government should force the private pension industry to do what they are unwilling to do themselves. It is disgraceful. If the private section of the insurance industry is to be forced to write to people to ask whether they feel that they may have been given bad information, surely the Government should do likewise with regard to SERPS.

The Minister of State, Department of Social Security (Mr. Stephen Timms): I thank the hon. Gentleman for giving way. I do not want him to give the House the wrong impression. Can he confirm that he strongly

[Mr. Stephen Timms]

supports, as I hope that he does, the action that the Government have taken to deal with the mis-selling scandal that we inherited from the previous Government?

Mr. Rendel: I certainly support that. The very fact that I support it means that I would support the Government acting in the same way about their own mis-selling scandal. If the Minister is so keen for us to support his action in relation to the private pension industry, that implies that he should be doing exactly the same with regard to the mis-selling of SERPS. Perhaps he will intervene again and tell me now whether he is keen to take the same sort of action in the public case as he has demanded that the private sector should take. It seems that the Minister is unwilling to intervene again.

There is a further aspect that proves how widespread is the public's fury. Hon. Members may have noticed that one of the rare occasions on which I obtained a full-page spread in *The Sun* came a few days ago, as a result of my presentation to the Prime Minister of the petition run by that newspaper, asking for the Government to reconsider what they had done and to introduce proper compensation. The petition was widely supported and demonstrates the importance of the issue and the widespread anger aroused by it.

What should be done? I admit that the Government are in an extremely difficult position. I have made it known to the Minister that he has my sympathy for that. It is difficult to see how to overcome the problem. There is only one fair way for the Government to do so. From the time when the information begins to flow, the introduction of the change should be put off for at least the length of time that people were originally given by way of warning. That means, in effect, that the change should not be fully implemented for another 10 years or so.

That will be expensive, but it is the only fair way of dealing with the problem, and I emphasise again to the Minister that that is what the Government have demanded of the private sector. If the private sector must provide compensation, the Government should do the same.

Compensation should be paid to those who can show that they were misled. The difficulty with the compensation scheme arises because the Government are demanding full evidence not only that people have been misled, but that, as a result of being misled, they changed the decisions that they otherwise would have taken. The House can see how difficult that will be.

People must be able to show that they have been misled. What if, 10 years ago, they telephoned the Department or their local Benefits Agency office and received the wrong advice? How can they now prove that, 10 years ago, they had a telephone conversation in which they were given the wrong advice? They may have something in writing from 10 years ago, but how many of us have kept all the paperwork for the past 10 years, which we may at some point need, if it gave advice that we followed? To prove that a person has been misled is difficult.

The Government are asking people to prove not only that they have been misled, but that they have changed their decision as a result of that false information. They may have decided to do nothing, because they thought that the full additional widows pension that the Government were offering was sufficient. If they left it at that and did not change their mind, how could they prove that they would have changed their mind had they been given the correct information? I suggest that that is almost impossible.

If we are to have a compensation scheme, there must be no quibbling about the evidence, and it must be full and fair to people who claim that they would have made a decision even though they cannot prove it.

Mr. Derek Twigg (Halton): I apologise to the hon. Gentleman for missing the beginning of his speech. What would the compensation scheme cost the Exchequer based on what he has told us?

Mr. Rendel: I would love to be able to ask the Government what it would cost, but it is impossible to cost a compensation scheme because we have no idea how many cases are involved as the Government have failed to find that out. We cannot possibly cost such a scheme until the Government have done their job properly.

Mr. Michael Jabez Foster (Hastings and Rye): If the hon. Gentleman cannot answer that question, can he tell us what it would cost if the measure were postponed for 10 years, which was his other proposal?

Mr. Rendel: I do not have the figures with me, but they were given in a written answer to a parliamentary question that I tabled, so they are available to the hon. Gentleman. It would be expensive: it would cost billions of pounds. It would cost more depending on how long it were delayed. The cost would reduce over the years, because the man and the widow would eventually die. If I remember correctly—perhaps the Minister has the figures—it would be about £10 billion over the next 10 years. I have admitted that it would be expensive, but it is the only completely fair way of going about it.

Mr. Timms: I am happy to help the hon. Gentleman by giving the figures. It would cost about £5.5 billion cumulatively over the first 10 years, and £1 billion a year thereafter, although that figure would diminish. It is a substantial sum.

Mr. Rendel: I am grateful to the Minister for giving that information. I had already elicited it from him in a written answer. It is slightly less than I said, so that is good.

Mr. Andrew Stunell (Hazel Grove): Does my hon. Friend agree with me that the scale of the loss to the Government if the deferral took place shows the loss to those who would benefit if his compensation scheme were implemented? Does not that strongly underline the sleight of hand that has been performed on widows, the impact of which will last for decades?

Mr. Rendel: My hon. Friend is right. Any money paid out by the Government is money that they have saved by failing to give the correct information in the past. It is fair to those concerned to pay out this money. I have said all along that the only way in which the Government can

make the situation fair once again is by putting off the introduction of this halving of the addition pension for another 10 years or so.

Mr. Derek Twigg: Where would this money come from? Would it be from 3p on income tax or from cuts in education or the health service?

Mr. Rendel: I am happy to say that it would be up to the Government to find the money, not up to me. The point is that it is money that was, in effect, taken from these widows as a result of the false information that was given. If society as a whole is to play fair by those people, society as a whole must pay its dues. It is unfair to expect widows to pay to reduce taxation for the mass of taxpayers.

Let me say a bit more about the cost to the individual. Mr. Michael Davies of Kidderminster has written a letter saying that an annuity to compensate for the amount that would be lost as a result of the change would cost £47,000. That is the amount that he has been quoted. It is relevant to what was said by my hon. Friend the Member for Hazel Grove (Mr. Stunell), and gives some idea of the real cost to people who have lost out as a result of the change.

It is hardly surprising that the overall cost to the Government of providing proper compensation for the misinformation that has been handed out will be considerable, but they must answer this question: is it fair for the individuals concerned to have to pay the whole cost, rather than its being paid by society as a whole? I suggest that it is not fair.

Mr. David Drew (Stroud): If the Government were to prejudge such cases, it is possible that people would not be adequately compensated. The ombudsman's inquiry will facilitate a proper investigation.

Mr. Rendel: I hope that, if the ombudsman comes up with a solution similar to mine, the Government will accept it. I agree with the hon. Gentleman that the ombudsman's inquiry will provide a good indication of what an objective observer might consider a fair response to the Government's difficulty—a difficulty which, as I have said, originates from what was done by the last Government. But, whatever the ombudsman comes up with, if the Government can guarantee us now that they will follow his recommendations, many people will be much happier.

What have the Government done to widows? In effect, they have dealt widows a quintuple whammy. They have changed the widows' bereavement allowance, abolished dividend tax credits, restricted council tax benefit for higher-value properties, removed widows' pensions, and refused to give proper compensation to those who have been damaged by the change to SERPS.

A great many people who voted for a Labour Government in 1997 have become disillusioned. Those people had great hopes of this Labour Government, and believed that, for once, the poorest and most vulnerable would be supported. Harold Wilson once said, "The Labour party is a crusade, or it is nothing." What crusade have we seen? During the past two years, we have seen a crusade against lone parents, and a crusade against those on incapacity benefit; now we are seeing a crusade against widows.

This is not the sort of Government people hoped that they were electing in 1997. This is a Government who did not deserve to give the people of this country the hope that they had when the Government were elected. This is a Government who have failed those who deserve most.

1.59 pm

The Minister of State, Department of Social Security (Mr. Stephen Timms): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'supports the Government's proposals to reform bereavement benefits, including the Bereavement Payment, which will provide a tax-free lump sum of £2,000—double the value of the current Widow's Payment; welcomes the additional help given to the children of widowers, who will qualify for the new Widowed Parent's Allowance, which will replace the Widowed Mother's Allowance; welcomes the protection given to widows over 55, who might otherwise have no practical alternative to relying on Income Support; and welcomes the wide range of policies which are designed to assist women to play a full and active part in the community.'.

I am delighted that we have the opportunity to debate the Government's policy on bereavement benefits. I am grateful to the hon. Member for Newbury (Mr. Rendel) for pointing out an error in the drafting of the motion, which is indeed incomprehensible in the form in which it appears on the Order Paper. I must say, having seen his correction to it, it is still a pretty ill-focused, ramshackle and loosely connected collection of topics—but at least now it makes grammatical sense. *[Interruption.]* The hon. Gentleman said that it was the fault of the Liberal Democrats Whips that the motion appeared in that form initially—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. There have been far too many sedentary interventions throughout the debate. If hon. Members wish to speak, they must wait and do so in the appropriate way.

Mr. Timms: Thank you, Mr. Deputy Speaker.

The speech by the hon. Member for Newbury was one with which, at least in outline, we had already become familiar in the Committee's proceedings on the Welfare Reform and Pensions Bill. Essentially, he welcomes the Government's measures that involve spending more money; objects to measures that involve spending less; and then goes on to call for a very long list of even more spending measures. His speech bore absolutely no relation to reality. One should expect from someone aspiring to leadership of his party a greater sense of the real choices facing a party in government.

The central feature of our changes to bereavement benefits is their extension to men. It is the first time that men will receive the benefit, which is a very big step forward. Our action has been widely welcomed, even—albeit in passing—by the hon. Member for Newbury. The change was long campaigned for, but bitterly resisted by Conservative Members when they were in government. At long last, the current Government are putting the matter right.

The current system—the one that we inherited—is based on the view that each married couple comprises one independent man, who is the breadwinner, and a woman who depends on him. Over 50 years ago, in his report, Beveridge simply assumed that married women would

[Mr. Timms]

stay at home. That view, which underlies the current system, simply does not reflect the real position in which we now find ourselves. Like so many other parts of the benefits system, that part needs to be modernised.

It is right that the benefits system should reflect the changes that have occurred in society. I understand the attractions of arguments that we should leave things as they are, and appreciate that some people believe that that would be in the best interests of those who depend on the benefits system. However, if we continue paying benefits when real needs have moved elsewhere, it will sap confidence in the system and undermine it. In the long run, those who depend on the system are those who will lose from such an approach.

Thus, for those who believe in the benefits system—as the Government do—modernisation is so important.

Mr. Pickles: The hon. Gentleman mentioned those who are dependent on the system. In the debate on the Report stage of the Welfare Reform and Pensions Bill, he said that those who were on contributory benefits were part of dependency. Does he stand by that statement?

Mr. Timms: I recall making no such statement, but if the hon. Gentleman will remind me of the context in which he thinks I made it, I shall most emphatically stand by it. If he will give me the reference, I shall be glad to do just that.

For those who believe in the benefits system, as we do, and in the potential of publicly delivered welfare to improve people's circumstances in a decent and dignified manner, modernisation is vital. Things do not stand still, and it does absolutely no favours to those who depend on the benefits system to behave as if nothing had changed. If we are spending benefits cash to meet yesterday's needs rather than today's, we are weakening the system and damaging the interests of those who look to the system for support. If we insisted on dealing only with yesterday's needs, we would be unable to meet today's needs, let alone tomorrow's.

Mr. Rendel: Is the Minister telling us that no one today is widowed, not in a job and unlikely to find one for some time, or traumatically affected by bereavement?

Mr. Timms: I am saying that the circumstances in our society are radically different from those that prevailed when the existing system was introduced. We need to bring the system up to date to reflect the huge changes that have occurred over the past 50 years.

There are big new demands on the welfare system that must be addressed, such as the needs of bereaved fathers who were dependent on the income of their partners. We shall make sure that the necessary capacity is available so that we do not let people down.

Mr. Rendel: I thank the Minister for giving way again so quickly. Is he seriously saying that he needs to make £600 million worth of cuts in order to pay for £100 million worth of enhancement?

Mr. Timms: I shall come in a moment to the financial consequences of the changes that we are making, but it is a feature of the changes to bereavement benefits that there will be additional spending in the early years to meet the new needs that we are addressing. The savings to which the hon. Gentleman referred will take a long time to materialise, so, on that front, his point is misleading. There will be an additional £140 million in the first year and about £100 million extra in the following year. So there will be substantial extra spending in the early years to meet the new additional needs that will be picked up.

The benefits system needs to reflect the changes in our society. If it does not, the system will be weakened and people who depend on it to provide security will be the losers. We will not allow that to happen. We are absolutely determined to rebuild our welfare system, and to restore public confidence in it and public support for it. That is our goal and we will achieve it.

Society has changed but the system has not. It ignores the fact that married women are far more likely to be financially independent and that flourishing public-private partnerships have developed in this area of welfare provision. Two thirds of working-age women are in work, as are seven out of 10 married women. That is nearly as large a proportion as the proportion of married men in work. The picture is therefore completely different from when the existing system was originally designed. Today, 47 per cent. of widows have occupational pension income. It is a condition of contracting out from SERPS that the SERPS element of an occupational pension offers a 50 per cent. survivor's pension. The system needs to be modernised accordingly.

The current scheme fails on a range of fronts. First, and above all, it gives no help to bereaved husbands, even when they have children to care for. That is a scandal and we are putting it right. Secondly, it no longer provides enough help with the immediate costs of bereavement. It continues to provide most help to those least likely to be in need of it. Currently, 75 per cent. of expenditure on widows benefit goes to the more numerous widows without dependants, while 35,000 widows receive nothing at all because their income support is reduced, pound for pound, by the amount of widows benefit that they receive.

The system does not recognise the enormous changes that have taken place in welfare provision. Many families now make their own provision for bereavement through occupational pension schemes and life insurance policies.

Our reformed system will for the first time treat men and women equally and will focus resources where they are needed most. We are not simply extending the old system of widows benefits to widowers. We have re-examined it in the light of our principles for reform and made improvements to bring it up to date.

Mr. Steve Webb (Northavon): The hon. Gentleman is right to say that things have changed, but widowhood is still a dreadful experience and the time that it takes to recover from it has not changed in the past 50 years. The six-month limit is crucial. The hon. Member for Croydon, North (Mr. Wicks), who is Chairman of the Education Sub-Committee, challenged the Minister on that limit in the early hours of the morning during Report stage of the Welfare Reform and Pensions Bill. Is the Minister saying that widows can now cope better with bereavement? Surely the situation has not changed and widows should not be forced back into the labour market so soon.

Mr. Timms: I shall come to that point in a moment. It is a question of balance and we believe that we have

made the right judgment. I urge the hon. Gentleman to be cautious, because the bereavement benefit system is not to do with the scale of someone's shock and their difficulty in coming to terms with bereavement or the undoubtedly enormous trauma involved. It is about giving people a breathing space after they lose income from someone on whom they were dependent. We have decided that six months is the right period to give that opportunity.

We will give immediate support on bereavement by introducing the bereavement payment—a tax-free lump sum of £2,000. That is double the value of the current widows payment. Some 15,000 men widowed every year will benefit from that for the first time and 40,000 new widows every year will get £1,000 more than they receive under the existing system.

We also intend to introduce two new contributory, non-means-tested benefits: widowed parents allowance and bereavement allowance. They will also be available to both widowers and widows. Widowed parents allowance will follow the rules that currently apply to widowed mothers allowance and will be calculated in the same way, but it will also be paid to widowed fathers, who are unfairly excluded at present. The new benefit will apply not only to new widows and widowers, but also to fathers who have already been widowed, if they meet the qualifying conditions. In total, around 25,000 widowers will benefit in the first year. That is a substantial improvement that has been widely welcomed. Bereavement allowance will be paid for six months following a bereavement, at the rate of the current widows pension.

I stress again that the benefits are contributory, not means-tested—there has been some mischief and misinformation about that—but they are time-limited. It would not be right to go on paying a widows pension for life to those who could be earning a decent living or who have large alternative forms of income. I shall deal in a moment with the period for which they will last.

Financial support is important in the period immediately after the loss of a husband or wife.

Mr. Pickles: I am curious about what the hon. Gentleman has just said. He said that widows benefits should not be paid for life. Can he tell me a time in our history when they were paid for life, assuming the beneficiary did not die suddenly and tragically before retirement age?

Mr. Timms: It has always been paid up to retirement. We are saying that that is no longer appropriate and does not reflect the reality of people's circumstances now.

Financial support is important in the period immediately after bereavement. Bereavement allowance will provide support in those vital six months. It will give people the breathing space that they need before they are in a position to support themselves by returning to work or through other income. That important breathing space allows people to come to terms with the emotional and practical financial upheaval caused by the loss of a spouse. However, we do not think that it would be right for younger widows and widowers, many of whom will already have regular employment, to assume a lifetime of dependency.

Another aspect of the current situation that I have not mentioned is that 98 per cent. of married women have had a job. Even if they are not currently employed, they have a history of work. Our comprehensive welfare-to-work programme offers a range of support, including advice on employment, training and benefits, to aid a person's return to work. It must be right and beneficial to ensure that a person can be put in touch with that support at the earlier stage of six months rather than delaying it for a year or more.

It is often in people's interests to get back into the labour market as soon as possible. We want men and women to be financially independent while they are of working age and in retirement. We are committed to removing the barriers to work and ensuring that work pays. Our reforms will refocus expenditure, concentrating the help that is available where and when it is most needed. That means meeting immediate needs at the point of bereavement and focusing on children and families. We want to balance sensitivity to the needs of people who have been recently bereaved with a recognition that, after a period of readjustment, those who are able to support themselves should do so.

It has been suggested that bereavement allowance should be paid for a significantly longer period, with the cost offset against the expected savings. However, the savings of £500 million that we have published are for the long term—they are expected in 2020. We shall be spending around £100 million extra in each of the first couple of years following the introduction of the new scheme. Paying bereavement allowance for a longer period would add substantially to those costs. It would not be a responsible use of resources to pay a long-term benefit to widows and widowers—without dependent children—who could be earning a decent living or who may well have a substantial income from an occupational pension.

I want to underline again the fact that, as we have always said, existing widows will not be affected by the new arrangements. We shall ensure that the existing arrangements continue to apply to all who are currently entitled to widows benefits. The new scheme will ensure that help is focused on those with the greatest need at the time of that need, with a weekly benefit for widowed fathers and widowed mothers giving long-term help with the extra costs of bringing up children, and a transitional benefit for widowed people over 45 and without dependent children, to permit a breathing space to help them to adjust to their new circumstances.

The hon. Member for Newbury spent a considerable amount of his speech expressing concerns about the change to the amount of SERPS that can be inherited from a spouse. That change was brought in by the previous Government in 1986. The change was designed to bring SERPS into line with occupational pension schemes, in which it has been the norm to pay a widow only half the spouse's pension rights.

That change was not published before 1996. A great deal of concern has been expressed to me here and in letters by hon. Members on both sides who want to know why. I wish I knew. The then Minister told the Standing Committee in 1986 that there would be a major publicity campaign about the changes. Not only was there no publicity campaign; the Benefits Agency leaflets did not

[Mr. Timms]

refer to the changes for 10 years, until 1996. That should clearly not have happened. As in so many other areas, we are having to clear up the mess that we have inherited.

Mr. David Heath (Somerton and Frome): What was the position of the then official Opposition on the measure when it was introduced?

Mr. Timms: The measure was opposed in 1986, 14 years ago. We are now considering how to deal with the enormous difficulties that we have picked up as a result of those changes not being publicised at the time they should have been. As the then Minister said, there should have been a major publicity campaign at the time to make people aware of them. That was not done, and it led to the problems that we now face.

I have said that anyone who can show that they have been mis-advised and, as a consequence, have taken action to their own financial detriment, will be entitled to compensation. A large number of people may be affected and we are considering carefully how best to resolve the matter. The ombudsman is also considering a sample of cases. We will make an announcement in due course, in good time for April next year when the change is due to take effect.

Mr. Andrew Stunell (Hazel Grove): The Minister said that, where it could be shown that someone had taken action, he would be entitled to compensation. My hon. Friend the Member for Newbury (Mr. Rendel) pointed out that it is people who have not taken action who have been lulled into a false sense of security. Can the Minister give some assurance that those people, the real victims, will be compensated?

Mr. Timms: If, for example, people have received advice by telephone, we shall take that into account. If what the hon. Gentleman is putting to me is that people may have received advice—for example, over the telephone—on the basis of which they decided not to do something that they would otherwise have done, then they, too, will have a case for compensation. However, this is an exceedingly complex and large issue which requires careful consideration by the Government. That consideration is currently being given and we shall make an announcement in due course.

Mr. Derek Twigg: I am reassured by what my hon. Friend says. I, like other hon. Members, have received letters from constituents on the subject. It is obviously a serious issue. However, are not the Government dealing with the matter in a more responsible way than the Liberal Democrats? When I asked how they would pay for a 10-year delay, they said that it was up to the Government to sort that out. But this is the same party that wants to put 1p on income tax to fund its education priorities. That seems like double standards to me.

Mr. Timms: My hon. Friend is being kind. I do not know about double standards—I would say treble or quadruple standards.

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): Quintuple standards.

Mr. Timms: Indeed.

My hon. Friend the Member for Halton (Mr. Twigg) is right to say that the Liberal Democrats' proposals are entirely free of any sense of responsibility.

Mr. Michael Jabez Foster: In view of the Liberal Democrats' interest today in the fact that the matter has not been mentioned since 1986, does my hon. Friend know whether the Liberal Democrats have mentioned it since 1986?

Mr. Timms: No, my impression is that they have not mentioned it until these last few months. My hon. Friend makes a telling point.

Mr. Pickles: The hon. Gentleman has been his customary courteous self today. One has become accustomed in debates such as this for Ministers to read their brief, not make important announcements. Today, however, the Minister has made an important announcement about telephone claims. How much proof will be required? Will an applicant's word that he telephoned in 1987 or 1988 be sufficient, or will a telephone bill have to be produced?

Mr. Timms: I advise the hon. Gentleman to be patient. As I have said, we shall make a fuller announcement on these matters in due course and as soon as we can.

Mr. Rendel: The hon. Gentleman seemed to make a double announcement, one of which was referred to by the hon. Member for Brentwood and Ongar (Mr. Pickles), concerning the proof that would be needed that a telephone call had been made. That is an interesting concept. I imagine that almost everyone involved could say that they had made a telephone call and it would be difficult to prove otherwise. But what happens if people say that they did not take any action? Most people, if they were reassured, will not have taken any action. Will they all receive compensation?

Mr. Timms: My advice to the hon. Gentleman is the same as to the hon. Member for Brentwood and Ongar—to wait for the announcement that we will make as soon as we are in a position to do so. The hon. Gentleman's point may well provide him with an explanation of why it is necessary to take some time over the details of the matter to ensure, as we will, that we get it right.

It is right, in meeting the needs of bereaved men for the first time, and in making a priority, as we are doing right across government, of the needs of children—in this case through the widowed parents allowance—that we should also take the opportunity to bring bereavement benefits up to date and modernise the circumstances in which they are paid. That is what we are doing, and I urge the House to support the proposals that are in the Bill.

2.26 pm

Mr. Eric Pickles (Brentwood and Ongar): It is a great pleasure to speak in this debate. I commiserate with the hon. Member for Newbury (Mr. Rendel) on the mistake in the drafting of the motion. He blamed the Whips Office, but if any trade union operates in this building it is that of the Whips. I shall watch for the number of times that the hon. Gentleman is slipped over the next few months.

It is also a great pleasure to follow the Minister. He spoke fluently and, in commemoration of the day and in honour of the Liberal Democrats, he is wearing a yellow tie. I also commend him on his bravery. His announcement concerning telephone calls is important. For him to say that, if people did nothing, they may well have a claim is an important announcement.

Mr. Derek Twigg: Will the hon. Gentleman give way?

Mr. Pickles: In a moment.

Not many hon. Members, save the Chancellor, have the opportunity to commit the Government to a potential £5 billion of expenditure. I congratulate the Minister on doing so. That shows real courage. I hope that he has a peaceful weekend in consequence, particularly as the hon. Member for Halton (Mr. Twigg), who is seeking to intervene, criticised the Liberal Democrats for suggesting such a thing. I trust that he will now apologise to the hon. Member for Newbury.

Mr. Twigg: When will the hon. Gentleman apologise for the current debacle? Will he apologise now on behalf of the Conservative party when it was in government?

Mr. Pickles: I have apologised from the Dispatch Box on a couple of occasions. Hon. Members should accept responsibility for what happens. The fact that the publicity campaign did not take place is a disgrace. I do not think for one moment that Ministers in the Department of Social Security prevented that from happening; nor do I suppose for a moment that the Minister would issue inaccurate information. At the beginning of this year, the Department issued a memo on pensions dated 12 January. It contains no instruction to give people the right information. That is an interesting date, because I received a letter on the same day giving inaccurate information.

Too often in politics, people are not prepared to accept responsibility. This situation arose when I was chairman of education for Bradford metropolitan district council and before the Minister entered the House, but I accept responsibility, as must we all. We must all find ways to deal with such matters. The Minister, in the undertaking that he has just given, and in terms of the ombudsman's report, will go some way towards doing so. I look forward to the Chancellor honouring the hon. Gentleman's pledge today. I hope that he will support him in that. It is a brave thing to come before one's Back Benchers and defy their wishes.

The Welfare Reform and Pensions Bill, which largely dealt with these matters, is now in another place. We spent many hours debating the Bill in Committee and on the Floor of the House. We hoped to receive some explanation of why the Government are abandoning a proportion of widows, but we have received no explanation in Committee, on Report or today. The Government have deliberately picked on a group of women who are unaware of their fate. The great advantage for the Government is that no one can identify the victims. The women are unaware—they are currently in a marriage, and they have a reasonable expectation of a long and happy marriage. Sadly, fate will deny them that. From a spin point of view, that is marvellous. There is no opposition, because no one can point out that they will lose from it. However, those women will have to face not only the loss of a spouse, but the sudden realisation that their Government will abandon them at their time of greatest need.

The proposal offers the veneer of change under the cover of sexual equality. The Government are right to say that times are changing. Widows pensions were introduced in 1925 when the man was the main breadwinner. In 1999, things are changing—but they are not changing that fast. I welcome the fact that there are more women in the work force, and their increasing role, but these are early days.

The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) put it well on Report when she said:

"It will not do for Ministers to wrap it up in spurious feminism, claiming that the world has changed, women have moved on, women all work and they do not need the present provision. The world has not changed that much and the majority of women, particularly working-class women, still earn less than the majority of men."

The hon. Lady was absolutely right about "spurious feminism". The Government put on a veneer of sexual equality. They are using widows as the battering ram of social change, rather than as a reflection of social change. *[Interruption.]* The hon. Member for Sheffield, Attercliffe (Mr. Betts), from a sedentary position, does not show sufficient compassion. Surely it makes sense to carry out such a measure once matters have changed, rather than to use it as a battering ram to make the change.

Nobody is fooled by the veneer, which is entirely transparent. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said in the same debate:

"Many women who will be affected by the changes will not have had jobs, will not have qualifications and will find it impossible to find employment."

Unlike other matters in the welfare budget generally, the number of widows is falling. It fell by 30 per cent. between 1983 and 1997. This is simply a cost-cutting measure to save £600 million of money which, as the hon. Member for Newbury said, husbands have paid in over many years in the reasonable expectation that the Government would honour their pledges. This £600 million will force widows on to means-tested benefits.

Kali Mountford (Colne Valley): The hon. Gentleman is as gracious as ever, and I am enjoying his flamboyant use of language. Does he accept that focusing resources on families with children will do far more socially than anything that he is now suggesting?

Mr. Pickles: The hon. Lady cannot get away from the fact that what she voted for the other week was the abandonment of widows at their most difficult time. It will ensure that women who perhaps have nursed a husband for many years will suffer. People who have lost a husband by suicide will suffer. In addition, someone who loses a sole child will suffer because of this when they are at their most vulnerable. The Minister is right to say that this is not about compensation for bereavement. It is about giving a breathing space, or providing the thing that the state can offer in those times—a little bit of money to allow women to make sensible decisions.

The Minister said that those on contributory benefits are part of the dependency culture—a point that he repeated on Report. He asked for the reference—it is

[Mr. Pickles]

column 810. That proposal goes to the heart of the Government. I do not believe that the Minister is an uncaring man, but he does not understand the difference between means-tested and contributory benefits, and the effect of pushing more of society on to means-tested benefits.

I accept that the Minister may not want to take my view on this, so I will simply repeat some of the speeches that have been made by Labour Back Benchers. This matter concerns the famous "something-for-nothing society" speech made by the Prime Minister. The Government believe that widows receiving benefits that their husbands have paid for are getting something for nothing. The right hon. Member for Birkenhead (Mr. Field) put this well in the debate on 17 May:

"Given that it is the Prime Minister's wish for welfare to be based on something for something, it is difficult to justify the Government's changes in the provision for widows. We are taking away benefits—contributions towards which may have been made for 30 years—and substituting nothing, which is the exact opposite of what he says he is about."

Kali Mountford: Does the hon. Gentleman accept that life on benefits is no fun at all, and that people in employment are significantly better off? Does he accept that those who are willing and able to work will find that the opportunity to work gives them far better opportunities in life than languishing on any benefit, whether contributory or otherwise?

Mr. Pickles: The hon. Lady is absolutely right, but those who receive contributory benefits are getting back money that they have paid in. The widows pension has enabled a number of women to receive a sum of money as of right, which has often enabled them to get back to the workplace. That is why only 17 per cent. of widows currently get means-tested benefits. After these proposals are brought in, a great deal more will be forced on to such benefits.

Mr. Rendel: Will the hon. Gentleman give way?

Mr. Pickles: I will in a moment. Distinguished as the hon. Member for Newbury is—and as I aspire to be—I fear that we are not going to impress the hon. Member for Colne Valley (Kali Mountford). Let us look instead at what the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) said. She said:

"The vast majority of working women are in jobs that pay less than the male average wage. Some have been on very low pay . . . Some will not have been working at all while raising their families. A woman's family might have left the nest only recently, leaving her on her own." —[*Official Report*, 17 May 1999; Vol. 331, c. 777-92.]

Mr. Rendel: Even if it is true that living on benefits is less worth while than having a job, is it not also true that living on no benefits at all when one cannot get work is the worst of all possible situations? Taking away the bereavement allowance after six months does not provide an opportunity for work; that opportunity exists anyway.

Mr. Pickles: The hon. Gentleman is entirely right. Widows will be forced further and further down the income scale and will have to sell their property and personal possessions until they qualify for income support. That will add to the amount being paid to people through means-tested benefits.

There is one vital question: why six months? What is so magical about the figure of six months? We have received much evidence and many statements from various organisations, all saying that six months is wholly inadequate. I recall a very moving speech by the hon. Member for Hackney, North and Stoke Newington about the loss of her mother, and I spoke in Committee and on Report about the loss of my mother. I know that one's judgment has not returned six months after that loss, so how much more difficult must it be for someone who has lost a life partner, someone to whom one may have been married for 20, 30 or 40 years?

The Minister said that it is all a question of balance. What is the balance? What are the ingredients of this magical balance? We know that part of the balance is that, if the widow remarries within the six-month period, she loses the bereavement benefit. Who marries within six months of a bereavement? It is odd to put such a provision in primary legislation.

We know of one famous marriage within six months: that of Hamlet's mother, Queen Gertrude.

Angela Eagle: A dysfunctional family.

Mr. Pickles: I suppose that it is fair to say that the king and queen of Denmark and their eldest son were indeed a dysfunctional family, but why is an entire piece of legislation being put together on the basis of such families? Not all families are the Simpsons or Hamlet's family. You are very well read, Mr. Deputy Speaker, so you will recall that Hamlet talked about thrift. He said:

"Thrift, thrift, Horatio! The funeral baked meats
Did coldly furnish forth the marriage tables."

One might need the provision if it were a matter of 15 years' potential pension—but 26 weeks? Now we know what the balance is that the Minister wants to achieve. At one end of the scale is Queen Gertrude of Denmark and at the other is the spurious feminism referred to by the hon. Member for Hackney, North and Stoke Newington—a balance between Denmark and Hackney.

Miss Anne McIntosh (Vale of York): My hon. Friend may know that I am part Danish. I have recently joined the Anglo-Danish society. On behalf of all my compatriots, I hope that he is not arguing that all Danish families are dysfunctional; I am sure that that was not his intention.

Mr. Pickles: I wish my hon. Friend a long and happy marriage. Much as I love and admire her, she should be reassured that I will not be on the waiting list should anything unforeseen happen.

Mr. Stunell: May I bring the hon. Gentleman back to this country? Labour peers have tabled an amendment that would increase the bereavement payment period from six months to 12. Does he agree that it would be good if the Minister could announce that the Government were prepared to accept that amendment?

Mr. Pickles: It would be marvellous. The Minister has had his chance, but I will gladly give way to him if he

wants to make that announcement. Various formulae could be available to extend the period, but we have still not received an explanation of why the period should be six months. On this matter and on the bereavement tax allowance, to which the hon. Member for Newbury referred, we need to know where the Government stand.

Let us consider the plight of war widows. The Government appear to have a cynical attitude to widows. This is a small matter, but I think that it speaks volumes about the Government's attitude. For the purposes of housing benefit, £10 is disregarded from war widows pensions and from war disablement pensions. Some local authorities use their discretion and waive more, or the entire amount. That is as one would expect for the widows of the generation of heroes who gave their lives for their country. It is right that local authorities should act with compassion, but a few stick rigidly to the £10. It is unfair that widows living only a few miles from one another should be treated differently.

The hon. Member for Thurrock (Mr. Mackinlay), to whom I pay tribute, asked the Prime Minister to review the matter and consider how to achieve some uniformity among local authorities. The Prime Minister said:

"I am certainly happy to consider it, but my hon. Friend will know that discussions about the problem have been going on for a considerable time. It is for local authorities ultimately to make their own decisions, but we shall continue to keep the matter under review and under discussion."—[*Official Report*, 20 March 1998; Vol. 312, c. 950.]

When I heard that commitment, I thought that it was marvellous and I looked forward to some action. I felt that it would be a good test of the Government's and the Prime Minister's sincerity. It is a small matter with small cost implications, and a promise was made to the House from the Dispatch Box.

A year passed and nothing happened. I asked why that was, and the Prime Minister's reply was very different in tone and content to what he had said to the hon. Member for Thurrock. The Prime Minister said:

"We have explained constantly that the problem is cost, but I point out to the hon. Gentleman that he supported a Government who were in power for 18 years and never did that. I appreciate that we now have the responsibility"—

that is a good thing in a Prime Minister—

"for those decisions. We have said that we will look at it, and we will do that, but the problem is simply one of cost."—[*Official Report*, 12 May 1999; Vol. 331, c. 315.]

I have checked *Hansard* carefully, but I could see no reference in the intervening period to any Minister saying that it was a matter of cost. I cannot understand how the Prime Minister can say that the Government have consistently said that cost was the issue. I concede that the previous Government did not increase the disregard, but a promise is a promise.

I tried twice more. I asked the Leader of the House about the issue at business questions on 13 May and I asked the Under-Secretary of State for Social Security on 24 May. He told me that it was a matter for the discretion of local authorities. I already knew that. Indeed, the Prime Minister told the hon. Member for Thurrock that a year ago. What happened to the review of the situation? I submitted a written question, which was answered by the Under-Secretary of State for Social Security who is in her place. I asked her:

"how many local authorities *(a)* do and *(b)* do not disregard the whole amount of war widows' pensions and war disablement pensions".

I also asked what the total cost would be. She replied:

"The additional cost to central Government of a full disregard is estimated to be in the region of £70 million".—[*Official Report*, 20 May 1999; Vol. 331, c. *429-30*.]

She also said that information on the use of discretion by local authorities could not be provided because of the "disproportionate cost".

The sum of £70 million is a full £10 million less than the Government spend annually on publicity. They could find £70 million by reducing the number of leaflets that they produce. *[Interruption.]* The Government Whip appears to look favourably on that idea. The sad fact is that the number qualifying for the benefit falls every year, because many of them are in their 60s, 70s or 80s so the Exchequer would not have to make a large commitment.

The Under-Secretary did not know which local authorities used their discretion. How then can the Prime Minister say it is a matter of cost? He does not know what the cost would be. However, for the cost of a telephone call, I have been able to obtain that information, courtesy of the British Legion. Only 10 authorities stick rigidly to the £10 disregard. I shall list them for the Under-Secretary's information—Chester-le-Street district council, Easington district council, Gateshead metropolitan borough council, Manchester city council, North Tyneside metropolitan borough council, Norwich city council, Redcar and Cleveland borough council, South Tyneside metropolitan borough council, the City of Sunderland metropolitan district council and Wear Valley district council. They are all Labour authorities. Another 31 authorities apply less than a 100 per cent. disregard. If that is the sum total of the problem, the figure of £70 million might be a smidgen on the high side.

The Prime Minister made a promise and then forgot about it. He stonewalled a year ago and Ministers have stonewalled since, and we are no further on. If the Government are not prepared to concede on an issue so small and insignificant, what chance have we of extracting any concessions in the House of Lords?

What will happen next? I can find no better way to express that than to use the words of the hon. Member for Knowsley, South (Mr. O'Hara). In a final appeal to the Government to change their mind he said:

"I appeal to them once again—in friendship and fraternity—to stop attacking that group"—

widows—

"and, when they have an opportunity in the future, to find some way of being more generous to them."—[*Official Report*, 17 May 1999; Vol. 331, c. 784.]

What an appalling indictment of the Government that a Labour Back Bencher has to urge them to stop attacking widows. If Conservative Members can make a speech on an issue based on criticisms from disgruntled Back Benchers and squirming Ministers, the Government's policy must be deeply flawed. They should reverse that policy and, in the words of the hon. Member for Knowsley, South "stop attacking" widows.

2.56 pm

Mr. Michael Jabez Foster (Hastings and Rye): The Government's proposals to ensure that widows and widowers receive significant help when they most need it is to be applauded. The present provision that we inherited failed to provide the right amount of help at the right time. It is the time shortly after a bereavement, when distress is

[Mr. Michael Jabez Foster]

coupled with extra cost, that needs are at their peak and when help is required. I therefore support the Government's proposal for a doubling of the immediate help through the bereavement payment because that will be of great assistance at the time when it is most needed. Also important is the fact that it will be paid to widowers as well as widows.

However, neither the present provision nor the Government's proposals deal with the small group of widows who face perilous financial loss at a time when the enormity of their situation is at its worst. I speak of those recent widows who receive the support of widowed mothers allowance and then lose their child.

The current provisions rightly provide significant support for young mothers—those under 45—who have children to support at the time of their husband's death. Such support continues until the child ends full-time education and then, depending on the age of the widow, a widows pension may be claimed or, if the widow is under 45, the provision ends. However, the changes can be planned for, as there is some certainty about when the child will leave the nest.

There are some widows, however—no doubt, a very small number—who suffer grievous financial and personal loss when they suffer not only the loss of a spouse but the subsequent death of a child. Such a tragedy befell my constituent, Mrs. Norma Haigh.

Mrs. Haigh was just 40 when her husband died and she was granted widowed mothers allowance. Up until earlier this year, with a part-time job from which she brought in £136 per week and the widowed mothers allowance amounting to £103 and child benefit of £11, she was able to support herself and her 16-year-old daughter, Rachel, albeit not to the same standard as if her husband had lived. Mrs. Haigh had an older son in the family who had completed full-time education but who unfortunately was out of work. He at least had the stability of a home in which to live following the death of his father.

On 1 January, Rachel was rushed to hospital and died in the operating theatre in tragic circumstances. No one could have expected that otherwise healthy child to have died in that way. My constituent was distraught following the death of her husband and that second tragedy and was too ill to return to work full time. She did manage to work for 15 hours a week, but, in consequence, her income was reduced to £54. Her widowed mothers allowance of £103 and child benefit of £11 ceased on the very day of her daughter's death. Having had an income of more than £250 a week, she was thus reduced at the time of her greatest need to an income of just £54. There was no provision for the funeral expenses or for the extra help needed at such a time. The previous Government's provisions did not cover that tragic circumstance. I am not suggesting that the previous Government intended to deny help to this small minority of needy individuals, but I am absolutely sure that the present Government would not wish for that small but needy group to be left without support.

I am asking not for compensation for bereavement but for practical and immediate help in such tragic circumstances. In particular, I have two requests to put to my hon. Friend the Minister. First, will he ensure that, when such situations arise—when either a mother or, now, a father is left with a double bereavement such as I have described—there should be an immediate bereavement payment, such as is paid under the new provisions, to assist with the funeral expenses? Secondly, will he ensure that there is a period of protection of perhaps six months from the loss of the widowed parents allowance to help overcome the immediate trauma?

A period of six months would probably be sufficient, as people's circumstances change while they adjust to bereavement. Because of the rarity of the situation, the costs to the Exchequer would be minimal; but, to the affected parent, the assistance may just make life worth living.

It is too late to help Mrs. Haigh, but I look forward to receiving my hon. Friend's assurance that my requests will be taken seriously and that proposals will be made to help others in such tragic circumstances in the future.

3.1 pm

Mr. David Heath (Somerton and Frome): I shall make a brief contribution to what has been an interesting debate. I commend my hon. Friend the Member for Newbury (Mr. Rendel) for the way in which he introduced the debate and ensured that it covered a wide spectrum of issues.

We are not holding the Government to account for one specific action in relation to widows, but we are worried about the cumulative effect of many different aspects of Government policy. When taken together, they make life very difficult for a particular group of people who often are not best equipped, either financially or emotionally after a bereavement, to make good the loss.

We do not damn the Government's intentions. The Government, when formulating social security policy, probably do not intend to be discriminatory against widows or any other group. Nor do we wish to damn all the Government's initiatives in that regard. We support many of them, and the extension of existing provision to include widowers is especially welcome, although we might quibble about its precise terms. We also welcome the promised additional support for carers although, given that the arrangements are not yet in place, it is stretching the point somewhat to claim that that is evidence of the Government's generous support for widows. We are entitled to wait until those arrangements are implemented before we hang out the flags.

The Government seem to have a blind spot in this matter, which is why the debate is so important. We must make it clear to those of our constituents who are widows or widowers that they are not forgotten, and that they are an important group whom we shall support in our arguments today.

It is rare for me to agree with the hon. Member for Brentwood and Ongar (Mr. Pickles), and spurious feminism is the last thing in the world of which the Conservative party could be accused. However, the hon. Gentleman had a case when he identified some wishful thinking in the Government's policy of social evolution rather than revolution. That evolution is under way, but it is not complete. The present sociological and demographic position is that many widows are not given the independent means and employment prospects that we want them to have. The truth is that they have often been placed at a disadvantage throughout their lives by the

social conditions in which they have lived, and that they are disadvantaged now by the arrangements governing what happens after the death of a spouse.

I wish to concentrate on the changes to SERPS and the undoubted mis-selling of pensions using terms that were anything but precise. That is a Government responsibility and a matter of enormous consequence to constituents. I have received very many letters on that subject. I shall not read them out, but I will name some of my correspondents. They include Mr. Deasington of Queen Camel, Mr. Michael of Bower Hinton, Mr. Smith of Milborne Port, Mr. Brosnan of Frome, Mrs. Stonell of Frome and Mr. Cochran of Henstridge.

The people who wrote used almost exactly the same terms, and it is interesting that most of them are men—husbands worried about what will happen to their wives after they die. The letters share one of two emotions: either devastation at the unpicking, through no fault of their own, of what the writers had arranged on their spouses' behalf; or anger at the degree to which they had been misled, right up to a few weeks ago, by the advice that they had received.

People often make SERPS contributions over a lifetime. The men who wrote to me expected that those contributions would mean that, after their demise, the arrangements for their spouses would be satisfactory. That expectation has now been dashed. They feel that the Government have reneged on what amounted to a genuine contract.

I feel sympathy for Ministers, because clearly this matter is not of their doing. The fault lies with the previous Government, who should have made the appropriate dispositions at the time and should have maintained them in the intervening years. However, that does not alter the facts facing the people who write to hon. Members of all parties. They are not interested in where the fault lies. Their problem is that, through no fault of their own, they have been left in an impossible position. They made the simple mistake of trusting the Government, and assuming that advice from the Department of Social Security was good. That advice was not good.

The problem of SERPS for widows is especially difficult. The demographic information shows that widows are among the poorest pensioners, as the relevant statistics prove. Many widows do not take up their income support entitlement. We may wish that they did and that the mechanisms were better at encouraging them to do so, but the fact is that they do not. Women tend, in general, to have lower pension entitlements than men—another example of the disadvantage that widows suffer. In addition, people who work under the SERPS system tend to have lower lifetime earnings and are therefore the least able to cope with the financial shock that has been described.

I intervened on the Minister of State's speech to ask about the position of the Labour party in 1986, when it was in opposition. I was not trying to make some clever debating point. I do not expect nothing to have changed over such a period, nor that members of the Government should adopt exactly the same position on every matter as they did in 1986. However, I would have thought that, when the Government came to power, Ministers would have talked to civil servants in the Department of Social Security about that Department's prospects. I should have expected them to realise that a measure that they had opposed in opposition—and opposed virulently, as the contemporary remarks of the Leader of the House show—was still waiting to be implemented. If Ministers did not realise that when they came into government, civil servants certainly should have known it and should have included it in the hand-over brief. They should carefully have flagged up the fact that a provision yet to be implemented had been opposed, giving Ministers a chance to reconsider it.

Of course, nothing happened. There was no decision to reverse the policy, which may have been impracticable in any event. More importantly, it was not drawn to Ministers' attention that no publicity had been given to the proposal. It is absurd that people were incorrectly advised. The mistake, far from being rectified, was amplified after the Government came into office.

Mr. Rendel: Perhaps when she winds up the debate, the Minister will tell us when her departmental team was told that incorrect information had been given.

Mr. Heath: My hon. Friend makes an important point. Either Ministers were told and were negligent, or the civil service has made an appalling error of judgment. The Government have ended up implementing a measure to which they were strongly opposed, and it would be a dereliction of duty in the civil service if that fact had not been brought to Ministers' attention.

All that is history, and we must deal with what is happening now. People have been placed in a difficult financial position. The Minister made the perverse suggestion that people who have suffered real hardship must establish that they were misled, and that they consequently made the wrong decision. I do not know what will happen to those who were misled, but took the right decision. Is the test cumulative or single? The test is perverse. Anyone who was wrongly informed by a Department of Government has been misled. It matters not what process of mind people went through. If they were told something wrong, they were misled, and the Department should be big enough to say so.

The Minister has put a gloss on the situation by saying that a phone call is sufficient evidence of someone's having been misled, even where there is no documentary proof. Inaction is just as adequate as action as a proof of wrong action. A person need merely say that he was telephoned, and did nothing more. That will be enough proof to win compensation. That is nonsense, and if the Minister does not realise on reflection that it is nonsense, someone else will realise it for him.

It would be far better to deal with problems at source, and fairest to take proper measures to extend the period of introduction to mitigate them. If that is not done, both the Department's culpability and the size of damages will have to be established, and it might cost the Government more to act in that way than to extend the period. Alternatively, a clear system must be developed to identify cases in which people were let down. Leaving it to the ombudsman would be another dereliction of duty. The Government appear to feel that it is all too difficult for them, so someone else must decide. "See you in court," they seem to be saying. A responsible Government dealing with people who have taken decisions on the best available advice would surely think it right to pre-empt the ombudsman and the courts by doing the right thing from the start.

[Mr. Heath]

I question the difference between the approach taken to this issue and that taken on the mis-selling of private pensions. There is a cost to the Exchequer, and I have the greatest of sympathy for Ministers. However, they must take this matter seriously. To the suggestion that the Liberal Democrats should somehow have warned people, I can say only that had we been running the Department of Social Security, we would have done so. It so happens that that responsibility fell to the Conservatives for a long time and has fallen for the past couple of years to Labour Ministers.

We achieve nothing by laying blame. We must do right by widows who are suffering and by husbands who are worried sick about the provision that they thought that they had made, and that they must now make again. It is cruel that elderly gentlemen have been left not knowing which way to turn. I implore the Government to take this matter seriously, and to do all that they can to mitigate a mistake that is not their own, but that they have not yet sought to repair.

The Minister of State is a decent chap—I often travel home with him on the tube, and I know that he would not intend widows to suffer. I hope that he will back his intentions with the right action.

3.17 pm

Kali Mountford (Colne Valley): I apologise to the hon. Member for Newbury (Mr. Rendel) for missing his speech. He and I have exchanged views during the course of the Welfare Reform and Pensions Bill, so I have had the benefit in the past of the full range of his views.

The hon. Member for Brentwood and Ongar (Mr. Pickles) gave us a vision of a widow, wrapped in her weeds, covered in a black shawl, shuffling about and unable to raise her head for want of self-esteem or dignity. The hon. Gentleman should know that times have moved on. The picture that he painted did no credit to him or to widows. We ought to recognise that widows have reached a dreadful time of life—I can imagine few things more terrible than the loss of a spouse—but the point is that it is the loss of the spouse that causes deep grief, not just the loss of a husband.

The hon. Gentleman might have recognised that benefits should be extended to men as well as women, not out of some spurious feminism and not even out of simple fairness, but because both men and women grieve. I do not know how men have carried on until now. Those who have managed to set aside grief to go off to work have done so because they had to. I have never seen a difference in the ability of men or women to cope with grief, which is equally deep, whether the deceased is a husband, a wife or a child. The quality of grief does not vary according to gender.

To suggest that extending benefits to men is spurious feminism is both wrong and unfair, particularly to fathers who must support their children. Many fathers choose to continue to work, but others do not. Mothers make similar choices in the interests of their families. The Government are right to restructure benefits to help families at a time of great need.

I cannot imagine that anyone could offer me a sum of money—even £50,000 a week—that would ameliorate my grief. There is no cost to grief, but there is a cost to living. The argument is why a period of six months has been chosen rather than a year or two years, but we have to look at everything on balance. We do not argue that, after six months, the grief will suddenly end.

Eight years ago, I lost a grandchild. I grieve for him still. I imagine that I shall grieve for the rest of my life, but I am not incapable of working and never have been. Nor is my daughter, who returned to work fairly quickly after the terrible, grievous loss of her first child. We cannot put a defined time limit on grief, but benefits are not about compensating for grief. They are about giving a period of sanctuary, but then life goes on and it must go on. It is right for Governments to consider how they can best help people through a period of distress in their life. I know from my family, friends and neighbours, and my own life that dignity comes from work and that it can provide a way of returning to life.

I do not argue that every woman or man is capable of going back to work instantly after the grievous loss of their spouse. They may still be grieving and their grief may cause them mental ill health, for which they will receive support. Even Liberal Democrat Members have failed to recognise that, if the bereaved person does not have children, when the allowance comes to an end, a range of other benefits will be available. They are available to all people who are ill or seek to retrain for work. People are not left unsupported in British society today.

I am glad to see the hon. Member for Brentwood and Ongar back in his seat. I hope that he will read my remarks about widows and recognise that they are not the women wrapped up in shawls whom he seemed to describe. I am glad to have the chance to put that point directly to him. I am grateful to him for recognising the terrible mistake of the Government whom he supported. Much has been made by Members on both Opposition Benches of what happened with SERPS in 1986. It was gracious of the hon. Member for Brentwood and Ongar to accept responsibility, even though he was not a Member of the House at that time. It makes a pleasant change.

The hon. Member for Somerton and Frome (Mr. Heath) made the point that we had to look at the situation that we were now in, not the one that we would have wished to be in or imagined that we were in. We inherited the most appalling mess, and that is why I am grateful for the apology. That appalling mess is such that the ombudsman is investigating it. It would be foolish and wrong for any Government to come in and say, "Here we are. We are going to save the day without looking closely at the detail." The detail is so complex that it may take a little while to sort out. It would be a grave mistake to rush it.

It occurred to me during the debate that people might say that they telephoned and were given advice. If they telephoned from a telephone box, I have no idea how they can prove that they made the call. The mess will be difficult to unpick. I do not seek to cast blame here, there and everywhere; that would not help the situation. The fact is that the matter has to be put right. I have no idea what the ombudsman's report will look like; I await it with interest. People feel let down by what has happened to them. People have made plans according to the advice that they were given. It behoves the Government to look closely at how that can be put right. To pretend that we can come along 14 years later with an instant solution would do no one any service.

Simply to say, "We do not blame you because you were not in government then, but you have to put it right and therefore it is your fault," does not take us any further forward. The way forward is what the Government are doing—namely, examining closely what happened and seeing whether there are lessons for the future and what, if anything, can properly be proposed to people who have lost out as a result of a mistake that was made 14 years ago in not giving out information.

Some comments were made about letters written in January to the Department about someone's entitlement on a particular day. My experience of Government Departments is that, when they consider a potential claim, they consider the day on which that claim might be made, which is the day on which it is proposed. Someone's entitlement may be six months down the line.

Mr. Pickles: The hon. Lady is courteous in giving way. I saw her name on the Annunciator screen so I came in to listen to her. She is doing well, but we are talking about 12 January. Information had gone out, instructions had gone out, everyone knew that there was a problem, and hon. Members were holding debates on the matter, but still the information had not got through to the Department. I cannot believe that we can run a Department on the basis of reading newspapers, but anyone who read a newspaper would have known. It is an indictment that the information was not passed down and that, on 12 June when a memorandum had gone out, it still had not told people in the Department to correct the mistakes.

Kali Mountford: I am flattered that the hon. Gentleman was so interested in what I had to say, but I would be more impressed if he did not try to use a tiny fig leaf to cover his embarrassment. It is extraordinary to pretend that the mistake is the responsibility of this Government when his Government introduced the procedures and I am surprised that he even attempted to do so.

Time is pressing, so I will simply say that the process that is in place now is the only one that can possibly work. The hon. Gentleman smiles at that, but I think that the process is right. I hope that lessons are learned for the future and that pensioners who feel aggrieved will have their concerns met by this Government.

3.27 pm

Mr. Steve Webb (North): The hon. Member for Colne Valley (Kali Mountford) has made a thoughtful speech in this important debate on an important issue, but she misses the point about what happens after six months. We are not saying that all financial support stops then. The significance of the six-month threshold is that it is when pressure starts to be applied to a widow. After six months, she ceases to be entitled unconditionally to what was previously the widows pension and will become the bereavement allowance. At that point, she receives only benefits conditional on actively seeking work and walking through the infamous single gateway. In other words, from the day of bereavement, a clock starts ticking and the widow knows that, six months down the line, pressure will be applied.

Widows will vary in their experience and circumstances of bereavement. A balance has to be struck, but we have been given no justification for the six-month threshold. It is another arbitrary assertion. I dare say that the pressure for the six-month threshold came not from Richmond house but from the Treasury 30 yd over the road. The balance that had to be struck was between what the Chancellor would let the DSS get away with and the needs of widows.What research has been done into the experiences and needs of widows and when they feel ready to look for work? I would love to know what evidence there is. Or is it just arbitrary or Treasury pressure?

The phrase "By their deeds ye shall know them" will be well known to hon. Members. New Labour has reconstructed the division between the deserving and the undeserving poor. The deserving poor are elderly or poor pensioners and the severely disabled. None of us would query that. Who are the undeserving? The Government have attacked lone parents and the incapacitated, but who would ever have thought that widows would constitute the undeserving poor? That is the group from whom they are now taking half a billion pounds. What is the great crime that widows have committed that the Government need to take half a billion pounds from them? It is that they have lost their husbands. That makes them undeserving under new Labour.

Much mention has been made of what the Government are doing for pensioners and carers. We have heard mention of the so-called minimum income guarantee. I offer my hon. Friends a guide to new Labour-speak. When a new name is given to something, it always means precisely the opposite. Therefore, the Bill to clamp down on information getting out is known as the Freedom of Information Bill, and the Bill to abolish legal aid is called the Access to Justice Bill; and the money to which 500,000 people are entitled but which they will not get is called a guaranteed minimum income. The Government's fig leaf is that they will help poor people through the guaranteed minimum income but, unlike the contributory benefits that they are cutting, the means-tested benefits are not guaranteed and will miss many of the most vulnerable. They have no defence.

My hon. Friend the Member for Newbury (Mr. Rendel) spoke passionately about the attack on widows through the cuts in SERPS. My hon. Friend the Member for Somerton and Frome (Mr. Heath) pointed out some of the absurdities of the Government's approach. That highlighted an interesting benefits policy issue. Many elderly men are distressed about what will happen because, next April, the widows pension will not be phased down but slashed. It will fall by half, overnight.

While it is Government policy to phase the increased retirement age for women by six months at a time over a decade, this cut is keenly felt—Ministers do not realise this—because, although there is allegedly 15 years' notice, the 50 per cent. pensions cut will happen with dramatic suddenness. There was no notice and people were never told, so they feel angry about the sudden halving of their widows' prospective income. None of us would accept the threat of such a prospect. That is why there is anger and why we need action.

We have touched often on the Government's benefit changes that are an attack on widows, but several other things in our motion have not been touched on. The first is an acute problem for widows: the restriction of council tax benefit. The Conservatives propose that someone who lives in a property above band E—a big house or a house in London—should get only as much council tax benefit

[Mr. Steve Webb]

as they would if they lived in a band E property. The Conservatives proposed that for everyone. The Government backed down on their proposal following pressure from the Liberal Democrats and others. *[Interruption.]* Labour Members snort; I am not sure whether that is parliamentary. I and my hon. Friend the Member for Newbury sat on the Committee that considered the regulation that would have introduced their proposal. We opposed it and voted against it. London Labour Members expressed their concern. The Government forced it through with their loyal Back Benchers but, after that debate, the Government rightly gave in to our pressure. That is a statement of fact.

The Government have protected existing recipients but new widows—widowhood can strike at any time—who live in properties above band E will find that council tax will be paid only up to band E equivalent. Why does that matter? Take a married couple who live in a large house and whose two or three children leave home for university and are no longer part of the benefit unit. The couple still live in a large or high-value home. If the husband dies, the widow, as well as coping with everything else, will find that the Government are saying that she lives in too big a house. That is the implication of the restriction to band E. The Government are saying that such people should trade down. They will only pay band E benefit because those people should not be living in such a big house. That is an extraordinary thing to say to people who have just been widowed. Not only are they being told that in six months they will have to get on their bikes and look for jobs, but, from now, day 1, they are to be told that they are living in too big a house. If they are on income support, they will have to find the shortfall in the council tax bill out of their basic income support—the poverty line that is supposed to be for food and clothing. How can that be acceptable?

I asked the Under-Secretary of State, the hon. Member for Wallasey (Angela Eagle), a written question last week about how many people had been affected so far, because the measure came in only this April. The answer was that the Government do not know. They will know next January. They do not know the effects of their policy on widows. Every widow affected by this—there will be many in London and the south-east where high-value properties are not necessarily huge; we are not talking mansions—will have to make up their council tax out of their basic income support. Because of what the Government have done to local government funding, council tax is rising faster than inflation. It is a serious burden. It is part of the Government's attack on widows.

The amount that the Government are saving through their measures is pathetically small given the scale of Government spending, but it will matter to widows who have to find £2 or £3 a week out of a pension of, say, £60. That is a substantial figure and the Government should reconsider.

It is not just the council tax. What about bereavement tax allowances? That allows widows to keep the tax allowance to which husbands were entitled through marriage in the immediate aftermath of bereavement. The Chancellor abolished that in the Budget but we did not hear about it in the Budget speech. We had to rifle through the Budget press releases. When someone untrustworthy has been to a house, it is necessary to count the silver after they have gone. When the Chancellor has not mentioned something in his Budget speech, we have to check the press releases to ensure that he has not abolished it. That is the precedent that he has set.

When we found the press release, it was wrong. As the hon. Member for Brentwood and Ongar (Mr. Pickles) said, it said that the Government were abolishing the allowance but were doubling the widows payment from £1,000 to £2,000 so that they would all be protected, but that applies only to widows under pension age. Widows above pension age have no offsetting protection. That is another Government attack on widows buried in the small print but it is real money to real people in real need.

It is not only the bereavement tax allowance. What about the dividend tax credit? That is the tax that non-taxpayers have to pay on their share dividends that they would previously have got back. Some 300,000 pensioners who do not pay tax, by definition poorer pensioners, will now pay tax on their dividends. Imagine a couple where the husband has put together a small share portfolio precisely because he wants to provide for his widow should the need arise. The Government say that it has been passed to her, so she must pay tax on it despite her not being well enough off to pay tax. That people are below the tax threshold and that it would cost only a few tens of millions to do something about it does not matter to the Government. In doctrinaire fashion, they will not make any concession because, if they make one, they might have to make another, so widows have to pay.

Mr. Timms: A few tens of millions?

Mr. Webb: My hearing is better than the Minister expected. He says that as though the Liberal Democrats are always spending such sums. Given the chance, we probably would. But, in forecasting its expenditure each year, his Department does not get it right to within £10 million or £100 million but has trouble getting it right to within £1 billion. In that context, £10 million to protect widows is small beer.

I may be mistaken, but my previous professional career reminds me that one of the Government's worst forecasting errors in recent years was in respect of war widows pensions. The Department of Social Security got its forecast wrong on a matter that one would have thought that it was not hard to forecast. If they can say that being a billion out does not matter because they will find the money from somewhere, the tens of millions that do not matter to Government but matter hugely to widows are not chicken feed. The Government need to act.

I am sorry that the hon. Member for Hastings and Rye (Mr. Foster) has gone because he raised the important problem of widows who suffer further the bereavement of losing a child. That is a dreadful situation that one would wish on no one. He seemed to be unaware that the Government's proposal not only fails to deal with the situation, but makes it worse. Previously, a widow who lost a dependent child would move from widowed mothers allowance to widows pension. *[Interruption.]* The Minister rightly indicates from a sedentary position that it would depend on age. However, there will be no widows pension if the child dies more than six months after the first bereavement. The hon. Member for Hastings and Rye was pointing to a deserving situation that his

Government have made worse. He asked for reassurances from the Minister that it would be tackled but I look forward to them with little anticipation of a satisfactory answer.

We talked about widowers. Understandably, the Minister focused at length on widowers, as I would have in his situation. Denuded of anything to say on widows, I would have talked about widowers at some length—that is perfectly legitimate. However, some months ago, when the announcement was made in the House about widows and widowers, I challenged the Secretary of State on that matter. Although I welcomed the fact that the benefit will go to existing widowers and not only to new widowers, I asked why we have to wait until 2001.

I have had to ask the local rotary club to bale out two widowers in my constituency in order to provide a much-needed holiday after their bereavement or to help with child care costs. I told those widowers that the Government—with their arm behind their back—will be bringing in additional benefits for widowers, but that widowers would have to wait, not until the start of the next financial year, but until 2001. They asked me why—I could give them no answer. As constituency Members of Parliament, we are having to turn to the voluntary sector—to rotary clubs, for goodness sake—to find financial support for that group of people, because the Government say that they cannot do anything until 2001.

The Government's amendment to our motion is abject—for want of a better word. What does it do? It supports the Government's bereavement payment, and the doubling of the value of the widows payment—so did the Liberal Democrat motion. It welcomes the additional help given to the children of widowers—as did our motion—so none of that part of the amendment was necessary. What else does the amendment do? It welcomes

"the protection given to widows over 55, who might otherwise have no practical alternative to relying on Income Support."

Hang on—why might they otherwise have no practical alternative? Because the Government have just abolished their benefits. That is extraordinary. The amendment welcomes the fact that the Government have only been fairly nasty. For tomorrow's 55-year-olds, the Government will be very nasty, but for today's they will not.

We have already gone through half of the Government's amendment. The first two parts agree with our motion; and the next part states that we should applaud them for not being as nasty as they might have been. Then, in the last sentence, they give the reason that we should reject the motion: the amendment

"welcomes the wide range of policies"—

none of which are listed—

"which are designed to assist women to play a full and active part in the community."

So that is all right. We can take £500 million away from widows—the undeserving poor—because we are allowing women to play a full part in the community. I am sure that that makes widows feel very warm inside.

The Minister of State told us that the fact that the Government were slashing £500 million from widows was not important, because, over the first couple of years, they would be giving £100 million to widowers. That is bizarre logic. At the risk of insulting the hon. Gentleman, that is very un-new Labour. The new Labour thing to do is not to talk about what the Government are doing this year, but to add together the next three years—or, given half the chance, to add together the next 30. However, the case of widows is different: to make a cut a few years down the line does not matter, the Government count only the money that is being spent this year. They are disregarding cuts down the track of £500 million for widows to focus only on this year.

The Minister spoke to representatives of Help the Aged yesterday. I saw the press release issued by the Department of Social Security. Its headline claimed that the Government were spending £4 billion extra on pensioners. *[Interruption.]* As the Minister says, it would be very good if they were. The question is: over what period is that £4 billion to be spent? Probably, it is three years because, in new-Labour-speak, numbers are usually tripled, so that would give an amount of £1.3 billion. Inflation is usually included, so that would knock off about £500 million. In effect, the Government will probably be spending an average of £800 million extra a year on pensioners—as indeed they are through income support. We welcome that. However, that amount is only one fifth of the amount that was claimed.

The Minister tells us that the cuts of £500 million for widows are unimportant because they are a few years down the track. To those people who will be widows at that time, the cuts will be as important then as if they had been made now. It is truly extraordinary that the only defence that the Minister can offer is that the cuts will take a few years to come through. However, the benefits will not be paid now; as I pointed out, widowers will have to wait until 2001.

I want to clarify and confirm the concession that the Minister made in the debate, because it is probably the most expensive concession that any of us have ever heard. As I understand it, people who were wrongly advised about SERPS—because they phoned the DSS in 1986 and were not told that their SERPS widows benefits would be cut—and who, on the strength of that bad advice, stayed in SERPS when they might have been better advised to opt out, will be compensated for that mistake.

I think that the record will show that that is what the Minister said. I am more than happy for those who read our proceedings to confirm that that is what he said. My hon. Friend the Member for Hazel Grove (Mr. Stunell), who is leaving the Chamber at the moment, questioned the Minister on that point and is obviously running off to tell his local newspaper to report the concession that he wrought from the Government.

The Government must take action on the matter; Governments—in the sense that government is continuous—have failed to give citizens the right information. Let us face the fact that none of us really understand pensions.

Angela Eagle: Except the hon. Gentleman.

Mr. Webb: Present company included. I am grateful to the hon. Lady for suggesting that I might understand pensions, but even I would not claim that.

The complexity of these matters is such that Governments must be proactive. If they make a complex change to a complex system, they must tell people about it. If they fail to tell people, they must take responsibility

[Mr. Webb]

for that failure. The Government failed to tell people about the SERPS changes, therefore, they have a responsibility to pay compensation.

The Minister said that an announcement would be made in due course. I think that those were the words he used. Three months ago, he told my hon. Friend the Member for Newbury that there would be compensation. Time is running out, because the ombudsman promised to give us a decision by next April, when this cut is implemented. Is the Minister in dialogue with the ombudsman? Is he waiting for the ombudsman to come to a conclusion? Will he undertake to implement whatever the ombudsman decides? Will he pre-empt the ombudsman? What if the ombudsman makes an announcement next March? Will we have to wait? It is not clear.

It is not good enough for the Government to say that there will be an announcement in due course. Elderly gentlemen—for it is they who are writing to us on these matters—who believe that they have made financial preparations in the event of their death, are distraught at what successive Governments have done to them. I accept the Government's admission that, in 1986, Labour voted against those measures, but, as with so many things, they are now in favour of them and will implement them. If they are going to implement them, they must compensate those people who were misled by successive Governments.

There has been a sustained assault on widows. A litany of measures have taken hundreds of millions of pounds out of the pockets of widows, who, by no stretch of the imagination, could be regarded as the undeserving poor. We have heard no convincing defence from the Minister; there is nothing in the Government's amendment that represents a defence. The case is proven and I urge the House to back our motion.

3.47 pm

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): We have had an interesting debate. It has ranged from an interpretation of Hamlet from the hon. Member for Brentwood and Ongar (Mr. Pickles) that was rather odd in places to a whole range of issues, some of which were sweeping in their scale and some of which were extremely detailed. In the remaining time for the debate, I shall try to deal with some of those issues.

Before I respond, I emphasise that our reforms will modernise an outdated scheme for those people who are bereaved. In considering widows benefit and the extension of the scheme for compensating widows, we would do well to remember the original purpose of such benefits. That was referred to in the extremely good speech of my hon. Friend the Member for Colne Valley (Kali Mountford). In the Beveridge reforms, the original purpose of the benefit was to compensate for the loss of a sole breadwinner; it was not to compensate for the pain of bereavement itself. Many of us have had painful experiences of bereavement, but, in considering the redesign of this benefit, we must focus on its original purpose.

The society of the 1940s was different from today's society. We are also talking about 2020 and many more years in the future, when I assume that society will continue to evolve and change. Our society is not set in aspic, preserved like a museum piece. Nor should our welfare system be preserved like a museum piece. In the 1940s, when the widows benefit system was created, only one in eight married women worked. Now, seven in 10 married women work. In the 1940s, the opportunities available to women to support themselves through employment were much more limited than they are today. For example, in teaching—a profession in which women are always well represented—women were required to give up their jobs when they married. They were not expected to continue in employment. No such expectations exist now, thank goodness, and opportunities for women in the labour market continue to improve—although I would not say that they are entirely equal.

Mr. Pickles: The hon. Lady referred to the 1940s—the time of the second world war. Is she in a position to tell us what happened to the Prime Minister's review of war widows pensions? When did the review body meet, what were its deliberations and what was the outcome?

Angela Eagle: I congratulate the hon. Gentleman on his ingenuity in raising the issue of war widows pensions. However, he will know that the war pensions scheme is entirely separate and different and does not come within the purview of this review. If he reads the Prime Minister's words, the hon. Gentleman will see that the Prime Minister said that that situation, like all Government policy, will be kept under review.

Women's opportunities in the labour market continue to improve. I am an optimist in this regard. I think that they will improve still further in the future. In the 1950s, only 100,000 women had access to occupational pensions—and that was through the pensions of their husbands. Today, 1.6 million women have such access. The society that was reliant on the single male bread winner, around whom the original welfare state was built, has disappeared. Women are now far more likely to be in work and accruing their own pension entitlements.

Our new scheme recognises that fact: it refocuses assistance by providing a weekly benefit for both widows and widowers with dependent children. Widowed parents allowance will have the same entitlement conditions and be paid at the same rate as the existing widowed mothers allowance, but will be available equally to mothers and fathers. William Beveridge would never have countenanced that—indeed, he ruled it out explicitly when considering bereavement provisions. About 40,000 new widows and 15,000 new widowers each year will gain from the new bereavement payment, which, at £2,000, will be double the existing widows payment.

We have recognised the needs of older widows and widowers through the new bereavement allowance. There has been little focus today on the transitional scheme for widows aged over 55. We recognise that women of that age are more likely to have been out of the labour market for long periods so they will not be asked to make themselves available for work. Our transitional scheme will passport those women on to retirement pensions by giving them an amount of money that is exactly the same as widows benefit. Women aged 55 at the time of the change will be passported into retirement and will lose nothing. Older generations of women—who were not long in the labour market or did not expect to work—will have

extra protection. There has been no mention of that scheme in the debate, and it would have been nice if hon. Members had conceded that point.

We have heard much talk about annuities and all sorts of pension rights. However, there has not been much criticism of the existing system, which fails to support poorer women as well as it supports those on higher incomes. The current system takes away benefit, pound for pound, from women on income support – who end up no better off, despite their widows payments. Therefore, we have introduced in legislation a £10 disregard on income support for women in that situation and a £15 disregard on both housing benefit and the working families tax credit in order to provide a little extra help. That is another positive measure introduced by the Government that was not mentioned in the debate.

I am glad that the hon. Member for Newbury (Mr. Rendel) welcomed the extension of these benefits to widowers. However, he did so rather churlishly, claiming that the Government had acted under pressure from the courts. In fact, we introduced the measure because we believe that people should have equal access to benefit and not be discriminated against on the ground of gender. The hon. Gentleman welcomed the doubling of the bereavement payment but seemed to want to extend the entire scheme to those above pension age. That has never happened before.

To return to my initial comments, the payments for widows – which are now being extended – are designed to compensate for the loss of a breadwinner's income. There is no breadwinner in retirement, so that factor is not relevant. Payments have never been made to women over retirement age who lose their husbands. The hon. Gentleman wants to change the system and extend bereavement payments to men and women in retirement. That would cost £400 million a year, which presumably must be added to the £10 billion that the Liberal Democrats spent when telling us what we should do about SERPS and to the dozens of other spending commitments that littered Liberal Democrat contributions to the debate.

We are considering how we can ensure that the welfare system is modernised properly so as to retain the support into the future of both the taxpaying public and those on benefit. Therefore, we must take a little notice of how much proposed measures will cost. One quickly learns that, in terms of welfare reform and the Department of Social Security, billions of pounds of public expenditure can be dispensed with in the twitch of an eye. We must ensure that the expenditure is in proportion with the problem.

Mr. Rendel: The Minister must accept that the additional £10 billion – the Minister of State mentioned £5 billion in the case of SERPS – must be paid for by somebody. It will be paid for either by the widows, in which case each widow must pay rather a lot, or by the taxpayers, who would pay rather less. Is the hon. Lady suggesting that, in order to retain the support of the taxpaying public, she will take all of that money from widows?

Angela Eagle: The money is not available in the way that the hon. Gentleman suggests. I suspect that that is why the previous Government decided to restrict SERPS to half of the payable pension. However, they did it so incompetently that – as I think all hon. Members have admitted today – they landed the present Government with enormous potential costs. That says it all about the standards that we expected, and became used to, from the previous Government.

The hon. Member for Brentwood and Ongar went on about how the contributory principle had been badly affected by the changes. No one has recognised the fact that we have extended that principle through these changes: widowers will benefit from the contributions of their wives.

Mr. Pickles: The hon. Lady must recognise that men will be disadvantaged because of the low level of women's contributions. Women have lower incomes, as the Minister of State conceded, so there will be no equality.

Angela Eagle: The hon. Gentleman should get his facts straight. First, women's contributions are rapidly catching up with those of men. Secondly, the contribution rates for qualifying for benefits are quite modest over a lifetime of earnings.

The hon. Gentleman announced at the end of his peroration that he wanted the Government to "reverse this policy" – they were his exact words. Therefore, I assume that he opposes all the changes, including the doubling of bereavement payments and the extension of payments to widowers, upon which the previous Government utterly and resolutely refused to legislate during 18 years in office. I presume that the hon. Gentleman will go to the country at the next election and tell the beneficiaries of that payment that he is against it.

Mr. Pickles: Will the hon. Lady give way?

Angela Eagle: No, I do not have much time.

On the question of when the changes should be introduced, the Conservative spokesman suggested that we should put off the changes to widows benefit until some unspecified time in the future. The hon. Member for Newbury also said that but, in his winding up speech, the hon. Member for Northavon (Mr. Webb) suggested that we should bring forward the introduction of the changes.

One part of the Liberal party and the Conservative party say that we should put off the changes, but the hon. Member for Northavon says the opposite. The Opposition do not know which way they are facing. It is difficult to listen to their arguments, when there is no coherence or consistency in their position.

The existing scheme is outdated. It was devised for a time when few married women worked and very few had insurance or a private pension. The death of the family breadwinner clearly had a huge impact on family finances, and the widow was dependent on support from the state.

However, widowed men with dependent children were usually expected to continue to work following their wife's death. Beveridge maintained that

"very few men's wages are sufficient to cover at least two adults and one child."

Today the situation is entirely different. It is the norm in many two-parent families for both parents to work.

Our reformed scheme will reflect today's society by making bereavement benefits available equally to men and women. It will also take account of the increasing

[Angela Eagle]

number of married women in work, and the much higher number of people who are protected by life insurance and occupational pensions.

Our reforms will refocus expenditure, concentrating the help available from the state by focusing on immediate needs. The bereavement payment will give a tax-free lump sum of £2,000—double the current payment. Bereavement allowance will give older widows and widowers without dependent children the support that they need for the six months following bereavement. The help will focus on children and families.

Just as society cannot be preserved in aspic, neither can our welfare state be so preserved. It is our duty to keep the system relevant to modern society, not for ever stuck in the past. We believe that our proposed changes will do just that.

Question put, That the original words stand part of the Question.—

The House divided: Ayes 37, Noes 274.

Division No. 219] **[4.2 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Baker, Norman
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bottomley, Peter *(Worthing W)*
Brake, Tom
Breed, Colin
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Forsythe, Clifford
George, Andrew *(St Ives)*
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Jones, Nigel *(Cheltenham)*
Kirkwood, Archy
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Opik, Lembit
Rendel, David
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Smyth, Rev Martin *(Belfast S)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve

Tellers for the Ayes:
Mr. Phil Willis and
Sir Robert Smith.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAvoy, Thomas
McDonagh, Siobhain
McDonnell, John
McFall, John
McIsaac, Shona
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris

Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and
Mr. David Jamieson.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House supports the Government's proposals to reform bereavement benefits, including the Bereavement Payment, which will provide a tax-free lump sum of £2,000—double the value of the current Widow's Payment; welcomes the additional help given to the children of widowers, who will qualify for the new Widowed Parent's Allowance, which will replace the Widowed Mother's Allowance; welcomes the protection given to widows over 55, who might otherwise have no practical alternative to relying on Income Support; and welcomes the wide range of policies which are designed to assist women to play a full and active part in the community.

Supermarkets

Mr. Deputy Speaker (Mr. Michael J. Martin): I remind the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

4.14 pm

Mr. Matthew Taylor (Truro and St. Austell): I beg to move,

That this House notes that the rapid expansion of out-of-town superstores under the Conservatives and the concentration of local market share has hit traditional town centres; notes that supermarket purchasing and pricing policies have hit farmers but not led to lower prices for consumers and are now under investigation by the Competition Commission as a result; further notes that a new wave of larger superstore developments and predatory pricing to gain market dominance, and a squeeze of local producers and traditional retailers, is threatened by Wal-Mart's acquisition of ASDA; therefore calls on the Government to reaffirm its commitment to preventing further out-of-town greenfield development, and to tackle urgently anti-competitive, anti-producer and anti-consumer practices by the major food retailers; and calls on the Prime Minister to put on record in the House the substantive contents of his meeting earlier this year with the Chief Executive of Wal-Mart and to clarify exactly what flexibility in planning regulation was offered in respect of any future superstore development.

The motion relates to food and supermarkets, and especially to developments in the food retailing business in past decades and to the potential for great change given the takeover of Asda by the giant American corporation Wal-Mart—the world's largest company. Consumers have welcomed the supermarket revolution that has taken place over several decades, because it has offered convenience shopping and greater choice. In towns in my constituency, supermarkets have submitted planning applications, saying that they will create so many hundred jobs, and often claiming that they will cut prices.

As the 1980s rolled on and we came into the 1990s, the general public became increasingly aware of the problems that that revolution caused many communities. All parties in the House recognised that problem in the early 1990s, as planning guidance was changed. The problems were clear. That change was not free: it came on the backs of traditional food retailers and other retailers, particularly in town centres, which have had to close. It has comprehensively been shown that jobs have been lost and weaker town centres have been destroyed.

In January 1998, Boots sponsored a report for the national retail planning forum, which shows how great the impact on jobs can be. It said that the impact of out-of-centre food superstores on local retail employment was substantial job losses. That is contrary to the claims that the supermarkets have made. The report examined the 15 km catchment areas of 93 superstores that had opened between 1991 and 1995. It found that the supermarkets had created 10,500 full-time equivalent jobs, but that 25,000 jobs had been lost in local specialist food retailers, which is a net loss of 15,000, and another 10,000 jobs had been lost in non-food retailers. That is an average loss of 276 full-time jobs for every store.

In September 1998, the Department of the Environment, Transport and the Regions published its own research, which confirmed that town centre market share of food trade had been cut by 13 to 50 per cent., and that there was an overall cut in employment and an overall increase in car use. It also confirmed that—as we know from my own part of the world in Cornwall and

[Mr. Matthew Taylor]

from other rural areas with small market towns—the supermarkets, having pretty comprehensively covered the larger towns and cities, are now aggressively targeting new development in small towns that still have a reasonably successful parade of shops but feel under real threat. Perranporth in my constituency is one such small town. That report recommended that all edge or outside-centre applications over 1,000 sq m should have a combined retail economic and traffic evaluation.

There are, beyond any doubt, real problems of job losses. Supermarkets have an impact not only on traditional town centres, but on the environment. The town centre sites—the brown-field sites—that the Government say that they want to be developed are often not available. The sequential test leads supermarkets to push for development on the edge or even outside the town centre. Nothing in the sequential test says no to that. The larger the store for which they are seeking permission, the less likely it is that there will be a suitable in-town site.

Such development encourages traffic growth at a time when the Government are struggling to cut traffic and congestion. It leads to the dereliction of town centres in commercial terms with the loss of shops, and the loss of shops leads to the death of the town centre and to the increase in the dereliction of the community and, ultimately, in crime. From the environmental point of view, it leads to unnecessary food miles.

The supermarkets claim that there are price benefits, but they dominate the local market, which gives them real power over suppliers and customers. Farmers and other suppliers have reeled from the blows to agriculture. No one in this country can be unaware of the problems that farming has faced in the past few years, but what makes many farmers and, indeed, ordinary customers angry is the fact that the prices of supermarket goods have not fallen. We are also seeing some extraordinary anti-competitive practices, which are now subject to investigation by competition authorities.

Farmers who supply, for instance, brussels sprouts to major retailers have told me that they are required to buy their bags from a particular manufacturer, and that those bags are more expensive than the ones that they formerly obtained from their own sources. Why does the supermarket chain involved insist that those farmers buy expensive bags, when they could obtain bags more cheaply? The answer must be the link between the manufacturer of the bags and the supermarket. There have been negotiations which, supposedly, concerned an entirely different matter; but it has been alleged to me that the supermarkets get a kickback from the suppliers of the bags, while the farmers bear the cost.

We are also seeing sole agreements. Very little is given to farmers in the case of such agreements. Only rarely is there a guarantee of price, or even of purchase; but the price is squeezed, year by year by year. If the farmer finally goes out of business, that is not a problem: the business is simply transferred elsewhere. From the point of view of the rural community, money is being squeezed out. Similarly, because profits go elsewhere, supermarkets take money that might otherwise have stayed in the community. Local shops supplying meat and vegetables tend to buy within the local community, but supermarkets contract across the country, which means that food travels for long distances.

As for the producers, we often hear about promotions and cut-price sales; but the cut-price sales are often loss leaders, and the price of other goods in the supermarket often compares unfavourably with that of goods in local shops. Certain targeted items are sold very cheaply. The farmers who supply those items say that they are asked to bear the cost of promotion, so the supermarkets do not suffer in that respect either.

Customers, who are supposedly the big gainers, often find that they are nothing of the kind. Local and regional market dominance often means that prices are nowhere near as low as one might expect. We see loss leaders, but mostly high margins. We see returns for British supermarket chains that are several times higher than those of supermarket chains in France, and well above the average in Europe and America. As the town centre is lost, the 20 or 25 per cent. of the community who have no access to cars find that they can no longer get to the shops so easily.

I do not say any of this on the basis that the parties disagree. Certainly, they do not disagree publicly.

Mr. Eric Martlew (Carlisle): Is it now Liberal policy to oppose supermarkets? The hon. Gentleman has said nothing in their favour.

Mr. Taylor: I was about to say something about the policy developed by the last Government and the present Government, which we have supported. I refer to the process of constraining the development of supermarkets, especially out-of-town supermarkets. We want changes in the rating system to help small shops, which pay high rates compared with the rates paid by supermarkets. The Government have done nothing about that.

I do not want to give the false impression that there is a huge division between the parties. There are key questions about where we are to go from here and what is happening in Government, and I shall deal with those shortly.

The policy that has been observed since 1993 relating to the sequential test—town centre, edge of centre, outer centre—is an important development, which was updated in 1996. There were two elements in that. The first was the sequential test. I do not think that anyone would disagree with the suggestion that it is important to look for the town-centre site first. They might have in the past, but I think that we are all agreed now. However, there is a second element. Once the sequential test has been exhausted, a supermarket chain may say that the only place where it can go is out of town. That will lead to an argument that boils down to this: should we allow more competition among supermarkets, thus allowing the development of new supermarkets that can compete with existing ones? Is that more important than preserving town centres, existing communities and environment? The test does not provide an answer to that question. It says that there should be a decision based on need, but we have yet to find out exactly where the Government stand.

A report published last year by the Environment and Science Research Council states:

"Since the mid-1990s, when the revised planning guidelines were introduced, the major food retailers increased floor space by nearly 2.5 million square feet a year, much the same as in earlier years."

The theory is great, but, in practice, not much has changed, partly because of existing permissions. That is why we are now reaching a stage at which the test will be much stronger. As the existing permissions are used up, new sites will be sought. Asda has clearly said that it wants to do that in the south. Permissions will also be sought for the expansion of existing sites.

Ms Sally Keeble (Northampton, North): Is the hon. Gentleman opposed to supermarkets per se, or is he just opposed to out-of-town retail centres? There is a difference. A well-placed supermarket can provide an anchor for a town centre.

Mr. Taylor: I am opposed to bad sites, generally out of town, and also to the growth of larger hypermarkets which, increasingly, sell not only food but other goods. They will knock out competition, and, indeed, have been designed to do so.

The last year of the Conservative Government and the first year of the Labour Government saw similar levels of supermarket development, but I think that we face a real issue now.

Mr. David Drew (Stroud): The hon. Gentleman has made an important point about existing planning permissions. I cannot specify the exact period, but it was always known that a considerable number of years of extant supermarket permissions would have to be gone through before the policy could change. Surely that is the crux of the problem.

Mr. Taylor: The hon. Gentleman is entirely right. He may recall, as he was present for some of our debates on protecting green fields, that we argued that, while the Government were going through a process of review of planning guidance and planning law, they should put a hold on the development of some of those very large sites.

The hon. Gentleman is not right in suggesting that only extant permissions are involved. In north-west Coventry, for instance, inspectors have overturned local opposition to allow development of sites that they themselves have described as not ideal, and local authorities have given permission for major increases in the size of retailing facilities.

Mr. Tony McNulty (Harrow, East): Will the hon. Gentleman give way?

Mr. Taylor: Not yet. I have already given way several times.

Last autumn, at the annual convention of "Action for Market Towns", the Minister made some helpful and positive comments. He was right to draw attention to the problem to which I have drawn attention today. He said:

"Many superstores now offer services like banking and pharmacies, and can effectively take over the traditional role of the town centre. They also create fewer not more jobs in the local area."

Earlier this year, a report by the Select Committee on the Environment, Transport and Regional Affairs said that the Government should

"forbid future out-of-town or edge-of-town shopping centres or other developments which generate large amounts of private car travel".

That is not the existing policy; it is quite a large change in policy. So far, the Government say that they want a period of stability, rather than to change the policy.

My first worry is that the existing policy is not as strong as it has been presented to be. Neither the sequential test nor the test of need answer that point. The real issue is: will these developments be allowed, or are we going to take the line suggested by the Select Committee and say no to such developments in normal circumstances?

Mr. James Gray (North Wiltshire): Why have so many of the planning permissions that have been granted for huge out-of-town shopping centres been granted by Liberal Democrat-controlled councils? East Hampshire and Harrogate have done so, and my own North Wiltshire district council gave permission for a Sainsbury and a Safeway outside Chippenham, which have wrecked Chippenham high street.

Mr. Phil Willis (Harrogate and Knaresborough): There is not one in Harrogate.

Mr. Taylor: Yes; so the hon. Member for North Wiltshire (Mr. Gray) may be wrong about that. Moreover, he knows as well as I do that councillors, of whichever party, are obliged to follow the Government's planning guidance, and are at risk financially if they do not. They cannot refuse permission simply because the local community is against granting it, but may do so only on planning grounds. If planning guidance does not enable them to refuse permission, they cannot refuse it.

Rather more extraordinarily, the former Secretary of State—

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): What waffle.

Mr. Taylor: How does the Minister explain the fact that councillors in my own area are facing surcharges precisely because they allegedly did not follow Government guidance? Councillors are clearly obliged to follow guidance and can be surcharged if they do not.

Several hon. Members *rose*—

Mr. Caborn: Will the hon. Gentleman give way?

Mr. Taylor: I shall give way to the Minister in a moment, but shall first answer the question of the hon. Member for North Wiltshire.

The former Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer), often argued against the previous Government's policy on supermarket development. I spoke to him today on the issue, and he supported the Liberal Democrats' position on it. Yet, when he was Secretary of State, he overturned the recommendation—not only of the local community, but of the inspector—that an out-of-town supermarket should not be built just up the road from my constituency.

Although we could all throw brickbats on the issue, we have made some progress on it, to put it most mildly. Now, the issue is how we shall address current issues. I

[Mr. Taylor]

should like to mention specific issues facing the Government, on which their action does not match their briefings.

Mr. McNulty: The hon. Gentleman said that the Government should block extant planning permissions. From what he has said, clearly, he is a planning expert. Will he therefore tell us how they are to block those extant permissions?

Mr. Taylor: The policy position that we articulated in previous debates is that the Government should place a moratorium on granting further development permissions. If I said anything unclear in making that point, I hope that that will have clarified it. We have debated the issue at length in the House.

Mr. McNulty: Will the hon. Gentleman give way?

Mr. Taylor: The hon. Gentleman has to let me make some progress.

The Government's position has much support. However, I should like to know whether the debate within Government in contrast to the Government's stated position—that current planning guidance will provide protection—will protect traditional town centres, as the Minister has said that it will.

Mr. A. J. Beith (Berwick-upon-Tweed): When Labour Members think that there are no possibilities of Government intervention, they should remember that the Secretary of State overturned an existing planning permission in my constituency that is now the subject of a court case between the council and the Secretary of State.

Mr. Taylor: I should like to deal with a couple of points before addressing the main issue in our motion. The first is that the Government have vacillated in their position on out-of-town supermarkets, between the need to restrain developments and the need to encourage competition between them.

In May 1996, for example, when Chris Davies—the former Member for Littleborough and Saddleworth, who is now a Member of the European Parliament—initiated a debate on the subject, that day's newspaper headlines proclaimed that the Government were to implement out-of-centre parking charges. Within hours, in an official statement, the possibility of such charges was rebutted, and it was said that they were no longer on the agenda.

The issue was raised again in debates on the transport White Paper, when the Government said that there would be parking charges on out-of-town supermarkets. We then heard the Deputy Prime Minister's fury in attacking the teeny-boppers at No. 10 Downing street for ruling out such charges after a meeting between supermarkets and No. 10 Downing street.

Similarly, Ministers at the Department of the Environment, Transport and the Regions—I give the Minister for the Regions, Regeneration and Planning credit for this—undoubtedly believe, and have argued very strongly, that major new out-of-town supermarkets should not be developed, and that the issue is not competition but protection of the countryside. Nevertheless, there have been regular briefings from the Treasury and the Department of Trade and Industry, saying that they believe that competition is the higher priority, and that planning requirements should be softened.

Mr. Willis: I should be grateful if my hon. Friend—and the Minister, who represents a Sheffield constituency—will address one crucial issue: differential support in rating valuations for supermarkets and town-centre shopping. Differential rating valuations between, particularly, small town centres and out-of-town shopping centres is making competition terribly unfair. Until we restore the balance between the two, we shall never solve the specific problem about which we are so concerned.

Mr. Taylor: My hon. Friend is absolutely right, and Liberal Democrats have made that argument many times in the House.

Mr. Gray: Will the hon. Gentleman give way on that point?

Mr. Taylor: No.

Now, we come to the key issue facing the Government: the purchase of Asda by Wal-Mart, the American retailer. The purchase should, in itself, ring alarms. Wal-Mart is an enormous company, with global sales totalling one tenth the United Kingdom's gross domestic product. It is also the world's largest private employer, and well connected—Hillary Clinton is a former board member.

One of Wal-Mart's tactics is to squeeze its suppliers but, as I said, British farmers are already suffering from such squeezing. Its basic tactic is to compete aggressively with other supermarkets. It moves in and opens more centres—contrary to the Government's policy and the views held on both sides of the House—which is exactly what Asda would like to do in southern England.

Wal-Mart would like to have much larger centres, selling a much larger range of goods—posing a correspondingly larger threat to traditional town centres, and entirely contrary to the Government's articulated position. It is therefore little wonder that there is great concern about Wal-Mart's potential impact on traditional town centres and traditional suppliers.

All those concerns are exacerbated by the fact that the process seems to have been started at a meeting, on 25 February, between the Prime Minister and Bobby Martin, Wal-Mart's chief executive. We might not be concerned about that meeting if we were given some clear answers about what happened at it, but we are not receiving clear answers. Off the record, newspapers have been briefed that there was no discussion of the planning issue. On the record, however, in parliamentary answers, we are told, "Nothing at all will be said about the meeting."

The most extraordinary feature of the Government's amendment to our motion is that they fail to address the key issue of Wal-Mart, which is mentioned in our motion. Was the planning issue raised? If not, why does the Prime Minister not say so in a parliamentary answer? As we all know, the difference between an official briefing to the newspapers by some unknown official and the Prime Minister replying on the record is that the Prime Minister can be held to account for his answer if it proves inaccurate.

If the newspapers were not briefed by the Prime Minister's office—I assume that they were not—they must have been briefed by Wal-Mart.

Mr. Martlew: Will the hon. Gentleman give way?

Mr. Taylor: I shall be happy to give way in a moment, but I want to make progress on this point.

The Mail on Sunday stated on 20 June:

"The PM had used the meeting to further his aim to bring down prices in British supermarkets by giving the Americans the go-ahead to enter Britain. In his desire to do this, he is said to have offered to relax planning curbs which could let Wal-Mart build huge US-style hypermarkets on greenfield sites in Britain.

Mr. Blair was not alone at the meeting. At his side was his own Mr. Fix-It, personal economics adviser Geoff Norris . . . Mr. Norris was in a bitter row a year ago when he vetoed plans by Deputy Prime Minister John Prescott to curb car use to improve the environment. Mr. Prescott hit out at 'teenyboppers' at No. 10 . . . and said his remarks were aimed at Mr. Norris."

The official line was that it was a courtesy visit. Since when has a Prime Minister received courtesy visits from the bosses of one of the world's biggest companies when it does not even operate in Britain? Are we seriously being asked to believe that there was no discussion about the potential for Wal-Mart to enter this country or the consequences of that?

Clearly, *The Sunday Telegraph* was also briefed on the subject. It said:

"Earlier this year, Wal-Mart executives"

—*[Interruption.]* Perhaps Labour Members can tell me who the briefings were from. They were either from Wal-Mart or Asda, or from the Prime Minister's office. Either way, somebody within the industry believes that Wal-Mart was given the green light for those developments.

The article said that Wal-Mart executives

"shared a glass of sherry with Tony Blair at Number 10 Downing Street. They wanted to know whether their company would be welcome in Britain and were warmly received."

—*[Interruption.]* Labour Members may not like it, but that is what we were told. Perhaps they should ask the Prime Minister's office—*[Interruption.]*

Mr. Deputy Speaker: Order. We must have silence in the Chamber except from the hon. Member who is speaking.

Mr. Taylor: The article returned to the key issue:

"To achieve real competition, Wal-Mart needs a substantial relaxation in the planning laws to allow it to build its vast stores in favoured locations. The odds on that look long since the environmental lobby is growing ever stronger, but observers still believe that Wal-Mart will get what it wants."

Why else would Wal-Mart be moving into Britain? Its strategy is to achieve profits and growth by building new larger stores to take on and beat the existing ones. Yet Asda, which has very little presence in the south, is in no position to do that unless it can acquire new sites and in a way that the Government claim to be against. There is no logic to the takeover if that cannot be achieved, because Asda has made it clear that it intends to squeeze down the margins as a way of gaining competitive advantage.

Mr. Martlew: Will the hon. Gentleman give way on that point?

Mr. Taylor: In a moment.

The Guardian, a paper with a very different political view, said in an article on 16 June:

"The Treasury and the Department of Trade and Industry have been keen to open up retail competition. A report last year for the Treasury by consultants McKinsey concluded that planning rules should be relaxed to allow more supermarkets."

The McKinsey report was commissioned by the Treasury and is now part of the competition inquiry into supermarkets that is now taking place. Is it any indication of the direction in which the Government are going?

The article includes a direct quote from an unnamed source at the DTI, which incidentally comes just after a reference to one of the Ministers. It states:

"The DTI source said: 'We want competition. Where there are barriers to competition, we need a good explanation. A particular concern is that national benefits such as lower food prices are properly taken into account, as well as local disbenefits from new developments.'"

As a result of today's debate, Asda has issued a press release stating that it intends to adjust its policies within the current planning requirements. However, Allar Leighton, chief executive of Asda, said this week:

"If we were in the south, prices would be lower. You have got to believe there should be a softening in planning to allow the leading players to develop leading formats."

There in no question about what Asda wants or what Wal-Mart must want. The real question is: Why was it after a meeting with the Prime Minister that Wal-Mart felt able to come in? If we get clarification from the Government on that, today's debate will have served a genuine and useful purpose.

Mr. Martlew: I am grateful to the hon. Gentleman for giving way. I realise that it is his job to probe the issue and I am sure that the Minister will answer his question. He has mentioned Wal-Mart bringing down prices. Is it Liberal Democrat policy to oppose Wal-Mart's takeover of Asda?

Mr. Taylor: On prices, the hon. Gentleman may not be aware that one reason why the Office of Fair Trading inquiry took place was that my hon. Friend the Member for South-East Cornwall (Mr. Breed) prepared a report on overpricing in the industry. Those issues, the anti-competitive practices and the bad treatment of suppliers can be addressed without Wal-Mart coming to Britain. If Wal-Mart is coming here on the basis of new development, we are opposed to it. The issue is not whether or not Wal-Mart is involved, but whether there will be new development. However, we must ask why Wal-Mart is coming here given that we know its policy. Why did it buy Asda, which supports the same policy of much bigger retailing units—indeed, it already has plans for 10 hypermarkets—and wishes to move into the south even though the sites are not available? Asda must be looking for new sites—indeed, it has already made that clear. Asda, unlike the other major food retailers, is specifically targeting similar operations to Wal-Mart and plans to move into non-food retailing, which has a greater impact on town centres. All the newspaper reports say the same thing. The information must be coming from somewhere.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Taylor: In a moment.

[Mr. Taylor]

It is obvious where the information is from, as the newspapers make that clear. *The Mail on Sunday* said:

"An Industry Department source said: 'We must do everything we can to encourage competition. The vital importance of achieving lower food prices must be taken into account alongside environmental arguments involving proposed new developments.' Wal-Mart has made no public comment about wanting to build bigger stores in Britain."

However, Asda has.

It is pretty obvious that *The Guardian* has it exactly right when it says that there is a struggle with those who believe that the primary issue is lower prices, which can be achieved only by the development of more and bigger supermarkets in tighter competition. That is a perfectly legitimate view, but it is not the view of DETR Ministers or the majority of right hon. and hon. Members. There are other ways to tackle the issue without raping the countryside and our town centres.

Mr. Gray: In an intervention, the hon. Member for Harrogate and Knaresborough (Mr. Willis) said that there was no out-of-town supermarket in Harrogate. I am sorry that he is no longer in his place. He has made his intervention, issued his press release and shoved off some place else. Liberal Democrat-controlled Harrogate council gave planning permission to Morrisons and Sainsbury to build supermarkets on green-field sites.

Mr. Beith: Where?

Mr. Gray: Just outside Harrogate. Does the hon. Gentleman believe that Liberal Democrat-controlled Harrogate will give permission for Wal-Mart—

Mr. Deputy Speaker: Order. The hon. Gentleman's intervention is too long.

Mr. Taylor: My colleagues tell me that the hon. Gentleman is inaccurate, but I am not in a position to answer for my hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis). The hon. Gentleman can pursue him on another occasion.

I do not know whether those on the Conservative Front Bench support our concerns. I know that the right hon. Member for Suffolk, Coastal, a former Secretary of State for the Environment, strongly supports them and went on the television to say so. We shall find out soon whether there is division among the Conservatives.

I want to quote one last time from the newspapers. *The Sunday Telegraph* said:

"Given Wal-Mart's relentless attention to detail there is no doubt that it has already drawn up a blueprint for Asda, one that it is reluctant to share with outsiders."

Wal-Mart has refused to comment. The report continued:

"It is almost certain to be based on the vision of transforming Asda into Britain's dominant retail business within the next few years, through a mixture of aggressive store openings and prices low enough to put rivals out of business."

We know that Asda is pursuing that strategy and that Wal-Mart's acquisition makes commercial sense only if it is allowed to do that. We need to know whether the Government are going to stand up to that strategy.

The Government must clarify their policy. On 17 June, the Department of the Environment, Transport and the Regions issued a response to the report in *The Guardian*. It said:

"This is wrong. The Government has no intention of changing the policy on retail development which is directed to promoting the viability of our town and city centres."

That is reassuring, but the press release goes on to refer only to the sequential approach, and so does not clarify whether it will allow large, out-of-town retail development. The approach says only that the first choice is for in-town development, but, if there are no in-town or edge-of-town sites, the need should be examined. All the evidence is that the debate in the Government about whether the need for greater competition should allow out-of-town developments in the circumstances that I have described or whether they should hold the line is still lively and, at best, undecided.

The McKinsey report recommended a change to give competition priority over the environment. We know that Asda is pursuing those developments. We know that Wal-Mart's acquisition makes sense only on that basis. If the Government want to reassure us, they should stop refusing to say anything on the record about what happened at that meeting. They need to be clearer about what happens after the sequential approach is exhausted and what they believe about need, competition and the development of new and much larger superstores around our towns, cities and smaller country towns. That is the issue. I hope that the House will agree with us, but nothing in the takeover and the Government's response so far holds out any reassurance.

4.52 pm

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

welcomes the Government's planning policy on town centres and retail development, which promotes the development of food retailing in existing centres; endorses its attempts to maintain vital, viable competitive town, district and neighbourhood centres, which provide a broad range of retail services accessible to the whole population regardless of whether they have access to a car; welcomes the benefits which supermarkets have brought to consumers; notes the concerns over the level of supermarket profits and approves the investigation of grocery retailing being carried out by the Competition Commission; welcomes the recently agreed re-shaping of the CAP and the establishment of the second pillar of the CAP—an integrated rural development policy; and welcomes the Government's commitment to rural communities, its efforts to increase collaborative marketing among farmers and encourage diversification, and its support for regional, speciality and traditional food producers.

We do not often congratulate an Opposition party on tabling a motion opposing the Government, but I welcome the debate because it gives us an opportunity to set out our position on out-of-town shopping and supermarkets. It is good of the Liberal Democrats to use half their Supply day to give me that opportunity. The hon. Member for Truro and St. Austell (Mr. Taylor) gave us one of the best examples that I have heard of a speech based on joined-up press releases and press cuttings. There was not a great deal of new substance to it. I shall try to clarify what has happened over the past 10 days and at some of the recent meetings.

I must make my apologies to the House, because unfortunately—or fortunately—I have a speaking engagement elsewhere and I shall not be here for the vote.

if there is one. I shall deal with the Government's planning policy for supermarkets and my hon. Friend the Minister of State, Ministry of Agriculture, Fisheries and Food will deal with the food issues that the hon. Member for Truro and St. Austell has raised.

I welcome the opportunity to make the Government's position clear. Soon after we came to office, we published our response to the report of the Environment Committee on shopping centres. We made it clear that we were firmly committed to the objectives of the planning policy guidance note on town centres and retail development—PPG6.

Everyone knows that PPG6 seeks to sustain and enhance the vitality and viability of existing city, town and district centres to make them the focus for retail investment, so as to provide everyone with easy access to a wide range of facilities and services by a choice of means of transport. I remind hon. Members that nearly a third of households still do not have a car. Such investment is essential to the regeneration and enhancement of the attractiveness of our towns and cities.

What does that mean? We want local planning authorities to establish the need—a point raised by the hon. Member for Truro and St. Austell—for new retail facilities in their plans, and we want them to apply the sequential approach to identifying sites where this can be accommodated. That should be in existing centres. Developers who propose schemes that do not conform to that will have to demonstrate clearly that there is a need for the scheme.

I refer the hon. Member for Truro and St. Austell to a written answer on 11 February, when I cleared up the whole question of need—a point on which the hon. Gentleman dwelt and on which, I think, he accused the Government of being inconsistent. What does "need" mean? In that written answer, I said that, first, would-be developers must demonstrate that need does not mean simply an assertion by the developer that there is a market demand. It means that the local planning authority must consider the wider needs of the community as well as the market demand for a plan before it accepts the development plan. If the local authority is satisfied that a need exists, it must also be satisfied that the sequential test has been applied in selecting the site. Even then—*[Interruption.]* The hon. Member for Truro and St. Austell said that he wants answers to his questions, so I hope he will do me the courtesy of listening while I give him those answers.

Even then, the local authority must also consider whether there will be an adverse impact on the existing centre before it allows the proposal to go forward. That was a clear definition of the word "need".

Mr. Matthew Taylor: The Minister's comments are helpful. As I said, I believe that the Minister and his team at the Department share my concerns on this. However, can the Minister clarify whether, if it is believed that there will be an adverse impact either on the community or the town centre, that in itself could always be taken as grounds by councillors for refusing permission?

Mr. Caborn: We actually have devolved government and the planning authority is the local authority. Because of certain cases before the courts, we have tried to clarify the word "need". It will be for the local planning authority to make the decisions. If people believe that local authorities have acted outside their rights and responsibilities, there are many mechanisms by which they can be challenged. But we cannot and will not be as prescriptive as to say that everything can be determined from the centre. On the contrary, we believe that devolving government to local authorities is important.

It is difficult in a narrow debate such as this to talk about the wider impact of the planning regime. I think that the hon. Gentleman will accept that, since we came to power, we have looked at modernising land use and transport planning. We have now instituted for the first time at the regional level an examination in public, in an attempt to change planning regimes from being reactive to proactive. The first hearing in public took place in the eastern region. I believe that it has been successful. SERPLAN, the south-east regional planning conference, is going through that process now, and all the regions will go through it this year and the early part of next.

So the context is one of the right to make decisions strategically at the regional level, translating that into the local or unitary development plan, and the planning authority, in turn, translating that. That gives local authorities every opportunity to plan in the most positive way for their communities.

Mr. Taylor: There is nothing in that with which we would disagree. However, the Minister knows that what Ministers say in this House helps to influence what happens, particularly in inspectors' inquiries when they try to interpret the Government's intentions. In the past, councillors have often looked to refuse permission for out-of-town or edge-of-town retail superstores on the basis that they would harm the existing community. However, councillors have not been successful because, while that condition may be taken into account, it is not sufficient in itself.

Is the Minister saying that the policy now is that, if there will be a detrimental impact on an existing town centre, that should be taken as sufficient in itself by an inspector, should it go to appeal, to uphold the refusal by the local council?

Mr. Caborn: I will repeat what I said on 11 February, and I advise the hon. Gentleman to read my response of that date. Following the court case, we believed that the word "need" needed to be clarified, and we did that. If the local authority is satisfied that the need exists, it must be satisfied also that the sequential test has been applied in selecting a site. Even then, it must consider whether there will be an adverse impact on existing centres by allowing the proposal.

All that we can do is to give that type of guidance. When we do that, it can be cited in courts and at the various planning inquiries. Coupling that with what we are trying to do to bring more certainty to the planning system through other actions will mean that local planning authorities will be able to carry through their plans for their communities.

As I was saying, developers will have to demonstrate that there is a need for their scheme; that they could not find a more central site; and that there would be no significant impact on existing centres. I want to reaffirm that that is still our policy and that we have no plans to change it. My right hon. Friend the Prime Minister has confirmed that.

[Mr. Caborn]

Let me put the record straight about the rumours concerning my right hon. Friend the Prime Minister's meeting with Wal-Mart. My right hon. Friend has put it on record that he has given no assurances to Wal-Mart about relaxing planning policy. Indeed, planning issues were not discussed.

I am pleased to say that our policy has widespread support in this House, from the general public and within the industry. However, there are some exceptions. For example, Asda's chief executive is reported to have told the BBC's "The Money Programme" that the only way forward is to loosen planning restrictions.

It is interesting to note that the Asda chairman, the hon. Member for Tunbridge Wells (Mr. Norman), told the House as recently as 3 February 1999 that

"it is important to recognise that the supermarket industry has, for the most part, welcomed the tightening of the planning restrictions, which is good for the industry and for the community." [*Official Report*, 3 February 1999; Vol. 324, c. 1030.]

I wonder whether the hon. Gentleman maintains that view when he has been so publicly associated with the takeover proposal by Wal-Mart.

I picked up a copy of an Asda press release when I came to the House. It says:

"Following today's report in the Financial Times Asda wishes to clarify that following the proposed acquisition by Wal-Mart, it plans to continue to trade in the UK under the Asda banner.

We will continue to back British farmers, favour small British suppliers and crusade for value for British consumers.

It will remain Asda's policy to adapt its store development plans to meet the intention and spirit of today's planning regulations and to work closely with local communities to meet local environmental and transport needs.

As far as Asda is concerned, rumours to the effect that there has been any understanding, formal or informal, with the Government on relaxation of planning requirements are complete nonsense."

Asda is all over the shop, with its chief executive saying one thing and its chairman saying another. However, we welcome that statement.

We are determined to maintain a firm and consistent application of the policy. That is more important than scoring a few points about press releases, and would be expected of us by all the stakeholders. Indeed, in the past two years we have clarified and tightened up the policy in PPG6, closing some loopholes; we have called in a large number of applications to ensure the consistent application of the policy; we have refused a high proportion of appeal and call-in cases, allowing only those in or on the edge of town centres; and we have successfully defended our policy in the courts.

I would characterise our policy stance on supermarkets as tough but fair. We have tried to keep the policy up to date; to ensure that it is applied firmly and consistently, without fear or favour; and to ensure a level playing field for all players in the industry. All the letters that we have received support our policy. Nobody from whom the Department has received representations wants us to relax it. Everyone wants to be reassured that we will maintain and uphold the policy, and I give the assurance that we will.

Mr. Brian Cotter (Weston-super-Mare): The Minister talked about a fair policy on supermarkets. What about business rates, which cost supermarkets only 5 per cent. of their turnover, whereas small shops pay anything from 12 to 15 per cent? That is not exactly fair.

Mr. Caborn: We are prepared to debate anything that the Opposition table in a motion, but I was not asked to respond on that subject today.

We inherited a situation in which the number of superstores had increased nearly tenfold since 1980. Very many of them were built outside existing centres, and there were still out-of-town stores coming off the production line when we came to power. The legacy of the previous Government was a deluge of out-of-town stores. They left a trail of disaster and absolutely let the market rip. A combination of permissive planning policy and a property boom in the late 1980s meant that half the current out-of-town retail floor space was built in only five years, from 1986 to 1991. Another boom following the recession of the early 1990s brought another surge of out-of-town development. The situation was totally unmanageable.

Mr. Gray: Does the Minister agree that there was a significant change in policy at about the time when my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), for whom I worked as a special adviser in the Department of the Environment, entered that Department? From then on, there was a significant shift in the number of permissions given for out-of-town centres. Does he agree that some tribute should be paid to the previous Government?

Mr. Caborn: I have acknowledged on many occasions that the previous Government introduced PPG6, and we welcome that, but that does not alter the fact that they were responsible for the massive expansion of out-of-town shopping in such a short period that has done so much damage to our town and city centres. We are only now beginning to reap the benefit of the change in policy to which the hon. Gentleman referred and, in the meantime, the boom has had a devastating effect on many of our local centres. It has been a very damaging and wasteful process, effectively playing Russian roulette with the future of our towns and communities. It is a process that we cannot afford to repeat. We will not do so, which is why this debate is very timely indeed.

We are determined to take a tough line. We realise that we must capture new retail investment for our town and city centres. We must ensure that supermarkets are developed in existing centres, to help to make them attractive and competitive. That is particularly true of smaller towns and district centres where we need to have stores of the right size.

Our independent research, conducted by Hillier Parker, on the impact of large stores on market towns and district centres showed that locating stores outside such centres can be very damaging. It showed that large food stores outside towns or district centres have in some cases cut the market share of the principal food retailers in such centres by up to 50 per cent.

As the hon. Member for Truro and St. Austell will be only too aware, the opening of superstores on the edge of town in many areas in the south-west has had a devastating effect on the town centres. Penzance, Helston and Falmouth illustrate that all too well. Small towns in East Anglia and small centres in our larger towns show similar results.

The research provides strong support for the tough line we are taking, and we need to capture that "inward investment" to revitalise our town centres. We cannot afford to allow new out-of-town schemes that undermine rather than reinforce the vitality and viability of existing centres.

If we are to regenerate our town, district and local centres, we will have to adopt a positive, plan-led approach. Our policy advice urges local planning authorities to adopt a much more proactive approach to the task. For example, they should say where new retail development is needed, and where it will be encouraged, and identify sites and, if need be, help to assemble those sites. We need to capture new investment for town centres. That means taking a positive approach to planning for new food stores, to help to bring about our wider aim of an urban renaissance, and using them to anchor the regeneration of district and local centres.

There are some encouraging signs that the message is getting through. Some companies have developed new formats, such as the Tesco Metro and Sainsbury's Local. The convenience store could be the format of the future for our local communities. Our retail policy is all part of our strategy for bringing about an urban renaissance.

Lord Rogers, who has headed the urban task force, will present his report and recommendations to the Government next week. We hope that his report will form the basis of the urban White Paper—and the rural White Paper—that we will publish later this year. Those White Papers will address the wider issues. The subject of our debate today will form part of that urban renaissance and should be seen in that context. If we are to make our towns and cities, and our local neighbourhoods, places where people choose to live, then we must make sure that we can offer them the quality of life that we all expect for ourselves.

Mr. Hilton Dawson (Lancaster and Wyre): Does my right hon. Friend agree that, in pursuing the worthy objective of an urban renaissance, we should encourage distinctive urban centres, so that we do not end up with the uniformity of development that we have seen in the past? We should celebrate diversity and regional and local differences in our town centres.

Mr. Caborn: I could not agree more, and that is what we are trying to do. We are trying to change the whole concept of the planning regimes in this country and we want local authorities to be proactive, not reactive. Many initiatives are emerging in our city and town centres. I recently visited Manchester to open some flats that had been developed from an old broken-down warehouse. All those flats had been sold before the conversion had taken place. When designers and architects use their imagination, there is a market for the result. If professional people can be persuaded to stay in towns and cities, their disposable income starts to have an effect on the type of restaurants and shops in the area, and a virtuous circle develops.

We also want to develop the individual character of our towns and cities. We have some beautiful cities that can be said to be European, and there is no reason why we cannot develop some of those cities, as has been done in Barcelona. Shops and supermarkets are beginning to accept their responsibilities as part of the urban renaissance. That approach to planning and investment in the inner cities has brought out creative talent instead of letting the market rip, which produced the situation that we inherited. Even the Conservatives accepted that before they left office, and introduced PPG6, which we welcomed.

The new approach to regenerating smaller centres and building them up to meet a wide range of everyday needs is part of our approach to tackling social exclusion. We want to ensure that everyone has good access to shops, especially food shops, and that will often mean ensuring that appropriately sized supermarkets are opened in local centres.

Our objective is to promote competitive and vibrant town centres. We want retailers to compete on the same terms in the same market place: the town centre. The planning system provides a level playing field for all players, regardless of size or ownership. We are not trying to protect one firm against competition from another. Our policy is fair, clear and consistent with our overarching aim of revitalising our towns and cities. We intend to keep it that way.

5.15 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton): This is an important debate. A number of concerns have arisen in recent years about the food retailing industry. The growth of large supermarkets in out-of-town locations has been a fact of life for 20 or 25 years, and has taken place in Europe and the United States as well as in the United Kingdom.

The reasons for that growth are many, but unclear. They include social changes: people lead increasingly busy and demanding lives, and want to do their shopping in one trip once a week, at stores with easy parking. Other factors include increased pedestrianisation in many town centres, and the success of supermarkets in improving quality, choice and variety and in bringing down prices.

The motion tabled by the Liberal Democrats mentions

"the rapid expansion of out-of-town superstores under the Conservatives"

Like the Minister's speech, that is a facile and juvenile approach to a complex issue. It does no credit to the Liberal Democrats, or to the Minister. However, although it was one-sided and simplistic, the Minister's speech was slightly less polemical than the motion and will contradict many speeches made by Liberal Democrats in constituencies around the country.

The growth of out-of-town supermarkets has had a damaging effect on smaller retailers and town centres, as I know only too well from what has happened in Bognor Regis and Littlehampton. Moreover, despite the gains in efficiency and economies of scale that supermarkets achieve, the prices that they charge are considerably higher than in similar enterprises in the United States. An effective campaign has been run by *The Sunday Times* to expose such price differentials.

There may be many reasons for those differentials, as no doubt the Competition Commission will report. Transport costs are higher in this country, especially after the Government's huge hike in diesel prices. *[Interruption.]* In total, the Government have increased the escalator from 5 to 6 per cent., and there has been more than one increase in any given year. The result is

[Mr. Nick Gibb]

that diesel prices are 21 per cent. higher than when the Government came to power. The escalator is higher and faster than it used to be. It should be ended, because it is making the problems worse.

Mr. Martlew: If the cost of DERV has gone up so much, why have supermarket prices risen by only 1.5 per cent. since the Government came into power?

Mr. Gibb: One cannot have one's cake and eat it too. Either there is a problem, or there is not. In this case, there is a problem. One of the key contributors to it is the high price of diesel, as we shall see when the commission reports.

The second problem is the price of land. We live in a crowded island where planning guidance is very strict, for worthwhile reasons. The result of the two problems that I have set out—high prices for diesel and for land—is that the prices charged by the supermarkets are also high. A more important factor still is the absence of fierce competition between the large, multiple retailers.

The third element that needs to be highlighted is that the British farmers who supply supermarkets do not receive a fair price for their produce. That is especially apparent in the fact that falling livestock prices have not been passed on to the consumer. The price of pork provides a stark example. There has been a catastrophic fall in pig prices over the past couple of years.

Dr. Howard Stoate (Dartford): The hon. Gentleman makes a valid point about farm prices. A farmer in my constituency tells me that the price of his cabbages has not gone up for seven years. He receives 15p a cabbage now, and he got 15p a cabbage then. Supermarkets put their prices up year after year, so why is the poor old farmer receiving exactly the same price he was paid all that time ago?

Mr. Gibb: The hon. Gentleman makes a fair point, although I am keen to get away from the consensus that appears to be developing.

Lack of competition among supermarkets affects consumers, but it affects suppliers too. There is concern that the supermarkets have almost monopsonistic purchasing power over their suppliers, and that that position is being abused. Supermarkets set high environmental, hygiene and quality standards for farmers and suppliers, and strict employee welfare conditions are required; yet, if the price or quality is better overseas, they are happy to switch to suppliers who do not enforce those conditions.

The environment is my fourth concern. It is suggested that out-of-town developments eat up the fast-diminishing stock of our countryside and that more such shopping means more car journeys.

All four of those concerns are real. The multiples supplied 86 per cent. of the United Kingdom grocery market in 1998, and are expected to account for 32.5 per cent. of all UK retail sales by 2004. However, the issues are also complex—no simple answers exist. Competing and contradictory interest groups represent concerns on either side of the argument.

It is all very well for Liberal Democrats Members to represent one set of interests in the House while Liberal Democrats locally represent different interest groups with contradictory policies, but the official Opposition, like the Government, require a joined-up policy. Commentators on these matters—the Liberal Democrats in particular—suffer from a lack of intellectual honesty or consistency that verges on the hypocritical. On the one hand, they are concerned that prices charged by supermarkets are too high in comparison with those of Europe and the United States; on the other, any suggestion that a new entrant to the market might force prices down raises concern about damage to town centres and smaller retailers.

If the supermarkets charge prices that do not drive out smaller stores, they will make larger profits which the Labour Government will deem too great. If they cut their prices, they will be accused of being predators. We need a balanced approach to enable competition to flourish, to allow the economies of scale enjoyed by the supermarkets to be passed on to the consumer and to enable farmers to be paid a decent price for their produce. We also need policies that enable our town centres to maintain a critical mass of viable shops and that protect an ever-dwindling stock of unspoilt countryside.

There are two pairs of competing policy objectives. One pair—lower prices for consumers and better rewards for farmers—benefits from greater competition. The other pair—protection of our town centres and rural areas—may be harmed by competition. How can the different political parties handle that dilemma? Labour, with its deep-rooted misunderstanding of capitalism and the free market, is subjecting the supermarkets to a battering because of what the Government regard as unacceptable profits. A commission, taking evidence in public, will judge the supermarket industry's profits, effectively returning us to the prices and incomes policies of the 1970s and sending the industry a signal not to be too profitable, innovative or efficient.

Meanwhile, Labour also let it be known that deals can be done behind the scenes to assist particular companies. A sherry party will be held for Wal-Mart, or a meeting with Formula One. That must never become the way in which the British Government do, or are seen to do, business. The Minister says that no planning guarantees were given and that planning was not even discussed at that meeting, but the mystery still remains. If planning was not discussed, what was discussed? As the hon. Member for Truro and St. Austell (Mr. Taylor) says, such meetings are unusual. In order to set minds at rest, will the Minister set out precisely what was discussed at the meeting? Only if he does that can we be sure that the Prime Minister is not just hiding behind careful words.

Mr. Dawson: Will the hon. Gentleman please take this comment from me with the seriousness with which I make it? It is galling and hugely irritating to sit across from him and hear a lecture about trivial issues. My experience of the city of Lancaster is that the Conservative Government wreaked absolute havoc. That is a situation from which we are desperately struggling to recover. Perhaps the hon. Gentleman will address the serious issues rather than nonsense about sherry parties.

Mr. Gibb: The hon. Gentleman does me an injustice. I have said that this is not the simplistic debate that the Liberal spokesman tried to present it as. There are

competing concerns. Consumers want low prices and choice in supermarkets. Delivering that often means damage to the environment from the construction of out-of-town shopping centres. The competition provided by the supermarkets damages small retailers in the town centres. It is a question of balance. There is not a simple answer.

Mr. Caborn: Will the hon. Gentleman explain to the House why out-of-town food shopping increased by 50 per cent. in five years but we still have high prices in the supermarkets? The policy of the free market was given a fair wind. The market was let rip. Planning was ripped up. We allowed the supermarkets to do exactly what they wanted, yet we still had higher prices than on the continent when the Conservatives left office.

Mr. Gibb: It is worrying when Ministers have such a simplistic understanding. The Minister is confusing the comparison between prices in large out-of-town supermarkets in Europe and America and in Britain with the comparison between prices in out-of-town supermarkets and prices in town centres. If supermarkets had not been allowed to develop, there would not have been the huge falls in prices that have occurred in the past 20 to 25 years. That is a fact. [HON. MEMBERS: "No."] Yes it is. Everyone knows that supermarkets have delivered lower prices and greater choice. That is their great attraction. That is why they make money and why they have displaced many of our independent smaller retailers in town centres. People do not go to out-of-town shopping centres to pay higher prices. The question is whether the falls in prices that the supermarkets have delivered are big enough. Have prices fallen sufficiently, compared to Europe and the United States? The Minister should understand that question.

Mr. Gray: Perhaps I can take my hon. Friend back to the famous sherry party at No. 10 Downing street. He will know that there are only two kinds of meeting in Government circles. One is an official meeting at which civil servants take minutes, and the other is a political meeting at which difficult political decisions are taken, no civil servants are present and there are no minutes. It might be interesting to know whether the meeting was political or non-political. If it was official, why can we not see a copy of the minutes?

Mr. Gibb: My hon. Friend makes a valid point. The problem is that we are prising from the Government the truth about the meeting on a piecemeal basis—a briefing to the press, a statement in a debate on a Liberal Opposition day. We need a categorical statement of precisely what happened. It would be better if it were delivered by the Prime Minister himself in this Chamber but, if we cannot have that, will the Minister say what precisely was discussed at the meeting and whether it was official and minutes were taken? If minutes were taken, can they be published?

Mr. Matthew Taylor: We will not disagree on the last point, but will the hon. Gentleman clarify whether he prefers maintenance of the town centres and the environment to developing competition? He said that it was a complex issue and that there was a balance to be struck. Asda, or at least someone in Asda, has argued that it could cut prices if it were allowed to develop superstores in competition with local monopolies in the south. Is it Conservative policy to protect the town centre and the environment and say no, or to say that competition to reduce prices is the priority so such developments should be allowed?

Mr. Gibb: Our policy is clearly set out in planning policy guidance 6. It is to help small business. That was our policy, and it remains our policy. The Liberal Democrats try to resolve the policy dilemma that I set out in their time-honoured fashion by saying one thing to one constituency and the opposite to another. They tell consumer groups that they want more competition to reduce prices, and the rural lobby that they want fewer supermarkets and less competition. They tell environmentalists that they oppose new supermarket developments, but to consumers in Yeovil the right hon. Member for Yeovil (Mr. Ashdown) will say nothing against a new supermarket development. That is Liberal policy in a nutshell.

Mr. McNulty: Can the hon. Gentleman say whether that will remain his policy? I ask only because he said of another policy:

> "We believe that we are right in our view, but we may not be. We are not arrogant, and if we are proved to be categorically wrong, we shall change our policy. It is irrelevant whether one person in society believes that we are wrong. What matters is whether we are wrong." [*Official Report, Standing Committee B*, 17 June 1999; c. 659.]

Will the policy change? Do those remarks represent the thrust of his policy formulation?

Mr. Gibb: We are not an arrogant party. We have a firm view about the euro, if I may digress. Our position at the next general election is that we will not take Britain into the single currency. Our policy for the general election after that will be decided nearer the time. That is a sensible, pragmatic approach to policy.

Neither the Labour nor the Liberal approach is acceptable in dealing with these difficult issues. Our approach, as it was in government, is one of balance. We want more competition to bring down prices and increase choice, and so that supermarkets have to compete with one another in their relationships with suppliers and farmers. However, as Conservatives, we understand that we live on a small and crowded island and that ever-more building and development are not sustainable ad infinitum. That is why the previous Government introduced PPG6 to slow the growth of out-of-town shopping development and ease pressure on the environment and town centres. That should remain the policy of the British Government, with no added codicils of ex-statutory, intramural deals for favoured companies. That balance is the right approach. I hope that no one will take any notice of the Liberal Democrats, whose disingenuous approach lacks integrity and damages the body politic as much as it damages them.

5.33 pm

Mr. Eric Martlew (Carlisle): I have been a critic of supermarkets for 10 years. On 9 December, I laid out my reasons in a poorly attended Adjournment debate. The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) confused me because he seemed to say that

[Mr. Eric Martlew]

we should not refer the problem of price rigging in supermarkets to what is now called the Competition Commission because that would interfere with the free market. However, we have a cartel of the four biggest supermarkets and his Government were to blame for that situation. One of the heads of the cartel is a Conservative Member, so we can understand why the Conservatives do not want the supermarkets to be examined by the Competition Commission. If I am wrong, he can intervene.

The growth in the power of the supermarkets has come at the expense of everyone else. We have heard the argument about small shops, which is difficult. My constituency had the sense to ensure that its centre was in a good state of repair before the out-of-town supermarkets came on the scene, so we still have a thriving city centre. That did not happen in some cities.

The British public love the supermarket—let us not kid ourselves about that; that is why I asked the hon. Member for Truro and St. Austell (Mr. Taylor) whether the Liberals were in favour of supermarkets. One has only to go round supermarkets to see that people look on going to supermarkets as a day out. That is not my view, although I do go to supermarkets. Indeed, on Sunday, I shall be opening the celebrations for the 100th anniversary of Morrisons at my local store in Carlisle—unless of course the staff read this speech. The reality is that the British public like supermarkets and politicians have to accept that. The Government's planning policies are strong enough to preserve what is left of our city centres, although devastation has taken place, as my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) pointed out.

Some of the information that is sent to Members of Parliament worries me. In March, we all received a briefing from the British Retail Consortium; it was called "Supermarkets' Prices and Profits—Myth and Reality", but most of it was myth. We were asked to phone the consortium if we had any queries. I pointed out that some of the figures in the briefing on competition with continental supermarkets were not quite right, because there is no VAT on food in the United Kingdom, but there is in France, Germany or wherever. I asked for some figures. The reply was, "Yes, of course." I waited for three months until June and rang the consortium again to ask for the figures, but was told, "We are very sorry, we don't have the resources." The British Retail Consortium does not have the resources to provide my answer. I was told that I should get my civil servants to find the information.

I pay credit to *The Sunday Times* for its work on supermarkets, and for exposing the fact that we are paying too much for our food. The idea that, if supermarkets charged less, the farmers would be paid less is nonsense. Supermarkets push down payments to suppliers as far as they can to increase their profits. Supermarket profits are extremely high, so I have no fear that the supplier would be paid less.

Dr. Stoate: Not only do purchasers force down prices, but they have told farmers in my constituency that, if they do not like the prices that they are offered, the purchasers will buy produce from abroad. They do not care about the deprivation and difficulty caused by their forcing down of farm prices for my constituents.

Mr. Martlew: I can give another example. Ten years ago, 68 per cent. of the price of a pint of milk in the supermarket—now it would probably be a litre—went to the farmer. Today, it is only 56 per cent. and the price has probably dropped in real terms. Supermarkets are screwing the suppliers and taking advantage of a monopoly.

Mr. Andrew Love (Edmonton): They are screwing the consumers.

Mr. Martlew: As my hon. Friend says, they are screwing the consumer as well. Considering how much the average family spends in supermarkets, if we can get supermarket pricing policy right, it would be the equivalent of a penny or tuppence off income tax. We should be doing that.

Mr. Gray: If the hon. Gentleman feels that way about milk marketing, why has his right hon. Friend the Secretary of State for Trade and Industry taken so long to release the Monopolies and Mergers Commission report on Milk Marque?

Mr. Martlew: I was one of those Members of Parliament who opposed the breaking up of the milk marketing boards under the Conservative Government. That Government are to blame for the current situation.

Wal-Mart concerns me. It may be necessary to bring in someone from abroad to break up the cartel, but I have worries about Wal-Mart. It has more than 2,000 stores in America; not one of them is unionised. In fact, some people have been sacked because they tried to form trade unions. I understand that Wal-Mart went to the courts in America to ask for exemption from the minimum wage. I am sure that, in his reply to the debate, my hon. Friend the Minister of State will tell us that, if the company were to try to do that in this country, the Government would not accept it.

Asda is part of the cartel, but it has a good record with its employees. I hope that, in the event of a takeover, Wal-Mart will maintain that good relationship, retain the terms and conditions of the work force and continue to co-operate with the GMB—I know that the union is prepared to work with Wal-Mart. We will not tolerate in this country the sorts of practices that Wal-Mart has followed in the United States.

There is a major problem with supermarkets that Parliament has not yet addressed. Many of our constituents use supermarkets and they are being exploited. We must break the cartel because, if we do not, it will continue to advance. It is not a question of allowing the supermarkets to have a particular market share; if we do not put the brakes on, we will find that, in four or five years, the growth in supermarkets will have continued, competition will be less and the suppliers and the public will be worse off.

5.41 pm

Mr. James Gray (North Wiltshire): I am pleased to participate in this important debate. The Liberal Democrat tradition in Supply day debates is to choose the least

significant subject imaginable in which no one else is even slightly interested. However, the issue of supermarkets, the food in supermarkets and the future of food retailing is centrally important to us all.

Regardless of what one may say about town centres, village shops and the detrimental effects of the supermarket revolution, the truth is that we all use supermarkets. I challenge hon. Members who are present in the Chamber to say that they do not visit supermarkets—or perhaps it is a wife, a husband or a servant in some cases. *[Interruption.]* There is not a single person in this nation who does not use supermarkets.

For example, 88,000 people in the town of Chippenham go through supermarket checkouts every month—and Chippenham has a population of 30,000. It has three supermarkets, yet 88,000 people visit Safeway alone. Sainsbury and Somerfield presumably have a similar number of customers. *[Interruption.]* I am glad that I have been able to give the rather dull faces on the Government Benches a little innocent amusement. In order to set the record straight, I make it absolutely clear that I shop at Safeway and Sainsbury in my constituency.

Mr. Drew: Not your servant.

Mr. Gray: That is precisely my point.

When it comes to environmental issues—the same argument applies to supermarkets as to the use and building of motorways, the cost of road building and traffic congestion—the more self-righteous among us, whom we often find come from the Liberal Democrat Benches, love to claim the moral high ground. They say, "We believe in village shops and we believe in preserving the high street. We decry what has happened with regard to supermarkets across the nation, we decry the motorways that allow people to get to the supermarkets and the construction of parking facilities. We are into bicycles, bobble hats and high streets." The truth is that the Liberal Democrats use supermarkets as much as the rest of us, and they use motorways to get there just like we do. Pretending that, somehow or other, they are cleaner than clean and that we are the bad guys for using those facilities demonstrates how two-faced the Liberal Democrats are.

The truth is that hon. Members on both sides of the House are absolutely determined to do what we can to support our rural areas and village shops—and they are thriving in every village in my constituency that has them. The communities are vibrant and living, and villages that have lost their small shops are poorer as a result. We are all determined to do what we can to support the high streets—or what is left of them. We are doing an enormous amount in Malmesbury in my constituency to ensure that the vibrant high street remains. It would be foolish to suggest that any Member of Parliament from any political party is not committed to that useful aim.

However, that does not mean—as several luddite speeches have suggested—that supermarket shopping is somehow a bad thing. It plainly is not, and the people who voted for us use supermarkets an enormous amount.

As we heard earlier, 86 per cent. of all food shopping is done in supermarkets. The average weekly shop in the United Kingdom is six supermarket bags weighing 84 lb. That represents a significant change in the way in which we run our lives, and to try to ignore it or to argue that it is a bad thing gives the wrong impression to those who will read our debate later.

Mr. Gibb: Does my hon. Friend think it odd that the leader of the Liberal party did not oppose the development of a supermarket in his constituency on a site that was of particular interest because it was mentioned in a Thomas Hardy book, yet his spokesman in the Chamber today is antagonistic to all supermarket development?

Mr. Gray: I am grateful to my hon. Friend. He points out a curious anomaly in the attitudes of Liberal Democrats across the nation. Earlier, I had occasion to mention the fact that it was Liberal Democrat district councils that allowed superstore developments. The Liberal Democrats are proud of how many district councils they control, and those are the very councils—for example, in my constituency—that allow out-of-town shopping centres, but at the same time give lip service to supporting the high street.

It is interesting to note that although in Newbury the Liberal Democrat district council turned down the application by Vodafone, the hon. Member for Newbury (Mr. Rendel) apparently supports it. The Liberal Democrats are all over the place.

Dr. Jenny Tonge (Richmond Park): I should like to place it on record that not only do I not wear a bobble hat, but the Liberal Democrat-controlled council in my constituency has opposed two major supermarket developments recently because of worries about damage to Richmond town centre. One of those applications was won on appeal—the Government opposed the council's decision.

Mr. Gray: I apologise, of course, if I slurred the hon. Lady by suggesting that she might wear a bobble hat, a smock or open-toed sandals. I am happy to accept her assurance that she wears none of those things.

The hon. Lady was not in the Chamber earlier when we spoke about Harrogate. The hon. Member for Harrogate and Knaresborough (Mr. Willis), from her own Benches, denied that an out-of-town shopping centre had been built on a green-field site in Harrogate. Liberal Democrat-controlled Harrogate district council gave planning permission for a Sainsbury supermarket in Rippon and a Morrisons superstore on a green-field site in Harrogate.

In Chippenham, the Liberal Democrat-controlled district council gave planning permission for a Sainsbury and a Safeway. There was no question of going to appeal or of turning down the application and leaving it to the Secretary of State to allow it; the district council was delighted and welcomed the development. However, the Liberal Democrat spokesman in the Chamber bad-mouths supermarkets as though we all hate them. That is not the truth.

The opening remarks from the Liberal Democrats went no way at all to addressing the problems that our town centres face. My experience in my area is that Liberal Democrat policies are responsible for killing off town centres. For example, just outside my constituency in Bath, the Liberal Democrats have introduced sky-high

[Mr. Gray]

parking charges, which have led directly to a 7 per cent. slump in trade in Bath. That is an example of Liberal Democrat concern for our town centres.

In Chippenham, a small market town with a few town-centre shops, we have free parking for an hour. I welcome that, as it brings people in from the countryside to shop in the high street. The Liberal Democrats apparently propose to introduce parking charges in Chippenham and suggest that we might have a park-and-ride scheme in a town of 30,000 people. It is all very self-righteous, politically correct Liberal Democratism, but it will kill the high street in Chippenham. I challenge them to say what they would do to support the high streets.

This is an important debate, but so far it has not been characterised by a real desire to address the problems facing us in planning, transport and the other issues associated with supermarkets. The debate has been characterised by attempts to achieve the moral high ground and in a luddite way to express dislike of supermarkets. The Minister for the Regions, Regeneration and Planning, who is sadly not in his place any more, made some outspoken remarks against supermarkets. I should be interested to know, when the Minister of State, Agriculture, Fisheries and Food winds up, whether he uses a supermarket, whether it is an out-of-town supermarket and how he gets there. I would lay pretty good money that he or his wife do use a supermarket. The important thing is not to make party political points, but to deal with the marked change in taste that has occurred across the nation over the past 20 years or so.

When I was a child growing up in Scotland, my mother went down the high street with her shopping bag. She went into two or three different retailers and bought a loaf here and a lump of meat there. My grandfather was a butcher in Coatbridge: he was a small retailer and people went to his shop to buy meat. They do not do so today. They go to the supermarket and buy their 80 lb of shopping in six bags.

We must address these issues, and central to them is the subject of transport. It is not just a question of where to put supermarkets. I suspect that the market is nearing saturation point because of the large number that were built when we were in power – saturation may not be the right word. Most towns are served by supermarkets. A bigger issue is transport. The average customer at Tesco picks up six bags weighing 80 lbs. The only way in which people can shop at a supermarket is by motor car. It is nonsense to suggest that they go by bicycle, as Liberal Democrats would, or by bus.

My constituents who shop in Safeway and Sainsbury all use the car—or have done so up to now. It is apparently the Government's policy to make it more and more difficult for my rural constituents to use their car to go to the supermarket. They have put up petrol prices, which have gone through the roof. More than anyone else, that affects the less well off, the low-wage earners in rural areas, old people and the disabled. The Government are now talking about congestion charging. That would be helpful for a fat cat or a two-Jag Prescott, who would not mind congestion charging because such people could afford the £5 a day to get into central London. However, it would matter to an old person in my constituency who has to get to the supermarket.

Incidentally, I do not know why we need congestion charging if new Labour VIPs are allowed to use bus lanes to get into the city in their Jaguars. That is what road charging and doing away with supermarkets is all about – getting other people off the road so that they can drive quickly through, as the Prime Minister did the other day in the bus lane on the M4. That is the truth about these people who pay lip service to environmental benefits. They want to continue their way of life and what they are doing, and do not want other people to get in the way while they do it.

We are told that the congestion charge may be £5 a day in London, and £1,000 a year for workplace parking in London. A fat cat in a Jaguar will be happy to pay £5 a day to get the plebs off the road and £1,000 a year for parking, but people on a low wage living in my constituency need their cars to get to the supermarket.

Most of the debate has ignored the realities of modern life in modern Britain, which requires people to use their motor cars to get to the supermarket. We have also failed to recognise the good bits about supermarkets. Almost everyone who has spoken has had a go at supermarkets. They suggest that they are bad and that they are pariahs. They say that they are awful, that they do not like them and that they like high streets. Of course we like high streets, but there is a huge amount that is good about supermarkets, such as the quality and choice of food. We demand strawberries on Christmas day and exotic fruits from the tropics not as a special treat, but as an everyday part of modern living. We buy pre-packed salads—we do not wash lettuce any more. We demand high-quality food in beautiful condition.

Mr. Love: I have listened carefully to the hon. Gentleman's speech in support of supermarkets. What attitude will he strike when the next application for the development of a supermarket in his constituency comes along and his constituents are opposed to it?

Mr. Gray: The hon. Gentleman brings me on to my next point, which addresses that question. In the past 20 or so years, the number of out-of-town supermarkets has significantly increased. I welcome that to a large degree, because they have brought in their wake a great many other benefits, such as new roads, new housing and new schools. However, we are now nearing the point at which we have the right number of supermarkets supplying the right number of people.

In the town of Malmesbury in my constituency, a site is available on which Tesco is trying to get permission to build a new supermarket. Malmesbury is five miles from Chippenham, which already has two gigantic superstores, and three miles from Tetbury. There is a huge Tesco store just outside Tetbury. The people of Malmesbury, where there is a vibrant high street, would be much better off without a new supermarket. *[Laughter.]* I do not know why Liberal Democrats find that funny. I am simply saying that my constituency has a worthwhile supply of supermarkets. My constituents use them, but we do not want any more, because of the environmental damage that would be caused and also because, if we allowed too much competition, at least one of the supermarkets involved would probably go out of business. We would then face the problem of what to do with the site.

So far, this has been a one-sided debate. The planning issue should be about balance. It should be about supplying what all our constituents want, while also

preserving the countryside, preserving the high street and preserving the village store. The careful and subtle balance contained in planning policy guidance note 6, introduced by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) when I was a special adviser to him, is precisely what we want in planning terms.

We want to supply the British people with the shopping experience that they now want. Incidentally, I heard on the radio this morning that there is talk of shoppers' actually paying to go shopping. My instinct would be to pay not to have to go shopping, but apparently that is the shopping experience that people want. On the one hand, we must give people what they want and need; on the other hand, we must have a balanced planning policy that protects our environment, saves our high streets and preserves our village stores.

I welcome what my right hon. Friend the Member for Suffolk, Coastal did with PPG6. I also welcome the assurance that the Government have given today and in earlier debates that they will continue the carefully balanced policy introduced by my right hon. Friend in considering future supermarket developments.

5.57 pm

Mr. David Lepper (Brighton, Pavilion): I welcome the Liberal Democrats' choice of subject. Let me say at the outset that I have absolutely no interest in knocking the Liberal Democrats. In my constituency, Labour came first in the European elections; the Liberal Democrats came fourth, just about managing to beat the United Kingdom Independence party. I am afraid that any of my colleagues who are expecting to hear criticism of the Liberal Democrats should wait to hear another speaker.

In the past, I have hesitated to speak in debates on planning issues. Until last month, my wife chaired the Brighton and Hove council planning committee, and I thought it wise for just one member of the family to speak on such issues. My wife has now taken another role locally, and I am freed from that constraint.

It is certainly time that the Competition Commission investigated the whole question of grocery retailing and supermarket prices. We need an investigation, and I think that we need international league tables as well. Such tables would show us how much goods bought in this country would cost us in similar stores around the world, and would demonstrate the extent to which British shoppers are or are not being ripped off.

Having said that, let me make it clear that I do not wish to criticise either Liberal Democrats or supermarkets. In an intervention, my hon. Friend the Member for Northampton, North (Ms Keeble) made an important point about the need to distinguish between supermarkets and superstores.

The motion, the Government amendment and, indeed, comments that we have heard from Conservative Members today have a common theme: the need to ensure that development policies are consistent, especially in regard to out-of-town development. I welcome the assurance that the Minister gave me in reply to a question—last November, I think—that he had no plans to revise PPG 6 on town centres and retail development, and I welcome the further assurance that we have been given this afternoon. I was therefore surprised at the story published recently by *The Guardian* about relaxation of the rules. Until I heard the speech by the hon. Member for Truro and St. Austell (Mr. Taylor), with its patchwork of press cuttings, I had—in my ignorance—no idea of the extent to which the story had permeated. None the less, the story in *The Guardian* surprised me, although it should not have done. From the reassurances that we have been given today, the story proves to have been yet another of *The Guardian*'s own-goals in stirring up tales of U-turns by the Government.

I have the honour of being chairman of the all-party group on town centre management issues. The group has more than 200 members, comprised of Members of this place and of the other place, and of all political parties. In membership numbers, it is rivalled only by the parliamentary beer group—as we now have to call it, rather than beer club.

The support enjoyed by the all-party group on town centre management demonstrates the genuine concern felt by hon. Members on both sides of the House about the future of our town centres, not only as places in which to shop and work, but in which to live and enjoy our leisure time. Moreover, the concern is not only for major cities or conurbations—such as Brighton and Hove, part of which I represent, with a population of a quarter of a million people—but about our smaller market towns.

I therefore welcome the initiative taken by my hon. Friend the Member for The Wrekin (Mr. Bradley)—who is not in the Chamber—which led to a recent report by the urban and economic development group on revitalising four small towns in his Shropshire constituency. I am sure that there are other examples of hon. Members, on both sides of the House, taking similar initiatives.

As the Minister said, next week, Lord Rogers will unveil the urban task force's report on regenerating our town and city centres. I am sure that we all eagerly await the report, to see what ideas it has on reversing the drift to the suburbs, to the edges of towns, and on to green-field sites—which, unfortunately, characterises so much of what happened, in the 1980s, under the previous Government.

I do not know what Lord Rogers's report will say about those issues, but know that, earlier this year, his summary of responses to the urban task force's prospectus stated:

"a number of respondents agreed with the House of Commons Environment Select Committee proposals for sequential tests, where developers are required to demonstrate that they have exhaustively examined the possibilities of developing any available brownfield land before being allowed to go ahead with greenfield development."

I hope that all of us will endorse that position, on which the Minister has given us reassurances.

Mr. McNulty: Does my hon. Friend agree that the attempt to rubbish the sequential test in PPG 6 by the hon. Member for Truro and St. Austell (Mr. Taylor) owed more to his ignorance about planning than any lack of integrity in the test?

Mr. Lepper: I thank my hon. Friend for his intervention, but I have already described my own humility in planning debates, although my wife was able to advise me on the issues. We should perhaps avoid lurching into addressing issues—*[Interruption.]* I do not criticise my hon. Friend—when we do not fully understand all of them.

[Mr. Lepper]

I should like to deal with the issue of the difference between superstores and supermarkets. We have to acknowledge the important role that food retailers, with supermarkets, are able to play as partners in regenerating our town centres. They have played an important role in many of the important town management schemes, not only by helping to enhance the appeal of centres—in which they are already located, and to which they decide to locate—and creating jobs, but by ensuring that they very often act as a lever for other funding sources to help to regenerate those town centres. Sainsbury, for example, claims that its active involvement in, and support for, town management schemes has helped local authorities across the country to lever in more than £300 million of additional funding from central Government, Europe and private investors.

I have no particular remit for Sainsbury. In fact I actively opposed its plans for a 38,000 sq ft supermarket on a brown-field site as it was a completely inappropriate development. I am glad to say that the inspectors upheld the decision of the local council to oppose that application. While acknowledging that the proprietors of supermarkets can play an important role as private partners in regenerating our town centres, we must be aware of some of the concerns that have been raised this afternoon.

There is a genuine fear that the entry of Wal-Mart into Britain might well be followed by yet another huge retailer. Will K-Mart be next? Will we have the same experience that I have not seen at first hand, but have heard about from visitors from the United States where some small towns have Wal-Mart at one end of what was once the main street, K-Mart at the other and absolutely no retail development in between? The assurances from my right hon. Friend the Minister that the Government do not want the same situation to develop here lead us to be optimistic.

Finally, I welcome the proposals in the Government's modernising planning documents to which the Minister referred and the pilot schemes in Bexley and elsewhere for one-stop shops providing assistance to developers submitting applications. I also welcome the proposals for mediation in the planning process to avoid the confrontation which often results from planning applications. I particularly welcome the underlying theme of the Government's modernising planning agenda for local development-led plans initiating the planning process in certain areas, rather than planning being a reactive process, as has often been the case in the past. Although there will be changes in the planning process—and not before time—we can all be assured that the Government are determined to stand by PPG6 and the safeguards that it provides.

6.8 pm

Mr. Norman Baker (Lewes): I am pleased to follow my near neighbour the hon. Member for Brighton, Pavilion (Mr. Lepper) who spoke largely in support of the Liberal Democrat motion. I very much hope that he will join us in the Lobby this evening. I note that the Minister for the Regions, Regeneration and Planning is abstaining tonight, so the Government obviously have some sympathy with our motion.

Let me pick up on one point. There was considerable approval among Labour Members for what the Minister said and he gave us some welcome assurances. I want to be clear in my mind that his speech reflects the view of the entire Government. My hon. Friend the Member for Truro and St. Austell (Mr. Taylor) said that there were two ways of looking at the issue. The part of the Government that seeks to protect the environment puts that foremost, whereas another part of the Government says that lower prices, competition and letting the market rip may be a good thing. That view is epitomised by the DTI. The Government need to make it clear which line they are taking.

That is the case not just on this issue. On genetically modified foods, the Minister of State, Ministry of Agriculture, Fisheries and Food and the Minister for the Environment are cautious, while the Minister for the Cabinet Office and the Prime Minister are carefree and keen to push GM technology as fast as possible. The Deputy Prime Minister introduces bus lanes and the Prime Minister drives down them in his car. There are differences in the Government. We need clarification that the Minister for the Regions, Regeneration and Planning was speaking on behalf not just of his Ministry, but of the whole Government, including the Department of Trade and Industry and the Prime Minister. Perhaps the Minister of State, Ministry of Agriculture, Fisheries and Food will give us that assurance.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): If it enables the hon. Gentleman to get on to the important part of his speech, I am happy to assure him that every Minister who speaks at the Dispatch Box speaks on behalf of the Government, unless they say that they are speaking for themselves.

Mr. Baker: I am grateful for that clarification. The important aspect of the debate is to tie the Government down, so I am glad to have heard that.

The hon. Member for North Wiltshire (Mr. Gray) said that people love their supermarkets and want to shop at them. People also want their corner shop to remain open. Finding the balance is important. The hon. Gentleman rather spoilt his case about supermarkets being wonderful by then saying that Chippenham high street had to be protected and he did not want a supermarket in his constituency. Never mind. We can gloss over that inconsistency.

Supermarkets bring benefits to the consumer, including lower prices—in some respects—ease of shopping and one-stop shopping. We know about those benefits, but there are disbenefits as well. The Government must ensure balance and should regulate when appropriate. Supermarkets have reduced the competition, particularly for groceries. The Conservatives mentioned a figure of 86 per cent. Village shops have closed around the country as a consequence of competition from supermarkets. That has happened in my constituency in villages such as Kingston. The effect of the concentration of ownership is like a cartel.

The Conservatives are also inconsistent in opposing any investigation into supermarkets and then complaining that farmers are not getting a fair deal as a consequence of the prices that supermarkets pay for their produce. That is

why we support an investigation into supermarkets. I commend the good work done by my hon. Friend the Member for South-East Cornwall (Mr. Breed) on that.

Supermarkets can be ruthless. A Sainsbury store opened in Newhaven three or four years ago. It is a very popular and well-frequented addition to the area that people welcome. When it opened, there was a petrol station, which was already struggling, within sight. The petrol station opened 24 hours a day to try to make a living. The supermarket then opened its petrol station 24 hours a day and put up a big hoarding opposite to attract customers. The independent petrol station went out of business and, lo and behold, the supermarket reverted to its normal hours for petrol sales. Supermarkets are ruthless. They are interested not in serving the public, but in boosting their profits. Governments should always remember the down sides of supermarkets as well as their benefits when they are regulating.

Supermarkets are extending their range of wares, not just in food, which was always their central reason for existing, but in other areas of retail. Supermarkets in my constituency now have chemists and sell clothes, toys and videos. All that attacks independent retailers elsewhere in the high street to the detriment of the whole high street.

Lewes has a successful and vibrant town centre. Many people come into the town to work and there is a big work force at county hall, the police headquarters and the health authority. People go to the town centre to do their shopping at lunch time. Yet even in such a successful town centre, there is nowhere outside the supermarket that sells half a pound of butter. If the supermarkets expand to sell clothes, toys and products that chemists sell, I wonder how long the independent retailers will exist.

I hope that the Government will follow through their planning policy and see what they can do to protect smaller shops. The point made earlier by my hon. Friend the Member for Weston-super-Mare (Mr. Cotter) about business rates is important, and I am sorry that the Minister for the Regions, Regeneration and Planning rather skated over that. The Government's amendment refers to the viability of town centres, so it was a legitimate point to raise. The Government should obtain the right balance by tipping it slightly in favour of smaller and independent shops, perhaps more than has been the case so far.

I was opposed for many reasons to the extension of Sunday trading. One consequence of that has been that the one day a week when small independent shops were able to make some money without competition from supermarkets has now been eroded. Many of them took more money on Sunday than the rest of the week put together and have now lost that opportunity. I regret that.

I should like the Government to consider car park charging for out-of-town shopping. That was referred to earlier by my hon. Friend the Member for Truro and St. Austell and is something that I support. The DETR was considering that as part of its transport White Paper until No. 10 stopped it in its tracks. Many people, quite erroneously, decide to shop where parking is free. They object to paying 20p to park in a town centre but they will drive 25 miles to an out-of-town supermarket where parking is free. *[Interruption.]* I can give the hon. Member for Harrow, East (Mr. McNulty) examples of that from my constituency. My constituents write to me and say that they will shop in Uckfield, for example, which is 10 miles away, rather than pay 20p to shop in Lewes. Therefore, people do make such decisions, however illogical they may be.

It is time that we reflected the environmental costs of out-of-town shopping with car park charging, and I should like the Government to consider that carefully. It is not Liberal Democrat policy, but I would go further by making it difficult for supermarkets and other out-of-town stores to refund that parking ticket other than by lower prices, so that people are aware that they are making an environmental contribution by buying that ticket.

I do not want to be all negative about supermarkets because, as the hon. Member for North Wiltshire and others have said, they have benefits and we need a balanced debate. One function of supermarkets is as a last resort to help the consumer when the Government of the day have failed the consumer, and to articulate public opinion in the way that the Government sometimes do not do. It was supermarkets which led the campaign, following pressure from their customers, for dolphin-friendly tuna some years ago. The Government did not intend to do anything about that in a free market, but the supermarkets traced that back and tuna in supermarkets is now almost exclusively dolphin friendly.

The supermarkets are now doing the same thing with regard to GM foods. In the words of the Minister, GM foods are not necessary, as he told the Environmental Audit Committee. Those words were echoed by the Minister for the Environment. The public at large are not interested in GM foods. They do not want to buy them. But the Government largely stand on the sidelines—not in the driving seat, to use the Minister's words—and rely on the supermarkets to deal with the problem. Therefore, supermarkets are having to respond to their customers. They have to trace back the ingredients because the World Trade Organisation, the Government and the EU have failed to require the segregation of supplies of, for example, soya. The supermarkets are having to take it upon themselves to fill the gap left by the Government.

I hope that, as a consequence of the debate, the Government will stick to their planning policies and make it clear that there is no further room for out-of-town shopping, which will be to the detriment of the environment if it goes ahead; will make sure that they introduce measures to help smaller stores and high streets, and will resist any measures from the Conservatives or anybody else to let the market rip in the way that we saw during the 18 to 20 years of Conservative Government.

6.19 pm

Mr. Hilton Dawson (Lancaster and Wyre): I am delighted to take part in this debate because I like shopping and I like food. I go to a very large supermarket at least once a week, and it is highly convenient for loading up the car with tins of beans and getting the shopping in as quickly as possible. There is a certain quality and range of food, and shops are alongside the supermarket. Visiting the chemist, optician or travel agent, or getting money out of the cash machine, is easy.

The problem is that it is all so boring. The supermarket is in a large shed and, although there is an enormous variety of food and other wares, it is all pre-packed, dressed up and bland. I can have strawberries at Christmas if I want—which I do not—and food from all around the world, including green beans from Kenya. Frankly, who wants all that?

[Mr. Hilton Dawson]

In contrast, when I go to the glorious city of Lancaster and walk its historic and beautiful streets, I can go into the shops and have a unique experience. In the marvellous market town of Garstang, I can buy local cheese, local sausage and local fish, and it is a world removed from my local supermarket. In the marvellous town of Poulton-le-Fylde, I can buy local produce from long-standing traders who know their customers and the niches in which they operate. It is a wholly different experience from bashing round the supermarket with a loaded trolley.

Supermarkets have their place, and that will continue. However, we must reverse the devastation that supermarkets have induced in some of our glorious market towns.

There is no easy way out of the problem, but we must find one. I reject absolutely some of the dreadful complacency of Conservative Members. This is an urgent issue of concern about the quality of life in our country, our local economies and, particularly, the rural economy. The previous Government's desperate attention to letting the market rip failed to reflect the importance of local producers, and let them down. When local producers abroad work co-operatively to develop local marketing strategies, they are able to gain power and influence in the market place that can redress the balance with supermarkets. We need to achieve balance. We must market excellent local produce well and attract people into market towns to buy the unique products that are there. We must help producers to work together to compete more effectively.

The Government's tightening of planning restrictions has had a tangible effect in my constituency. In Poulton-le-Fylde, we have been able to see off two separate applications for supermarkets that would have devastated an important town centre, and we have our fingers crossed for the future.

Fiscal issues are also important. I agree that we should impose a parking levy on supermarkets. If we want to cut down on commuter parking by charging large employers for their car parks, we should put the same pressure on out-of-town supermarkets. We should also consider changes in business rates.

We must try to work in partnership with the supermarkets. They should give much more commitment to town-centre development and recognise their responsibilities. I reject the idea of some Conservative Members that we should all get in our cars, get on the motorway and get round the supermarket as quickly as possible. There may sometimes be a place for doing that, but we need to attract people into town centres and we cannot do that by letting the motor car rip in historic cities, because that would devastate our city centres and dramatically reduce the quality of people's experience there.

I have heard nothing today about internet or local delivery services, which are starting to develop. We must attract people into city centres via public transport. At the height of the rush hour in Lancaster—which is especially bad on a Friday afternoon, with very congested streets—I took a train, accompanied by only six people, on a 10-minute journey that would have taken three quarters of an hour by car. We need greatly to improve the prospects for public transport.

Many hon. Members will, like me, be involved in initiatives with business, the farming community and local newspapers. In my constituency, we have developed the Wyre brunch and celebrated marvellous roast beef, glorious pies and wonderful fish and cheese. We did not have any beans. We need to move way beyond local initiatives and niche marketing to get more on a par with our friends and competitors in Europe.

Producers in Europe play a much bigger part in the marketplace, and European city centres are vibrant and celebratory places where people live. We need a different emphasis to the way that we shop in, and experience, our city centres. We also need to change the way that we use our supermarkets. They are an important part of life, but they cannot form the whole of shopping. I hope that the investigation by the Competition Commission will encourage the break-up of the dominant position of supermarkets, give more people a chance to compete and ensure that town centres take their grand place in the future urban renaissance.

6.30 pm

Mr. Stephen Day (Cheadle): I shall make some brief remarks about out-of-town shopping and its effects on my constituency. Some of the comments that I have heard this afternoon—I shall not identify individuals—have been silly party political points. The problem has been around for a while, although I recognise that the Conservative Government, in their early years, were responsible for planning permissions for many out-of-town shopping facilities, including two shopping developments just outside the Cheadle constituency. There is one at Handforth Dean, with Marks and Spencer and Tesco, and one at Cheadle Royal, with the John Lewis Partnership and—I forget the other store.

Mr. Andrew F. Bennett (Denton and Reddish): Sainsbury.

Mr. Day: The hon. Gentleman has obviously shopped there, which raises another problem that the shopping centres have caused and which I shall address in a moment.

It is silly to start casting blame. I do not disagree with this Government's policy or their recognition of the problems that out-of-town shopping brings, and I am pleased to hear Ministers making such points. However, we should recognise that that policy change was brought about by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), although it unfortunately came too late for my constituency and many other parts of the country. When he was Secretary of State for the Environment, my right hon. Friend visited the main centre in Cheadle to meet local traders. He made a genuine effort to bring publicity to the area to try to help the traders, and we should address practical issues such as that.

The out-of-town centres have had a devastating impact on shopping facilities in the villages of Cheadle, Cheadle Hulme and Bramhall. They have affected the trade and brought massive traffic movements into the area. Six months ago, I spoke at a ladies luncheon club in Liverpool and I was amazed when the lady in charge of the event, who sat next to me at lunch, told me that she knew my constituency well. I asked her whether she had friends there, and she said, "No, I come to shop at Marks

and Spencer." She came all the way from Merseyside, and she said that many of her friends did, too. I told her that that explained why my local roads are jammed.

It was projected at the time of the public inquiry that the Cheadle Royal site alone would produce 20,000 extra car movements a day by 2000, but we passed that figure some 18 months ago, according to the most recent survey. It is an horrendous experience for the people living in the villages. A lot of traffic passes through village centres that have already been hit by the competition from the big superstores, and that makes those little village centres even more unattractive to shoppers, because they get stuck in traffic jams.

Mistakes were made in planning—I battled against the developments from the word go—but we must face the reality. It is all very well to say what the Conservative Government did or did not do, but we now have a Labour Government. People in my constituency look to the Government to solve their problems, and I ask the Government to do so.

The previous Government's road scheme retained a bypass system to cope with the traffic movements that I have described. One of the first actions of this Government was to cancel it. My constituency is an even worse mess as a direct consequence.

Mr. Bennett: Proposing more road works will not solve the problem. When I was first elected to represent Stockport, one of the worst problems was the so-called Cheadle crawl. A motorway was constructed to solve that problem, but the crawl has returned. More roads simply increase traffic and make problems worse. What should have happened is that the John Lewis group should have put its shop in the centre of Stockport.

Mr. Day: I do not disagree with the hon. Gentleman on that, but a third of the bypass scheme has been built. It attracts more traffic, much of which goes to the airport.

To solve the problems suffered by people and shops in villages as a result of the arrival of out-of-town shopping developments, the roads need to be finished. The Minister for the Regions, Regeneration and Planning said earlier that he wanted to help small village centres. I hope that his colleagues in the Department of the Environment, Transport and the Regions will hear this message: if they want to help the people of Bramhall, Woodford, Cheadle Hulme, Healds Green and all the other places similarly affected, they must give us our bypass back.

6.37 pm

Mr. Colin Breed (South–East Cornwall): Although the Conservative spokesman, the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb), made it clear earlier that he wanted to get away from consensus, a thread of consensus is evident in the contributions from hon. Members of all parties. That shows that how we got to the present situation is less important than where we go from here. The problem has been brought into sharp focus by the Wal-Mart bid, which has made us realise that certain matters must be tackled to ensure that the issue that we have been debating is more controlled in the future than it has been in the past.

The history of the problem goes back about 30 years. It is only fairly recently that we have woken up to the creeping dominance—the stealth dominance—of the out-of-town supermarkets. The public interest has largely been pushed aside, but it is the only justification for Governments getting involved in the question of competition.

Companies have a duty to their shareholders to make profits. It is not for the Government to undertake to protect businesses, small or otherwise, but neither should they allow businesses to run riot against the perceived public interest.

The public interest was served by the benefits associated with the growth of supermarkets, which is why they became so successful. They provided a variety of products and were cheap, clean, efficient and convenient. They enabled people to switch their shopping habits, and they were pleased to do so.

However, that is now regarded as a slightly false perception. Supermarket prices are not as low as they should be, and high street prices are often comparable. As for choice, the number of shops has fallen after the many closures that have occurred in the high street. In fact, choice in shops is not as large as it is perceived to be. We tend to find only a brand leader and an own-brand product. Most second liners have disappeared off the shelves because manufacturers unable to compete go out of business or become a supermarket's own-brand supplier.

Supermarkets are convenient for many people, but they are becoming less convenient for more people as village stores disappear and as corner shops vanish from housing estates and the suburbs. People without access to a vehicle find it increasingly difficult to get to them.

Relationships with suppliers are changing, threatening the survival of small manufacturers who used to provide materials for all sorts of hardware shops but cannot fulfil a contract for, say, 200,000 buckets. Farmers face problems too. Only this week, one in Cornwall wrote to me, astounded that, having received only £20 per tonne for his potatoes, he found them in his local supermarket, washed and in a plastic bag, on sale for the equivalent of £484 a tonne. We have all heard about calves on sale for 29p.

I was pleased by the Minister's strident support for PPG6, but I hope that it can be strengthened, because the larger supermarkets are exploiting some weaknesses. We should move away from so-called planning gain, when supermarket development is allowed if new roads or leisure facilities come with it. The guidance is muddled, and it should be much clearer on planning gain, which must not bring a short-term gain in return for a long-term loss.

We have heard of the damage to our high streets and our villages. In the past 10 years, 50,000 businesses have ceased to be. The loss of the village shop—once a social centre and not just the place where people bought their groceries—strikes at the very heart of a small community. Supermarkets have also dominated buying, tending to be able to purchase all the top-grade fruit and vegetables and leaving smaller operations unable to buy the best quality produce. The ability to buy goods produced locally has virtually disappeared. Small operators that used to supply local shops are denied that opportunity by the disappearance of small shops, but they cannot put together the large quantities of produce required to win supermarket contracts.

Mr. Drew: I agree with what the hon. Gentleman has said about planning gain. Does he agree that the sequential

[Mr. Drew]

test can be most valuable in that area, allowing us to measure the true costs and benefits of opening a supermarket on a green-field site against the loss to a town centre and smaller shops?

Mr. Breed: I agree entirely with the hon. Gentleman. In the past, not all relevant matters have been taken into account, and some subjective points have not been properly valued.

I do not believe that most people appreciate how big Wal-Mart is. The company serves 90 million customers a week in 3,600 stores, employing nearly 1 million people. With an annual turnover of £90 billion, Wal-Mart is truly a giant. It is already in Germany, and it has approached several British firms, including the furniture retailer MFI. Wal-Mart provides both an opportunity and a threat. It could kick some real competition into our supermarkets, but it would be threatening if it acted as it does elsewhere. If our planning regulations are not strong enough to meet the threat, they should be made stronger.

As several hon. Members have suggested, this is a complex issue. It is a prime example of a matter on which the Government should demonstrate joined-up government thinking.

The issue of food and supermarkets cuts across many areas of policy, including competition, environment, transport and social policy. All those policies need to be truly joined up. The Government must ensure that there is no rift between those who support an outright competition policy to reduce prices to their minimum—without any regard for the environmental and social consequences—and those who want environmental issues to drive our businesses.

The definition of the public interest has to be widened and better understood. The public interest is not served only by the lowest possible price of a tin of baked beans. Predatory pricing legislation also needs to be re-examined. We need to understand that, in trying to create the balance that everyone wants, policies need to be considered in conjunction with one another.

Planning policy is certainly important. Perhaps we could take a leaf out of other people's notebooks. The European cities often ensure that the floor space of large supermarket developments has some relevance to the size of the closest town. We should think about extensions to supermarkets. We may well think that Asda, or Wal-Mart, as it may well become, will go into a lot of new sites, but what about extensions to existing stores? Will we say that, because there is already a supermarket in a certain place, a precedent has been created so the company can build whatever size extension it likes? I hope that we shall ensure that extensions of, say, more than 10 per cent. of the existing floor space are subject to all the same impact studies as a brand new store. Existing stores should not be used as Trojan horses to defeat planning policy guidance.

We have talked about rate relief for small stores and parking charges. We need to support our smaller suppliers and small-scale agriculture and horticulture. I know that the Minister will say that the Government are already doing that, but we need to do more to provide opportunities for local traders. They should not be threatened with closure by trading standards officers, for example, because they have not quite got something right on a label. Perhaps supermarkets ought to be encouraged to use some of their car parks to allow people with local produce to sell on a Saturday morning. That would not dent their profits very much, and it might give people the opportunity to buy local produce.

Public transport must be made available to all stores. Any new store must demonstrate that public transport to it is available, either because the company will subsidise it or because existing services will be enhanced. Local councils must be given greater powers to restrict hours of trading, especially 24-hour trading. As my hon. Friend the Member for Truro and St. Austell (Mr. Taylor) said, Sunday trading has had a major impact on small shops on high streets in small towns.

It was once said many years ago that Britain was a nation of shopkeepers. We have rather sleepwalked into the current situation. There is a real threat that, if we do not get hold of it now, or in the not-too-distant future, and if the likes of Wal-Mart come in and have their way, we could soon have just one shopkeeper to the whole nation.

6.48 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I will do my best to respond to the points raised by hon. Members. It has been an interesting debate. The supermarkets feel very unloved at the moment. They probably feel less loved, having listened to some of the speeches in the Chamber, than they did before.

The hon. Member for North Wiltshire (Mr. Gray) said that everyone in the Chamber probably shopped in supermarkets. I plead guilty, if that is the issue. I do not use any of the loyalty cards. I did not have them before the election and after the election I made it clear that I did not want to be involved.

Mr. Baker: Just the pledge card.

Mr. Rooker: I carry the pledge card, but not loyalty cards. I am not in the business of giving publicity but I have used all the supermarkets at one time or another. The one I tend to use at present is not in the big four and is probably the nearest thing to a worker's co-operative in this country.

We have heard some interesting speeches. I shall long remember the matter of fact way in which the hon. Member for North Wiltshire explained his shopping arrangements. If he or his wife could not do the shopping, the servant would do it. Perhaps the servant does it when there are six bags weighing 84 lb.

This is not to criticise anyone's contribution, but it was worth coming to the debate to hear my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). At first, I wondered where he was going, but he took us on a heritage trail of the market towns in his constituency and the fine local produce sold there. The one thing that is hard to get in supermarkets is local produce, because of the nature of the food distribution network. Food is moved around the country in lorries that do not carry full weight because they are carrying gas-filled plastic containers to keep food from central distribution centres fresh. The chance of getting local produce is therefore much diminished. If people want local produce, it is better to do what my hon. Friend said and go down the heritage trail of local market towns.

I shall not repeat what my right hon. Friend the Minister for the Regions, Regeneration and Planning said earlier about planning. The position has been made abundantly clear. I understand from some of the interventions of Liberal Democrat Members that they appreciated the firmness with which the policy was set out. There are no changes. Some of the press reporting has been typically inaccurate.

The pattern of food retailing is consumer driven. Supermarkets have responded to demand. They are changing in some ways. They are trying to go back into the city centres that people accuse them of helping to destroy. Developments took place without the need for planning permission in some early enterprise zones. Those developments mean that families can go for a whole day out that does not encompass just the buying of food. My worry is that they buy food that needs to be kept chilled, load up the car, leave it out in the sunshine so that the temperature gets up nicely, and spend the rest of the day at the leisure facilities with children. They then take the food home, put it in the fridge, use it the next day and wonder why they got food poisoning. There is a problem with such expeditions.

The sourcing of produce and the grip of the supermarkets on the supply chain have been mentioned. In some ways, that grip can be used to our advantage. Information and traceability in respect of food safety for modern processed foods and ready prepared meals are crucial. Laboratories and traceability, and the technologists whom supermarkets employ, are all important. That is something that big organisations can provide.

The grip of the system encompasses, for example, supermarkets' contracts with suppliers. I shall not offer any clues as to the produce involved. The supermarket is happy with the price and finds out where the supplier obtains packaging, and then approaches the packaging supplier with a demand for a penny for every tray supplied to the supermarket. I was told of one case in which the number of trays used in a year was 300 million—at a penny a tray, that is £3 million for nothing. Alternatively, the first supplier would be told not to go to that packaging supplier. I hope that the Competition Commission will examine such practices because, in certain circumstances, they might be an abuse of market power. I do not say that that is always the case, but it seemed to be so in the example that I was given.

Contrary to the comments of the Conservative Front-Bench spokesman, the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb), the Government played no role in the referral to the Competition Commission. Anyone would think that the commission had only just been invented, but it used to be the Monopolies and Mergers Commission. The referral was from the Director General of Fair Trading. We await with interest the results of that study of the big four. The commission will examine such matters as barriers on entry to the market, including the availability of land, and the way that supermarkets exert their buying power over farmers and their other suppliers.

Mr. Bennett *rose—*

Mr. Matthew Taylor *rose—*

Mr. Rooker: I am trapped now. I give way to my hon. Friend the Member for Denton and Reddish (Mr. Bennett).

Mr. Bennett: Does my hon. Friend agree that, although that referral may be welcome, it was sad that it included a criticism of the planning system by someone who appears not to have a clue about it?

Mr. Rooker: The Government are not getting involved; it is a matter for the competition authorities. The commission was set up to do a job that it was asked to do by this House, under statute. It would not be helpful for me to make any comments other than those that I have made already. I am now duty bound to give way to the hon. Member for Truro and St. Austell (Mr. Tayor).

Mr. Taylor: I appreciate the Minister's giving way. Not everyone would be so fair.

The hon. Member for Denton and Reddish (Mr. Bennett) expressed a concern about the competition report. That is why we hope that Ministers will confirm that, whatever the report concludes, the Government are determined to protect land and town centres. I hope that the Minister will also take the opportunity to dissociate the Government from anything that appears to have been said to newspapers on this subject by officials in at least one Department—the Department of Trade and Industry. I am sure that they did not speak on behalf of the Government but, understandably, they fed the rumours that led to this debate.

Mr. Rooker: I am unable to say more than my right hon. Friend the Minister for the Regions, Regeneration and Planning said when he opened the debate. He spoke for the Government, collectively; he set the position out clearly. There will be no attempt by the Government to interfere with that inquiry.

In relation to food, last year, my right hon. Friend the Minister of Agriculture, Fisheries and Food set up a small group to consider the food chain initiative; it brought together farmers, manufacturers and retailers. We want food producers to exert more control over a larger part of the food supply chain. I realise of course that someone will say, "Look what happened when they did it with Milk Marque." We await, with interest, the results of the inquiry and the decision. That is a matter for my right hon. Friend the Secretary of State for Trade and Industry. However, MAFF has encouraged collaborative marketing. Compared with some of our European friends, partners and competitors, we do not have a history of such marketing, but it should be possible for farmers and food producers to talk to their neighbours without worrying about competition. It is in everyone's interest that there should be greater collaboration in marketing, food production and food supply.

Some producers worry about that, because they think that we want to force them into co-operative arrangements. That is not our intention. We want them to collaborate so that they can supply and control a larger part of the food chain. That will return added value to the producer. It is what happens in continental Europe and it is wholly to be applauded. Under such a system, there would be a greater chance of achieving wider distribution for some of this country's speciality foods, although there can never be a national supply of speciality, regional foods. However, that is why the initiatives that we have undertaken to try to get our local and regional brand names sanctified and codified in Europe are important to protect those names—

It being Seven o'clock, the debate stood adjourned.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We must now move on to motion No. 3.

Mr. Paul Tyler (North Cornwall): On a point of order, Mr. Deputy Speaker. I was on my feet, about to put the Question—

Mr. Deputy Speaker: Order. I am afraid that the hon. Gentleman was clearly too late. I am absolutely certain that the time had lapsed before I heard any call that the Question be now put. Therefore, I am afraid that the matter must lapse.

Prevention and Suppression of Terrorism

Mr. Deputy Speaker (Sir Alan Haselhurst): I call Mr. Straw.

7.2 pm

Mr. Tony Benn (Chesterfield): On a point of order, Mr. Deputy Speaker. I wish to raise a matter that has been put to the Speaker's Office, the Clerk and to the Home Secretary relating to the constitutional implications of today's debate. I make no comment about the merit of the order, which closes a loophole in the Prevention of Terrorism Act. Parliament can legislate to do what it likes, subject to two considerations which I put before you now. The first is that, under the Bill of Rights, the courts cannot question what we do. Secondly, we have a long tradition under the sub judice rule of not intervening in matters that are before the courts.

It so happens that the order pre-empts a matter that will come to the House of Lords in its judicial capacity on 19 July: whether the order and the Prevention of Terrorism Act are a contravention of the European convention on human rights to which we are bound by the Human Rights Act 1998. That was the view of the court of first instance and it was endorsed by the divisional court. The Lord Chief Justice said:

"It seems to me that on the face of it both sections undermine in a blatant and obvious way, the presumption of innocence."

That is the law of the land until the House of Lords considers the matter and issues its judgment. Yesterday, obviously acting on advice, the Home Secretary said:

"The Government believe that these provisions, in their current form, are not incompatible with the ECHR". [*Official Report*, 23 June 1999; Vol. 333, c. 1172.]

The House is being asked today—this is why I raise the matter as a point of order and not on its merits—to disregard the Lord Chief Justice's judgment. The issue goes even wider than that, because the European Court might hear a case regarding the matter. This is new territory for the House of Commons: we have always respected our relations with the courts, but now there is a new court.

I appreciate that this is a difficult point. I simply suggest that there is a case for adjourning the debate until after 19 July to give Madam Speaker an opportunity to consider the constitutional implications of reaching a view about an order when it is contrary to the law of the land, subject to a House of Lords decision that has not yet been reached. I am grateful to you for listening to me, Mr. Deputy Speaker. It is an important question and I hope that you will consider my request.

Mr. Deputy Speaker (Sir Alan Haselhurst): Madam Speaker is grateful to the right hon. Gentleman for giving notice of his intention to raise a point of order at this juncture. I have listened carefully to his comments. From his experience, he may recall that, so far as sub judice is concerned, our rule is that it does not apply to debates on legislation, including subordinate legislation. Therefore, we cannot be prevented from creating new legislation if that is the wish of the House.

As to the constitutionality, that must be a matter for debate rather than determination by the Chair. The House may wish to consider that issue in the course of the debate and decide accordingly.

7.4 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move,

That the draft Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order 1999, which was laid before this House on 23rd June, be approved.

I shall be as speedy as I can. When I wind up the debate, I shall try to respond to any points that I have not covered in my opening remarks. Yesterday, I explained the circumstances in which, regrettably, due to an error in the drafting of the 1998 and 1999 continuation orders, parts IVA and IVB of the Prevention of Terrorism (Temporary Provisions) Act 1989 had not been in force since 22 March 1998. Today, I am seeking to revive those provisions but only from the day when the order becomes operative, not retrospectively.

Yesterday, I was asked a number of questions by, among others, the right hon. Member for Bridgwater (Mr. King) and the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) about the chronology of events that had taken place since the article first came to our attention. It may be helpful to the right hon. Gentleman, the right hon. and learned Gentleman and the House if I provide more detail.

The article was published in issue 19 of *Criminal Law Week* on 24 May. It was brought to my attention via a faxed copy of the article sent to us by the Attorney-General's office on 26 May. Advice on the argument in the article was sought initially from officials and legal advisers within the Home Office, and then from the Law Officers on 1 June.

I know that my right hon. and learned Friend the Attorney-General gave the matter extremely careful and detailed consideration. The final advice arrived from the Law Officers in the Home Office on 17 June. Officials provided me with detailed advice on 18 June, and the draft order reviving the provisions was laid yesterday, 23 June.

The matter may now seem straightforward—it turned out that part of the Prevention of Terrorism Act was inoperative—but it by no means seemed to be straightforward when the issue was first raised. Obviously, it was important to ascertain from the best legal advice available that what was suggested in one article in one law journal was likely to turn out to be an authoritative position.

I still do not know the author of the article, but plenty of articles that appear in law journals turn out not to be accurate. The right hon. and learned Member for Folkestone and Hythe is smiling. It is probably just as well that not all articles are authoritative, especially if one is the Home Secretary.

That is the chronology of events. We wanted to be sure about the position before seeking the approval of the House. Coming to the House yesterday, we were clear that the Act had been inoperative in respect of those parts, and we came to the House to remedy the matter.

The second issue that right hon. and hon. Members raised was whether I should have used the urgency procedures in section 27(7)(b) of the PTA in respect of reviving the provisions and immediately revived them, without coming before the House to seek retrospective approval. Of course I considered the matter carefully and took advice on the use of the urgency procedures, but those are used principally to deal with the need to revive provisions urgently because of a pending terrorist threat.

The view that I took on advice was that it was difficult to argue that the present situation was the one anticipated by Parliament when it agreed to provide a Secretary of State with such urgency provisions. For that reason, I judged that the best approach was to come as quickly as possible to the House to make the position clear and to seek the House's co-operation in getting the changes through as quickly as possible.

I am extremely grateful to the right hon. Members for Bridgwater, for Maidstone and The Weald (Miss Widdecombe) and for Berwick-upon-Tweed (Mr. Beith), the right hon. and learned Member for Folkestone and Hythe for their suggestions about how we might deal with the matter speedily. We hope that it will go through this place speedily tonight and also through the other place tonight. If that happens, the order can become law tomorrow.

Mr. Chris Mullin (Sunderland, South): I understand that Parliament has a perfect right to put the order through as speedily as we intend to do it, but I do not understand the need for it, given that the two subsections are not much used, that there is an appeal pending on 19 July and that the Lord Chief Justice has made clear his view that

"Both sections undermine in a blatant and obvious way the presumption of innocence."

Mr. Straw: I shall give my hon. Friend the best answer that I can. We are seeking to recreate the status quo ante without making the legislation retrospective. If this technical drafting error had not come to light—and therefore made this part of the Act inoperative until, we hope, tomorrow—the appeal would have proceeded in the normal way. There is no suggestion that a provision of primary legislation should be withdrawn merely by virtue of the fact that a divisional court has held a particular part of an Act to be incompatible with the provisions of the European convention. It is my judgment that we need to put this provision back on to the statute book as quickly as possible because it was, after all, Parliament's intention that it should never have been off the statute book.

Although my hon. Friend is right to say that these provisions are not used that frequently—certainly in terms of charges, and I shall come on to the numbers in a moment—they are important provisions. One never knows, particularly in this area of law, how many offences are being deterred by such provisions. It is impossible to tell, but we believe that some are being deterred. The converse is more certain to be the case.

The other point that I should like to make to my hon. Friend is the important constitutional point about the sovereignty of Parliament. The whole issue of the European convention arose acutely when we debated what became the Human Rights Act 1998. We could have approached the introduction of a Human Rights Bill into our constitution in two ways. One was to follow the procedures that some Commonwealth countries have followed, by which a supreme court is able to override the will of Parliament. The other approach, which has been adopted by other Commonwealth countries, is the reverse of that, whereby the supreme court is allowed to exercise an opinion about whether legislation is incompatible with some basic law, but whether any action is taken is a matter for Parliament to decide, not the courts.

[Mr. Straw]

I happen to believe strongly in the sovereignty of Parliament, and I know that that view is shared by many right hon. and hon. Members on both sides. We decided very clearly that, under the scheme that we set down for the Human Rights Act 1998, it should never be possible for the Appellate Committee of the House of Lords to make a judgment overriding the decisions of this House and the other place in their legislative capacity. That would have transferred the sovereignty of decision making from Parliament to a supreme court. That arrangement applies in some constitutions—most notably in the United States—but it does not apply here.

The scheme that we adopted, which is set out in section 6 of the Human Rights Act 1998, is that it is open to the courts at any stage to declare primary legislation—which this is, by the way—incompatible with the convention, but what action is then taken is a matter for this House and the other place. Two alternative courses of action can be taken. A decision can be taken to legislate for the change either by the urgency procedures in the 1998 Act or in normal time. Alternatively, Parliament can decide not to change the legislation, and a final decision would rightly and properly be made on appeal by the injured party to the Strasbourg Court and the matter would again come back to Parliament.

That was clearly the opinion of Parliament, so if we were to take any other decision today, we would be acting against the clear wishes of Parliament as set out in the Human Rights Act 1998. I should add a technical but important detail. Section 6 of the Human Rights Act 1998, although passed, is not yet in force.

Mr. Tony Benn: I am grateful to the Home Secretary for the way in which he is tackling the matter, but may I put one or two points to him? The consequences of the loophole are threefold. Because there was a loophole, we had, as my right hon. Friend quite properly said, the unusual circumstances in which the Lord Chief Justice was able to make a declaration of law that this provision was incompatible with the European convention, even if it has not come into effect, and was a denial of the presumption of innocence, which does not depend just on the European court but is embedded in many centuries of British legal practice.

Secondly, I think that my right hon. Friend is right to suggest that, although such action is contrary to the European convention, the Government will want to proceed with it, because I am a great believer in the sovereignty of Parliament; but yesterday—this can be found in column 1172 of *Hansard*—he said that the Government's view was that such action was not incompatible with the convention.

My right hon. Friend must make up his mind. If the Lord Chief Justice says that such action is incompatible with the convention and he says that it is not, he is saying not that it is incompatible but that he does not care. This is a very important point, which will arise time and again as the convention comes into effect following the implementation of the Human Rights Act 1998. I hope that my right hon. Friend will take my arguments seriously. They relate not to the merit of the case, but to the clarity of Parliament's approach to legislation of this importance.

Mr. Straw: My right hon. Friend is right in saying that I asserted yesterday that the Government consider that sections 16A and 16B of the Prevention of Terrorism Act are not incompatible with the convention. I still believe that. I also made it clear beyond peradventure that, as it happens, the Lord Chief Justice takes a different view, and that view is clearly set out.

I drew the House's attention to the proceedings yesterday. We do not know what decision the Appellate Committee will reach. It may decide to share the view of the Lord Chief Justice in the divisional court, which is not the final Court of Appeal in regard to matters of this kind, or it may reach a different view. As I said yesterday, the Government have already made it clear to the other parties that we will argue strongly that sections 16A and 16B are compatible with the convention. Given that position, I do not believe for a moment that it would be appropriate for us, because of the chance that a particular part of the Act will turn out to be inoperative for 15 months, to allow those sections to remain inoperative for a further period. Moreover, that would set a constitutional precedent that I do not think my right hon. Friend the Member for Chesterfield (Mr. Benn) would approve in any other context.

Mr. Paul Stinchcombe (Wellingborough): My right hon. Friend has described, accurately and helpfully, the procedures that will follow implementation of the Human Rights Act; but is he not pre-empting those procedures, and preventing them from being followed? Instead of waiting for the House of Lords to adjudicate on the legal matter, he is simply saying, "I disagree with the Lord Chief Justice."

Mr. Straw: No. The position is quite the reverse. Another section of the Act—I have had to refresh my memory about each section—makes it absolutely clear that a declaration of incompatibility does not affect the operability, or remaining in force, of any primary legislation.

The Act is not yet in force, and will not be in force until late next year, but let us work on the basis of its operation. Section 4(6) clearly states—this was Parliament's explicit will—

"A declaration under this section ('a declaration of incompatibility') . . . does not affect the validity, continuing operation or enforcement of the provision in respect of which it is given; and . . . is not binding on the parties to the proceedings in which it is made."

That could not be clearer—and it was made clear in order to preserve the sovereignty of Parliament.

Mr. Stinchcombe: Will my right hon. Friend give way?

Mr. Straw: Just one more time.

Mr. Stinchcombe: My point is this: all that would follow if my right hon. Friend accepted the court's judgment that the legislation was incompatible with the

convention, but he is simply saying that he disagrees and preventing the House from passing legislation in the light of a determination of incompatibility.

Mr. Straw: My hon. Friend is making the most extraordinary point. No declaration of incompatibility has yet been made by the highest court in the land—leaving aside the fact that the Act is not yet in force, which is a subsidiary and quite important issue in the proceedings, as one of the points that we shall be asserting is that the courts have anticipated implementation of an Act.

Any party to proceedings is entitled, particularly pending appeal, to seek to preserve the status quo. In the specific proceedings, I am entitled to assert—on the best advice and my best judgment—that section 16A and section 16B are compatible with the convention, and I have done. However, even if the Appellate Committee were to decide that the provisions were incompatible with the convention, it would not render the provisions invalid or undermine their continuing operation. Other action may have to follow, and judgments would have to be made, but such a decision would not affect that.

By way of reassurance, I should say that, in his decision in the divisional court, although the Lord Chief Justice was very clear in his own mind that sections 16A and 16B were incompatible with the provisions of the European convention, he did not say that they should not be operated. He went on to say that the Director of Public Prosecutions should have to bear in mind questions of compatibility in bringing prosecutions—which is a rather more subtle conclusion to the argument.

Mr. Jeremy Corbyn (Islington, North): Will my right hon. Friend give way?

Mr. Straw: If I may first make some progress, I shall give way.

Mr. Corbyn: It is on this point.

Mr. Straw: Then I shall give way.

Mr. Corbyn: I thank the Home Secretary for giving way now; obviously it would be helpful if we could deal with the issues as they arise.

As I understand it, the Law Lords will be considering the matter on 19 July. Will the Home Secretary explain why it is necessary for us to legislate now? Would it not be more appropriate, in normal constitutional terms, to leave the issue until after 19 July, when it may not be necessary for the House to debate the legislation at all?

Mr. Straw: As I sought to explain in answering the question of my hon. Friend the Member for Sunderland, South (Mr. Mullin), Parliament's will was that the provisions should be in force. They are not used all that often in prosecutions—although they have been used on one more occasion than I had thought that they were yesterday; I shall explain that to the House in a moment—but they are regarded as important. I therefore thought that it was important to bring them before the House as quickly as possible.

If the Appellate Committee of the House of Lords was the United Kingdom supreme court and its power overrode Parliament, the assumption made by my hon. Friend the Member for Wellingborough (Mr. Stinchcombe) would be a correct one. We would then be in a situation in which a constitutional court had declared that Parliament should not have done something that we had done and that the provision was inoperative for the future. However, that is not case.

I cannot pre-empt the Appellate Committee's judgment, or any decision made by my right hon. and learned Friend the Attorney-General and other Ministers, if the Appellate Committee decides that sections 16A and 16B are outwith the convention. However, as I said, one possibility—it is only a possibility—is that the Government may decide that we continue to believe that the sections are compatible and that we wish to argue it out before the court in Strasbourg. Even then, the matter would not be settled, and it could be some years before there was a decision by the institutions of the Council of Europe and any jurisprudential clarity on whether the sections were compatible with the convention.

Meanwhile, it has always been accepted by all signatories to the European convention that domestic law should remain operative, for reasons that the whole House will understand: simply the prospect of a final declaration by the Strasbourg Court could render inoperative all sorts of legislation that each domestic jurisdiction needs.

Mr. Tony Benn: The matter boils down to one question. Does the House know what it is doing today? The Home Secretary might say, "The measure is incompatible. The Lord Chief Justice says that it is incompatible and so does the appellate court, but I do not care because it is in the national interest." If he did, the House would know what it was doing. Alternatively, he could say that there was no issue of incompatibility. If he did, he would be going against the current law of the land as the Lord Chief Justice lays down the law until it is reversed.

The House is entitled to know the basis of the vote that my right hon. Friend asks us for tonight. Is he saying that the measure is incompatible and therefore there is no problem, or that it is not incompatible and he does not think that it matters? At least we ought to know what we are being asked to do.

Mr. Straw: I have sought to explain the matter. Without labouring the point, right hon. and hon. Members are being asked to approve or not to approve the draft order that I have laid before the House, which brings in parts IVA and IVB of the 1989 Act. They are being asked to do that and nothing else.

Although the issue of compatibility or incompatibility is relevant to the debate, it is not directly relevant to the judgment as to whether the order should or should not become law. I have tried to explain that to the best of my ability. I have never said to my right hon. Friend that I do not care whether or not the measure is incompatible. Of course I care whether law is compatible with the Human Rights Act 1998—I expect that the entire House does, but as I was the Minister who brought the Human Rights Act before the House, I care profoundly about it. The alternatives that my right hon. Friend put forward—that it is either compatible or incompatible and that I do not care—are not the only options. I do care about it and, with respect to the Lord Chief Justice and his colleagues in the divisional court, I take a different view. On the best legal

[Mr. Straw]

advice, the Government take a different view and that will be argued before the Appellate Committee. Although that is related to the order, it is separate from it.

I have spoken at greater length than I had anticipated but I should like to place one or two additional points on the record. Yesterday, I said that my information was that six people had been charged with offences under sections 16A and 16B. Central records on these matters are not kept, but I now understand from the police that the total is in fact seven. The seventh case also related to international terrorism and was dropped before it came to court. It remains the case, as I said yesterday, that there have been no convictions so far under sections 16A or 16B.

I also explained that the individual whose indictment was quashed had been in custody for some months and that we could therefore expect to receive a claim for compensation. In one other of the total of seven cases charged under sections 16A and 16B, a man whose alleged offence was committed after 22 March 1998 spent some months in custody before proceedings were discontinued. It may well be that he, too, will claim compensation.

Let me deal briefly with the content of sections 16A and 16B of the PTA. Section 16A makes it unlawful to be in possession of articles in circumstances which give rise to suspicion that they are intended for terrorist purposes. It is a defence to prove that the articles concerned were not held for terrorist purposes. Section 16B makes it an offence to collect or record information that is likely to be of use to terrorists without lawful authority or reasonable excuse for doing so.

Although the provisions have not been used very much, I understand that experience of the equivalent provisions in Northern Ireland has been positive. Both Lord Lloyd in his inquiry into legislation against terrorism and John Rowe in his annual reports have commented on the usefulness of these provisions and recommended that they should be retained. The Government's consultation paper on permanent counter-terrorist legislation agrees.

Mr. Tom King (Bridgwater): May I clear up one point? The Leader of the House told us last night that there were plenty of other powers and measures and these were not needed.

Mr. Straw: I fully understand and appreciate the right hon. Gentleman's anxiety, but, with the greatest respect, I did not take that to be the case from reading the *Hansard* report of the comments of my right hon. Friend the Leader of the House. Other provisions are available for similar conduct, including conspiracy. They do not completely overlap or there would be no point in these provisions. One reason why the right hon. and learned Member for Folkestone and Hythe introduced the Act was the difficulty of charging with conspiracy in some cases.

I have dealt with the appeal at length. Section 16C and schedule 6A give the police, subject to authorisation at superintendent level or above, the power to cordon off areas and restrict access in connection with a terrorist investigation and make it an offence not to obey police instructions. As I told the House yesterday, central records are not kept, but our information is that the Metropolitan police have used the powers 86 times since March 1998. The police have certain common law powers to impose cordons, on which they rely in non-terrorist cases, but section 16C provides a firm statutory basis for their actions.

Section 16D gives the police power to impose temporary parking restrictions on roads in response to a general threat to vulnerable targets such as Government buildings or financial centres. The police have some powers in that respect under common law, but the provision gives the reassurance of statutory underpinning. Lord Lloyd and John Rowe agreed that the powers under sections 16C and 16D were valuable and should be retained.

I apologised to the House yesterday for what has happened and I do so again. I am grateful to the Conservatives and the Liberal Democrats for their co-operation in bringing the order before the House. I hope that I have explained the circumstances, including the important aspect of the appeal to the Appellate Committee and the question of the convention, to the House's satisfaction. I shall respond to any other points when I wind up the debate.

7.32 pm

Miss Ann Widdecombe (Maidstone and The Weald): As I said yesterday, the Opposition will support the Government in their proposal to remedy the defects that they allowed to be created in March 1998. We also hope that we can maintain the position that the provisions of sections 16A and 16B are compatible with the Human Rights Act 1998.

I found the Home Secretary's explanation of the gap between 24 May, when the lacuna was first noticed—it was drawn to his attention two days later—and yesterday, when he did not show the most amazing urgency to put things right, wholly unacceptable given the seriousness of the legislation and some of the offences that might have been caught under the provisions. I do not want to labour the point because we dwelt on it at length yesterday, but I was hoping to hear a more satisfying explanation for the delay. There was a lamentable lack of urgency in the Home Office and on the part of Ministers in bringing the issue before the House and getting it sorted out. Given that it has now been brought before the House, I hope that we shall finally sort the issue out tonight.

I was going to refer to some of the points that have been made by Labour Members, not because I disagree with the Home Secretary's assessment of compatibility, but to test it. It is clearly in the interests of the House to be able to be confident in the assertions that Ministers make when we pass legislation. The Home Secretary has asserted continually tonight, as he did yesterday, that, in his view, the provisions were not incompatible with the Human Rights Act 1998. Although I have heard much assertion, I have heard little argument. For example, I have not heard the Home Secretary's reasons for the reverse in the burden of proof.

It is significant that, in opposition in 1994, the Labour party opposed sections 16A and 16B, and that the noble Lord Williams of Mostyn, now Minister of State, Home Office, and a former chairman of the Bar, gave as his reason for opposition at that time his assessment that the provisions of sections 16A and 16B violated ECHR considerations. I am not saying that I agree with that

assessment—clearly, we did not at the time—but I should like the Home Secretary to put on the record, so that we may have some authoritative statement rather than assertion, why he considers that those contentions are not valid.

Last night, we were clearly told—I admire an interpretation of *Hansard* that could come to another view—that there was no urgency because other measures were on the statute book which would protect us should an offence arise under the provisions. The Home Secretary should now be frank with the House and say that what we were told was wrong, because he would not be here reintroducing the provisions if he believed that he already had adequate coverage under other parts of the Act.

We will support the Government in putting right the mess that they have made. It is not the first time that inattention to detail has resulted in problems for the right hon. Gentleman. It is not so long since a report was issued in which nobody had apparently noticed that the names of sensitive witnesses were still included. I would ask him, as a general question, although not without some sympathy, what he is doing to get a grip on the way that detail is handled in his Department.

7.37 pm

Mr. Paul Stinchcombe (Wellingborough): Thank you, Mr. Deputy Speaker, for allowing me to make a short contribution in this important debate. I declare at the outset an interest as a barrister who practised in human rights law before the election. I spoke in support of the renewal of the prevention of terrorism measures after my election, and on Second Reading of the Human Rights Act 1998.

When I spoke in the first of those debates, I had missed entirely two points that give rise to these proceedings today. I had not anticipated that any provisions had not been renewed and I certainly had not anticipated that it was arguable that those provisions were in breach of the ECHR and, therefore, in breach, in certain limited respects at least, of the Human Rights Act which we would shortly be introducing.

It is now clear that those provisions are arguably in breach of the ECHR, and it is also clear that the arguments are far from idle ones. They command the support of the Lord Chief Justice and, not just in muted terms, but in firm terms, he says that the provisions blatantly and obviously undermine the presumption of innocence. In so saying, he relies not just on his own judgment, but on authorities from abroad, including an authority from the Chief Justice of Canada and from a judge of the South African constitutional court.

Whether the Lord Chief Justice be right or wrong, in the face of that judgment, I find myself uncomfortable in coming to the House today and being asked to support the reintroduction of exactly the same provisions. I say that for these reasons. First, I have simply not had the benefit of the argument that the Lord Chief Justice had when he came to the conclusion that this was blatantly and obviously undermining the presumption of innocence. Secondly, an appeal is imminently to be heard in any event. Thirdly—a point that I raised by way of intervention—my right hon. Friend is today, before the appeal, coming to the House. He is not saying that he accepts that his measure is incompatible with the ECHR and asking us to legislate in any event. Rather, he is simply saying that he has heard a judge say that it is incompatible and that he disagrees. That is not the way forward and not the way that the Human Rights Act anticipated would be the way forward.

We could wait and avoid that situation. That would enable the Home Secretary to come to the House in a few weeks and say, "I was right all along. Our highest domestic court agrees with me." Alternatively, he could say, "I disagree with the highest court, but we have enacted to protect the sovereignty of Parliament by the Human Rights Act." As matters stand, I would find those positions infinitely more comfortable than the position I am in today.

7.40 pm

Mr. A. J. Beith (Berwick-upon-Tweed): The reason why my right hon. and hon. Friends and I feel that this matter could be brought before the House with a sense of urgency today is that Parliament's intention was frustrated by an error, and Parliament ought to have an immediate opportunity to restore the law to what it thought it had passed, without prejudice to the continuing argument over the compatibility of part of what we are passing tonight with the European convention on human rights.

I say "part of" what we are passing, because no one has challenged sections 16C and 16D in terms of their compatibility with the European convention. If the justification for action was an error, it would be slightly perverse not to restore the error as a whole. By restoring only part of it, on the grounds that certain provisions were in dispute in the courts in terms of their compatibility with the convention—although others were not—we would be selecting that part of the draftsman's error we were prepared to correct. That would not be a logical way of proceeding.

I say that without prejudice, in every sense of the words. It is without prejudice legally and, in more general layman's terms, without prejudice to the ultimate resolution of the question of compatibility by the case that is now proceeding in the courts. The Home Secretary did not complete the picture when he suggested what would happen if the Government continued to disagree on compatibility. After the issue has gone to Strasbourg, and if it is still found to be incompatible, there will then be created an obligation on Parliament not merely to consider defying Strasbourg by saying, "We do not like this and, in the national interest, we will not do it", but to pass legislation that becomes compliant. The end of this road is not potential defiance—we must seek compliance—but to follow a Strasbourg Court decision.

Those of us who are keen supporters of ECHR legislation hope that it will not often have to come to that. We hope that this House, on the basis of its initial consideration of proposed legislation, will not pass things that are not compliant, and that things that are found to be non-compliant will be changed fairly quickly. I shall refer to how we deal with that point in due course.

I raised with the Home Secretary yesterday a formal question, to which he gave an affirmative answer, about whether he would furnish a certificate of compatibility—as he would be obliged to do if this were primary legislation—if required to do so. He said that he would. I am bound to wonder what quality of advisers the right hon. Gentleman has if they can give that advice, when the

[Mr. A. J. Beith]

Lord Chief Justice has said otherwise in relation to the two sections. However, the Home Secretary seems persuaded and—as the legal proceedings are not over—he and the Government are entitled to put their case. We shall be interested to see what that is.

This point raises the question of what we shall do with the certificates, when Ministers issue them for future Bills, if they come out in a form that is already in dispute with what the Lord Chief Justice thinks of the law. The Lord Chief Justice's opinion is not final, but he is obviously a high-powered legal adviser. The fact that the Home Office thinks differently gives me cause for concern. Tonight, we are trying to put the law back to where Parliament thought it had left it in terms of the court case to resolve the compatibility question.

The procedures tonight call to mind the high risk of error. The Home Secretary misunderstood my question to him yesterday. He thought that I was implying that this error had resulted from the hasty way in which some of the proposed legislation had been treated. That was not my point. My point was that we have so often legislated in this area with unseemly haste that we run a high risk of errors of this kind. If we can do that on occasions when legislation has been dealt with properly and at greater length, the risk of doing so when we legislate in a hurry must be high indeed.

I call to mind the 1996 measures that created the cordon provisions, which were rushed through in a day or so, and the Criminal Justice (Terrorism and Conspiracy) Act 1998, which was rushed through in a matter of days, even though its provisions extended far beyond the purposes of terrorism. In fact, they have created an area of law which is subject to annual review. As far as I am aware, the Home Secretary still has not announced a reviewing mechanism for those parts of the Act that are not terrorist related. That illustrates the danger of rushing into legislation.

Usually, there are powers that can be used, as the Home Secretary said, but the legislation being introduced is intended to provide the police and other authorities with a readier instrument to deal with a difficult situation. In my experience, the sense of urgency has not usually proved justified, but the powers have often proved useful.

The use of the cordon power on more than 80 occasions by the Metropolitan police suggests that there was some purpose in enacting it, and the difficulty that they were having with the possession of materials intended for terrorist purposes, scattered around lock-up garages in various outskirts of the capital, shows that there was a need for some of the other powers.

The right hon. Member for Bridgwater (Mr. King), whom I greatly respect and with whom I have often worked, is pushing the argument a bit far in suggesting that the Government were wholly irresponsible for allowing some days to pass while they sorted matters out. There were provisions on the statute book that could be used. Indeed, they were on the statute book for most of the time that the previous Government were in office, when they did not consider it necessary to introduce provisions in this precise form.

It is appropriate to restore the law to what it was, partly because of the usefulness of the provisions and partly because Parliament thought that they were there all along. If there were no means of challenging a possible incompatibility, I would not advise my right hon. and hon. Friends to support the motion, but there is a court procedure to be followed and the whole of the legislation is, rightly, under review.

Temporary provisions and occasional "recess Acts", enacted either on the very eve of a recess or in a recall, have had to be reviewed. They have been the subject of a consultative paper, in response to which there have been criticisms of sections 16A and 16B, which I hope that the Government are considering. I would like the Government to make it clear that the consultative process, the proposal phase of which was completed in March this year, will come to reasonably early fruition.

What we enact tonight will be on the statute book only until next March. When we are presented with a renewal decision at that time, we should know where we stand on the review and the enactment of permanent legislation.

Because of an error of which Parliament was unaware—I take some satisfaction from the fact that all the lawyers on all the Front Benches in both Houses failed to spot it—there has not been on the statute book a provision that Parliament thought that it had made. The problem that some of it is being contested in the courts for its compatibility with the European convention would not be resolved by our choosing not to correct a part of the error. I would rather that the powers remained in place and the legal challenge continued, with the review process proceeding apace, so that we can have carefully drafted permanent legislation at the earliest opportunity.

7.48 pm

Mr. Chris Mullin (Sunderland, South): I share the discomfort expressed by my hon. Friend the Member for Wellingborough (Mr. Stinchcombe) about the provisions. I entirely accept the Government's right to do what they are doing, but it runs against the spirit of the human rights legislation that we are in the process of enacting and gives an inauspicious signal for the future, especially when the Lord Chief Justice is opposed.

Others are also opposed. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) mentioned the Home Office Minister, Lord Williams of Mostyn, who is a distinguished Queen's Counsel. In his previous incarnation as Labour home affairs spokesman in the House of Lords, he was very outspoken on this subject. He said that sections 16A and 16B were

"far too harsh and draconian"

and said:

"If we condemn our citizens to the possibility of 10 years' imprisonment on the basis of reasonable suspicion . . . we are in serious danger of giving terrorism a victory that it would not otherwise achieve."—[*Official Report, House of Lords*, 7 June 1994; Vol. 555, c. 1208-09.]

So it is not only the views of the Lord Chief Justice that we have to take into account, but those of someone who is now a Minister of State at the Home Office. Even if we do not take the Lord Chief Justice seriously, we should take Home Office Ministers seriously.

We should bear in mind the strong criticisms that have been made when we review this legislation. As the right hon. Member for Berwick-upon-Tweed (Mr. Beith) said, an overall review is being carried out and that may provide the opportunity to put it right. I feel very uneasy, as I know many others do, about doing away with the

presumption of innocence, and I am unconvinced that it is necessary in the cause of fighting terrorism. I am as keen on catching terrorists as anyone else, and I have had better luck in finding them than some of those whose job it is, but I do not believe that 16A and 16B will do much to help. Finally, for the record, I ask the Home Secretary to confirm that, when the Government appeals on 19 July against the ruling by the Lord Chief Justice, they will appeal against both 16A and 16B.

7.51 pm

Mr. Tom King (Bridgwater): The title of the order—the Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order—describes accurately the bizarre situation we are in. In case it is thought that I am being ungracious to the Home Secretary, I point out that I applaud the fact that we are here tonight. The action that we are taking is correct. It is very important that the order is approved, and I hope that it will be. I am also grateful to the Home Secretary for responding to the request that I made last night that we should give a timetable of events since the information first became available to the Government, and I shall have some questions to ask about that.

I shall not enter into the argument, which the hon. Member for Sunderland, South (Mr. Mullin) made, about whether we need the powers, because the Home Secretary has answered that, and we have the benefit of the report by Mr. Rowe to the Home Secretary as recently as February 1999, which made clear his views that the powers should be retained. Unfortunately, the comments made by the Leader of the House—in what I recognise was a difficult situation for her—did not do the House much credit, because this is a serious matter. Her answers were not especially helpful. The information that I have from the police is that the powers are important, for precisely the reason that the Home Secretary gave this evening.

The issue is not only how many people were charged and convicted, but how many were arrested under the power and what deterrent effect it has had. The Home Secretary is a lucky man, because those 86 cordons that were illegally imposed might have led to some difficult situations. There will be a bill to be paid in respect of those unlawfully detained, but it could have been much higher.

I listened carefully to the Home Secretary's comments about the timetable of events. I would be grateful if, when he winds up, he would clarify some points. The Home Office heard about the problem from the Law Officers' Department, which faxed a copy of the article to the Home Office on 26 May. When did the Law Officers first read that article? It took five days to decide to ask the Law Officers' advice and a further 16 to 17 days to get that advice.

I do not know whether the Law Officers regarded it as a serious matter or simply as part of the daily dross of their usual responsibilities, such as clearing up Home Office mistakes or clarifying problems in drafting. Perhaps they thought that that would work on it when they had the opportunity. However, we are entitled to an explanation as to why it took so long for them to do so.

We understand that the Home Office and parliamentary draftsmen will always be with us, and that, from time to time, they will make some pretty big howlers. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) has had to face some of the consequences of that possibility. One of the most important requirements of Ministers is to have good antennae and a good sense of smell, so that they can detect problems before they happen. I thought that the Home Secretary was the one Minister in this Government to have those qualities, so I am all the more surprised by what has happened.

I think back on my experience in government, under Margaret Thatcher. If I had had to tell her that we had forgotten to include two key elements in the prevention of terrorism legislation, and that, for a month, I had not wanted to press the Law Officers too hard because they had a lot on their plate, I can imagine her reaction only too easily. No Home Secretary under Margaret Thatcher would have survived it.

To avoid misrepresentation, I assure the Home Secretary that I am not calling for his resignation. However, I find the situation that has arisen absolutely incredible. I have had no satisfactory explanation as to why requirements considered essential by Parliament were accidentally omitted. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) said that Parliament had wanted those requirements included in the legislation because they were a necessary bulwark against terrorism, but nothing was done for a month after their omission became known.

The Law Officers are not present just now. Perhaps they are seeking advice—a wise precaution, if I may say so. I fail to understand their response. Surely any responsible Minister would have sought urgent advice from them and would have expected it on his desk the following morning. The Home Secretary knows well both the House and the attitude of all opposition parties with regard to prevention of terrorism, but, last night, the Leader of the House suggested that it was possible that the opposition parties would have considered it an affront to Parliament if the Home Secretary had remedied the mistake at the earliest possible moment.

The Home Secretary discovered the answer to that proposition as soon as he made his statement yesterday. It was that the mistake had to be rectified straight away. In his statement today, the Home Secretary has failed to explain how what I have called "this dereliction of duty" occurred.

The Home Secretary is a very lucky man. The police regard the two powers involved as important instruments in the fight against terrorism. What would have happened if incidents such as those that occurred in Manchester or Warrington had taken place again? What would have happened if there had been another terrorist outrage in this country?

For example, some time ago, there was an attempt, involving many people, to close down the power system in the City of London by attacking electricity substations. Let us suppose that a similar case arose, and that people had been arrested on a strong suspicion of being on their way to commit that terrorist offence, given that they were in possession of material and articles appropriate to the act. Even in such circumstances, the Home Secretary would have been required to tell the House that those people had been released because of a recently discovered

[Mr. Tom King]

omission in the law whose rectification was still being considered. I suggest that such an admission would have had to be accompanied by his resignation.

Mr. Beith: The right hon. Gentleman goes a little over the top by implying that the police would have sat back, saying that there was nothing that they could do. The police would have used existing powers, albeit with the weakness of a lower chance of ultimate conviction and the likelihood of a lower sentence on conviction. However, the right hon. Gentleman is wrong to imply that the police would have done nothing if they had been in possession of the facts that he has outlined.

Mr. King: The right hon. Gentleman may take his answer from my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) and from the Home Secretary who said—as he implicitly did earlier—that the powers are necessary. With my experience of those matters, I know the difficulties of finding sufficient grounds for arrest, or of establishing charges against terrorists, and I know that the right hon. Gentleman understands the problems.

It is remarkable that we should have remained without the powers—accidentally but for a long time at first, and subsequently because of a failure to correct the error. The right hon. Gentleman earlier paid me a nice compliment, and I can return it by saying that he is honourable and genuine. He knows that, if there had been a major terrorist incident while the Home Office was aware that the powers were faulty, but while nothing had been done, there would have been a major political scandal.

I do not seek such scandal. I am too committed to fighting terrorism from any quarter. Democracy faces many difficulties in that fight, and we must be properly equipped. I am seriously worried by the way in which this matter has been handled. Whether the error lies with Ministers or with the Law Officers, it lies with the Government. We are owed an adequate explanation.

8.3 pm

Mr. Michael Howard (Folkestone and Hythe): My right hon. Friend the Member for Bridgwater (Mr. King) made several powerful points, with which I agree and which I shall not repeat. The Home Secretary told the House last night that the provisions are a serious part of the armoury against terrorism. As I was responsible for their introduction, the House will be unsurprised to hear that I agree. I welcome their restoration to the statute book, and I thank the Home Secretary for responding to my express invitation to reconsider the timetable that he had originally had in mind for putting the powers back where they belong and where they represent a serious weapon against terrorism.

I have one point to make about timing, which my right hon. Friend analysed in detail. I intend no excessive loyalty to my former Department in saying that, in the timetable provided by the Home Secretary, the 17 days that it took the Law Officers to respond to the Home Office request for advice shriek for our attention. That is an astonishing period, and I hope that the Home Secretary will discuss that point in his reply.

I listened with great interest to the points put to the Home Secretary by his right hon. and hon. Friends. Indeed, when he made a point of referring with some emphasis to the official Opposition, I was not at all sure whether he was using that term to distinguish us from the Liberal Democrats or from those behind him. Those points and the response that the Home Secretary made to them illustrate the constitutional mess that one gets into if one introduces the kind of legislation that the Home Secretary has introduced in the form of the Human Rights Act 1998. I regret to say that I believe that the country as a whole, and perhaps even the Government, will live to regret the day when they decided to put that legislation before the House.

Yesterday, I expressed some sympathy for the Home Secretary's predicament. I express further sympathy with him today for the disputes that have arisen between him and the judiciary. My sympathy will not do him any good at all, but he will understand that I very much feel for him as he makes his way. The Lord Chief Justice has ruled against him. He is now in the process of appealing to a higher court. It all has an incredibly familiar ring about it, but I am on the Home Secretary's side. It will not do him any good at all, but I wish him well in all those battles.

Audrey Wise (Preston): I know that the right hon. and learned Gentleman is enjoying this enormously, but it might do no harm to remind him that some of us on the Labour Benches remember the considerable difficulties that he got into with the law on lots of occasions as Home Secretary. So, a little humility would not come amiss.

Mr. Howard: I rather thought that that was the point that I was making. I am sorry if it escaped the hon. Lady.

I welcome what the Home Secretary has done tonight. I welcome the fact that he has brought the legislation to the House. As he said last night, it is an important part of our armoury against terrorism. It is needed in the fight against terrorism, and vigilance continues to be necessary in the face of the threat of terrorism. That is why the House should pass the measure that the Home Secretary has brought before us.

8.7 pm

Mr. Peter Brooke (Cities of London and Westminster): I shall not rise to the level of my right hon. Friends who have preceded me in speaking from the Opposition Benches, but I will say a brief word. I can certainly declare an interest. For ministerial sins of omission and commission, I have never come remotely near being a member of the Home Secretary's club, although I have some vicarious experience. I remember my father's experiences and I certainly feel sympathy for the Home Secretary in the predicament in which he has found himself.

These are serious matters. There was a trivial example in yesterday's proceedings of how a slip of the tongue can get us into difficulties. The Home Secretary, in response to the right hon. Member for Berwick-upon-Tweed (Mr. Beith), said of the 1996 Act:

"That Act introduced changes in respect of sections 16C and 16D in part IVB of the Act, as opposed to part IVA, which relates to cordons and parking restrictions."—[*Official Report*, 23 June 1999; Vol. 333, c. 1174.]

He clearly meant part IVB of the Act, which relates to cordons and parking restrictions, as opposed to part IVA, but the wording that he used eluded the eye of whichever

member of his private office was sent to check the record. Therefore; we are left with a thing that is mildly misleading in the record.

In terms of sections 16A and 16B, I have a question about the police powers on the statute book that would have protected us during the period since 22 March 1998. I have searched both what the Home Secretary said yesterday and what the Leader of the House said yesterday evening and I cannot detect any precise reference. I realise that lawyers who have participated in the debate may know precisely what powers would have been substituted for sections 16A and 16B, but it would be helpful for the purposes of historians to have on the record what they would have been.

On sections 16C and 16D, there was an exchange at column 217 on 2 April 1996 in discussing the Prevention of Terrorism (Additional Powers) Act 1996 in which my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) acknowledged to the hon. Member for North Antrim (Rev. Ian Paisley) that there were powers under common law on cordons and parking restrictions, and that the legislation that we were passing was simply intended to strengthen them.

I have an incidental question that seems relevant, given that the powers that we are reviving provide for 14 days initially, with a power for a 14-day extension for cordons and, I think, parking restrictions. It would be interesting to know the longest period for which the powers were required on the 86 occasions that the legislation has been used since 22 March.

I have a minor complaint that is not remotely worthy of a point of order. Events such as those with which we have been dealing in the past 24 hours highlight the utility of the library immediately behind me in the No Lobby, which contains *Hansards* and Bills. I make no complaint, and I do not know who has offended by removing them, but all the Bills for 1996 are absent from the No Lobby. I understand that the sessional index for 1996-97 has not yet been printed but those for 1994-95 and 1995-96 are absent. Although they are available in other parts of the Palace, it slows things down if we cannot make use of them in trying to research something in a short space of time. It is because of their absence that I ask the Home Secretary one remaining question on sections 16C and 16D, which are now Part IVB.

The hon. Member for Thurrock (Mr. Mackinlay), at the time of the 1996 Act, asked about the royal parks police. Section 5 of the 1996 Act, which we are renewing today, specifies that the ranks that can trigger a cordon as

"any police officer of or above the rank of commander of the metropolitan police, as respects the metropolitan police district".

The same provision is made in respect of the City of London police and it also specifies

"any police officer of or above the rank of assistant chief constable of a force maintained for any other police area".

Those powers can be renewed by an officer ranked as a superintendent or higher. What rank in the royal parks police is necessary? Such parks are exactly the sort of place where such a cordon or parking restrictions might be required.

8.13 pm

Mr. Straw: I will seek to answer the points that have been raised as best I can. I am grateful to the right hon. Member for Cities of London and Westminster (Mr. Brooke) for pointing out what appears to be a drafting subtlety in the *Hansard* record where A and B were transposed. That was a mocking point against myself, given the original description of the error that has led us here.

I shall go through the main points. First, the right hon. Members for Maidstone and The Weald (Miss Widdecombe) and for Bridgwater (Mr. King) asked about the time taken to bring the matter before the House. It is obviously a serious matter and we dealt with it as quickly as we could. Many articles make assertions. In the journal in question, the author of the article hit the bull's-eye but it is not a learned journal with the highest reputation. It is not avidly read on a wide scale, even by criminal law practitioners, so much so that the lawyers for the defendants in the case never took that point at all. Had they done so, the matter would probably have been resolved by the courts, rather than by this place.

Mr. Howard: Did the Home Secretary take the elementary precaution of checking that the editor of the publication is not one of his constituents?

Mr. Straw: I can guarantee that. I know all my constituents; they are engaged in higher occupations.

Many articles make many assertions. This article was drawn to the attention of the Law Officers; the member of that Department who read it made the judgment that it raised a serious point. It then came to the Home Office and my officials considered it with care. It was then considered by the Law Officers with great care. The right hon. Member for Bridgwater asked for details. For reasons that he will fully understand, such detail is not normally given about the work of the Law Officers. However, such was the care taken that the Law Officers consulted not one experienced counsel, but two separate counsel about the matter, because they—and we—wanted to be as certain as possible that the opinion that those parts of the Act were inoperative was accurate.

When issues arise, the Law Officers and departmental legal advisers may take an initial view and the matter goes to counsel for careful opinion. They might then arrive at a view that is different from that which was taken originally. There would then be nothing to bring before the House. That could easily have been true in this case. We had to achieve a balance—I think that the balance was right, but I understand the anxiety of the right hon. Member for Bridgwater—between dealing with the matter as quickly as possible and not dealing with it in haste and arriving at a judgment that turned out to be inaccurate. The House would not have thanked us if, on the basis of that article, we had rushed in with an inadequate consideration of what may be a very discrete issue, but one that is also rather complicated. It might have turned out that we had wasted everyone's time because we had acted on poor advice. I wanted to be certain that the advice that we received was robust. Having received that advice, we did everything necessary in order to come back to the House as quickly as possible.

Although I could have dealt with the matter in a written question, I was clear that it was of such importance that I should make an announcement to the House. The other factor that we had to take into account—it was a matter of one or two days—was ensuring that we were clear as to the decisions of the Director of Public Prosecutions in the case of the prosecution that would then be rendered otiose.

[Mr. Straw]

My hon. Friend the Member for Wellingborough (Mr. Stinchcombe) and other hon. Members asked about the position of the European convention on human rights. The right hon. Member for Maidstone and The Weald asked me why we took a view that was different from that of the Lord Chief Justice.

Mr. Tom King: The Home Secretary has gone to some trouble to respond to my point and it is only courteous to say so. However, I do not think that I am the only Member of the House who finds his explanation quite unconvincing. It does not seem to advance us at all. Is it not correct that the point was that the renewal and the continuance related to parts I to V inclusive? However, when part II was deleted, the fact had to be mentioned that it was parts I, III, IV and V, but parts IVA and IVB also had to be mentioned. It was as complicated as that; I cannot understand why it took 16 days to work it out.

Mr. Straw: I am sorry that the right hon. Gentleman does not accept my explanation. I had no interest whatever in delaying the matter. I recognised the urgency of the matter and paid personal attention to it. I wanted the advice as quickly as possible. We received that advice as quickly as the Law Officers could produce it. However, I have also explained that, if it had been an obvious point, some of us might have spotted it. No one spotted it—not even the best legal brains in the House; not the Ministers responsible, including myself. No one spotted it—except the author of the article. I have done my best to satisfy the right hon. Gentleman. I am sorry that I did not succeed. We acted as fast as we could in the circumstances.

In the time available, I shall deal with some other points raised in the debate. One relates to the question of incompatibility and why I have come to my present view. However, before I deal with that point, I must pick up on the comments of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who tweaked me about the fact that Home Secretaries occasionally take a different view from that of the courts. I did not particularly want to make this an ad hominem point, but I have the highest regard and respect for the Lord Chief Justice, Lord Bingham—and I am sure that my opinion is shared universally in the House.

The Lord Chief Justice would be the first to say that he is not the supreme court of the land, nor is he the sovereign Parliament. I can think of many occasions when he has come to a view that is different from that of the Secretary of State for the Home Department of the day, and an equal number of occasions when decisions of the court of appeal and the divisional court—in which the then Lord Chief Justice has sat—have been overturned by the Appellate Committee.

I can think of a current extradition case where the view of the divisional court was overturned by the Appellate Committee of the House of Lords, and the Appellate Committee then came to a different view from that of a previous Appellate Committee which heard the matter only a month or so before. These matters are not over until they are over.

I was asked for the reasons why we have come to the view that the provisions are compatible with the European convention on human rights. This should not be viewed by the Appellate Committee of the other place as a skeleton argument that will be advanced there; this is simply my explanation. There are many provisions in our law where the burden of proof is reversed. Article 6.2 of the convention does not prohibit absolutely a reversal of the burden of proof: it requires instead a balancing of the interests of the defendant and those of society. The jurisprudence of the European Court of Human Rights recognises that, where reasonable and justifiable, the state may impose a burden of proof on the defendant.

I remind all my hon. Friends who have practised in the lower courts that we often had to wrestle with this question when those whom we represented or prosecuted were charged with an offence under section 1 of the Prevention of Crime Act 1953. Those of us who once practised in those courts will remember that section 1(1) of the Act states:

"Any person who without lawful authority or reasonable excuse, the proof whereof shall lie on him, has with him in any public place any offensive weapon shall be guilty of an offence".

That was a decision by Parliament that has stood the test of time. For good reasons—and in rather interesting parallel circumstances—it was decided that the burden of proof would rest with the defendant rather than with the prosecution.

My hon. Friend the Member for Sunderland, South (Mr. Mullin) asked whether, in the matter that will go before the Appellate Committee, section 16B will be appealable as well as section 16A. That has not been determined finally. In any event, the issue before the court amounts to the same thing. In practice, I am advised that it amounts to a distinction without a difference. The divisional court took no issue in respect of sections 16A and 16B.

The right hon. Member for Berwick-upon-Tweed (Mr. Beith) asked for some details about when we propose to introduce new legislation. It is likely that the present Prevention of Terrorism Act will have to be renewed next March. We will be very careful to ensure that the renewal orders are in order—although that is almost an invitation to the gods to ensure that they are not. It is probably an unwise promise to make—particularly from this Bench.

Without anticipating the Loyal Address, I have made it clear that it is our intention to lay legislation before the House and the other place to put on the statute book permanent counter-terrorist provisions, which will do away with the difficulties that the right hon. Member for Cities of London and Westminster (Mr. Brooke) faced in finding the various bits of legislation.

The right hon. Member for Bridgwater asked what would have happened if terrorist incidents had taken place and the provisions had not been in force. I have never disguised from the House the fact that I regarded the matter as an error with potentially serious consequences. However, it is important to put it into perspective. In the circumstances of a major terrorist incident, such as the right hon. Gentleman described, charges under sections 16A and B would be unlikely to arise. The charges would relate to causing explosions, conspiracy to cause explosions and so on.

With regard to the cordon powers, a point raised by other right hon. and hon. Members, until those powers were taken in the Prevention of Terrorism

(Additional Powers) Act 1996, the police used certain common law powers, as I made clear yesterday, and they would have used those powers again.

With one exception—the issue of the royal parks police—I believe that I have answered each of the questions raised by right hon. and hon. Members. The police do not have powers under section 16D. Anti-terrorist police provision is provided by the Metropolitan police throughout the London parks. The royal parks are not a cordon-free zone. That was anticipated by the draftsmen.

Mr. Howard: I am puzzled by one of the Home Secretary's answers, but the fault may be mine. He said that other powers were available to the police during the period when, as we now know, the powers that we are debating this evening were not available to them, but surely the police thought that those powers were available to them? Therefore the police would have used not the other powers—less satisfactory, but available—but the powers in question.

If there had been the threat of a major terrorist attack or plans for such an attack, in the course of which the police would normally use these powers, and if the powers had been used in good faith by the police, not knowing that they were not valid, those planning the major terrorist attack would have had to be released. That is the point made by my right hon. Friend the Member for Bridgwater (Mr. King).

Mr. Straw: I do not disagree with the right hon. and learned Gentleman's point. I was responding to a rather different point that the right hon. Member for Bridgwater had made with regard to major terrorist incidents. I have never disguised the fact that, although the powers are not used often, the omission is serious. That is the reason for the debate. The right hon. and learned Gentleman knows, as the right hon. Member for Berwick-upon-Tweed pointed out, that there are many other powers on the statute book. This has been a bipartisan debate, but if the powers were essential when we required anti-terrorist legislation, why were they not on the statute book until—

Mr. Howard: There is a simple answer. The powers were put on the statute book because I asked the police whether they needed to have their armoury strengthened in order to counter terrorism more effectively. That is why they were put there.

Mr. Straw: I know that. I remember the debate and I supported the right hon. and learned Gentleman, with the usual active support from the Back Benches.

My last point concerns the Human Rights Act 1998. The debate has been an interesting excursion into the kind of issues that may arise under that Act. The right hon. and learned Gentleman said that the country would live to regret the day that it put the legislation on the statute book. The right hon. Member for Maidstone and The Weald said the same.

However, that was not the view of the official Opposition when the Act came through the House. On Third Reading, they said:

"Although we have opposed aspects of the Bill"—

which were put in proper order as a result of a good Committee and Report stage on the Floor of the House—

"we now wish it well and hope that it will be implemented effectively, to the benefit of the citizenry as a whole."—[*Official Report*, 21 October 1998; Vol. 317, c. 1362.]

On 21 October 1998, the Opposition wished the Human Rights Act well.

Perhaps that is another change of policy in a matter of a few months, not as a result of a change of leadership of the Conservative party, which as far as I recall has stayed the same, but a change of opinion among members on the Front Bench. We shall live and learn.

I thank the House for the way in which it has dealt with this issue.

Question put and agreed to.

Resolved,

That the draft Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order 1999, which was laid before this House on 23rd June, be approved.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation).

Contracting Out

That the draft Local Authorities (Contracting Out of Highway Functions) Order 1999, which was laid before this House on 26th May, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

Nut Allergies

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

8.31 pm

Mr. Edward Davey (Kingston and Surbiton): I am grateful for this opportunity to raise the issue of nut allergies and labelling, which is particularly appropriate given today's debate on food policy.

My attention was first brought to this issue by a constituent, Mrs. Heather Forrester. Her son James has a peanut allergy, and it was due to his story and his mother's concerns about the inadequacies of the current labelling regime that I requested this debate. However, in the short time since this debate was granted, we have witnessed yet another tragedy—the death of the young athlete, Ross Baillie. His funeral today brings added poignancy to tonight's discussion.

I am sure that the Minister will want to join me in sending sincere condolences to the family and friends of Ross Baillie. That talented young man was is in prime physical condition. Last year, he broke the Scottish record for the 100 m hurdles at the Commonwealth games in Kuala Lumpur.

When a fit, gifted young athlete like Ross dies because of a few bites of a chicken sandwich, it is surely our duty to ask whether his death and others like it could have been avoided. We need to ask whether actions that the House has the power to take could help to prevent such tragedies in the future.

Like my constituent, James Forrester, Ross Baillie was aware of his allergy, and was always extremely careful. But, with the seemingly ever-increasing use of nuts in food, even careful, responsible adults can be caught out, sometimes fatally.

I know that the Minister is aware of this issue. He showed his commitment to tackling it by launching the catering awareness campaign in November 1997. He should know that there is much more to be done. Having tried awareness campaigns, it is time to get tough. We must work with manufacturers and retailers, and be realistic about what can work and what will not work. I do not believe that the Minister thinks that enough has been done, and I hope that he will tell us that he intends to go further.

The first and most important issue involves the catering industry—restaurants, cafés and take-aways. At the moment, unpackaged food, most of which is sold by the catering industry, is completely unregulated. As the food is not bought in a package, the labelling regime for pre-packed foods by definition does not apply. There has been little or no attempt to find other ways to provide consumers with the necessary information. The policy problem is clear. How should we convey information about the presence of allergens—nuts and so on—when the food product is unlabelled?

The Government were right to start tackling this problem by raising awareness. Chefs and waiters must understand the severity of the problem. Tiny traces of nuts in a dish can induce life-threatening seizures. Catering staff should be able to inform customers of the ingredients of every menu item. But the question for the Minister is this: does he really think that his awareness campaign has gone far enough? Should we not be doing much more?

I should be fair to the Minister. On 18 May, in a letter to me, he admitted, when assessing the success of his own information campaign, that

"we know that many recipients effectively ignored the information and that we did not reach some outlets at all".

Presumably, the Minister believes that we do need to consider other measures, and I want to suggest a few to him this evening.

At present, there are no regulations, or even codes of practice, governing what menus should say about the contents of different dishes with respect to allergens. A few restaurants voluntarily say on their menus that a meal contains nuts, but they are still the exception rather than the rule. Indeed, more restaurants manage to say whether a meal is suitable for vegetarians or vegans. In the case of allergens such as nuts, informing customers can be a matter of life and death. I do not think that we can rely on voluntary action.

How could a code of practice work? I think that the Government should issue strict rules, under food standards and safety laws. Such a code of practice could cover all severe allergies, not just allergies to nuts. The rules could cover menu information, good practice in the kitchen and staff training. The code of practice could include information about how caterers could find out whether their raw materials contained allergens. I should be grateful if the Minister said whether he was prepared to consider introducing such a code of practice; but can he at least assure me that he will begin consultations with the catering industry?

In his letter of 18 May, the Minister suggested that nut-free menus wold be difficult to introduce, because food could become accidentally contaminated. He argued that requiring nut-free labelling would be very difficult unless there were a complete ban on nuts. I understand the point that he was making, but I do not accept his conclusion. Certainly, a code of practice will need to be drawn up carefully to ensure that it is workable, but I cannot believe that it is impossible to produce an effective and practical code. Indeed, I think that the Minister's Department has an obligation to do so, given the importance of the issue.

Some who object to the idea of a code of practice argue that this is a question of individual responsibility, and that it should be up to allergy sufferers to ask about ingredients. Individual responsibility is important, but that approach alone—which has effectively been Government policy so far—has been shown to have its limitations. Our constituents, when going out for a meal, may check with the waiter whether a meal contains nuts; but, unless the staff have been properly trained, allergy sufferers cannot be confident about the replies that they are given. That is borne out by experience.

The latest newsletter of the Anaphylaxis Campaign cites two cases of allergy sufferers who made specific, careful requests of catering staff in regard to ingredients, received assurances that the meals involved were nut free, and then suffered severe allergic reactions. Both those people have taken legal action, and one has been successful in an out-of-court settlement. A successful action for negligence would, however, have been scant comfort if the reaction had resulted in death.

Surely such cases demonstrate the limitations of placing the emphasis solely on the sufferer, and the limitations of awareness programmes. I believe that they also show that

a tough approach would be in the interests of the catering industry. A strong code of practice would force the industry to become more aware of the problem, but it could also save individual caterers thousands of pounds in costs and compensation claims. In this instance, Government intervention would help both the consumer and business.

I note that regulations covering the identification of genetically modified foods in restaurants have been introduced quickly. Surely the same should apply to allergens such as nuts.

The second substantive issue on which I should like to press the Minister is the labelling of packaged foods. He will know that the labelling regime is widely criticised because of its failure to deal appropriately with allergens. Although in practice most manufacturers and retailers now go far beyond the requirements of the labelling regime, I hope that he will agree that the regime still needs changing.

The problem is the so-called 25 per cent. rule, which says that manufacturers do not have to list components of compound ingredients in which a component makes up less than 25 per cent. of the food. That might be reasonable for most component ingredients; but when part of the component is an allergen—such as a peanut—to which people may be hypersensitive, the 25 per cent. rule is clearly wrong.

The Minister will know that the European Commission has been seeking views, in a draft proposal, on amending the European Union directive to remove the 25 per cent. rule for allergens; but he will also know that progress has stopped, and that there is unlikely to be further action by the Commission. Will the Minister therefore raise the issue at the next Council of Ministers, so that fresh life might be breathed into the draft proposal? Will he also undertake to write to Ministers in other EU countries to ask for their support to fast-track the draft proposal?

The third issue that I should like to raise is so-called defensive labelling, which is the practice that some food manufacturers and retailers have adopted to protect themselves—of labelling everything as "may contain nuts". In that way, they seek to give themselves a type of insurance policy in relation to allergy sufferers. Such labelling certainly ensures that people are warned about nut ingredients, but it is completely the wrong approach.

For a start, defensive labelling is itself dangerous, as it devalues labelling information. People also soon realise that it is simply an insurance policy, particularly when the food seems very unlikely to contain nuts, so that they begin to lose faith in the labelling regime. Moreover, such a blanket approach is very unfair to allergy sufferers, as it unnecessarily restricts the choice of food available to them. As I said, I know that the Minister shares my concerns, and I should like to pay tribute to him for the way in which he has worked with the industry to try to curb that practice.

It is right to acknowledge the work that has been done by manufacturers and by their various trade bodies, such as the Food and Drink Federation, which has developed guidance for its members setting out minimum good practice standards for the handling of products containing severe allergens. Although I am told that there has been a reduction in the use of defensive labelling strategies, today the question is whether more could be done, with manufacturers and retailers, to make it possible to label more products as nut free.

I appreciate that there are genuine problems in giving such guarantees; not least is the difficulty of cross-contamination, whereby food production lines are used both for foods containing nuts and for those that are nut free. I am told by the industry that it is not economically viable to have dedicated facilities for nut-free products. Yet I am sure that industry could be encouraged to do more, and could be shown that it is profitable to do so. For example, one company—Kinnerton Confectionary—has already recognised the market opportunity and decided to produce children's products on dedicated nut-free lines.

How could the Government help in that? First, I believe that the Government must continue to spread awareness among manufacturers and press for the complete implementation of industry-designed guidelines. However, there is also a role for the Government in spreading best practice, as various manufacturers will be trying new ways to deal with cleansing production equipment, and other firms will have found ways in which different lines can be dedicated to nut-free products without damaging their wider range. Those experiences could be shared, so that more products are available and labelled as nut free.

I have not had time today to deal with many other aspects of the issue—such as the need for better information for allergy sufferers themselves, perhaps in a Government leaflet. We also need more allergy centres, where sufferers can be properly diagnosed and counselled. There is also a need for Epipens to be more widely available, so that, when people are caught out and suffer an allergic reaction, they can be treated quickly.

I hope that today's debate will have helped to focus attention on the need for major improvements in the provision of information on allergens to consumers. I hope that the experiences of my constituent, and the tragic death of Ross Baillie, will spur the Minister to do more, and to build on his record of action so far.

8.45 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I congratulate the hon. Member for Kingston and Surbiton (Mr. Davey) on introducing an important subject. I accept that he had obtained tonight's debate before the tragic death of Ross Baillie.

Bearing in mind that this is only a short debate, let me take the unusual step of giving the hon. Gentleman my conclusions before putting some details on the record. I agree with everything he said. There is scope for industry to do more, and I am certainly prepared to consider going beyond guidelines and producing a code of practice.

I take seriously everything that he said about the fact that, with the agreement of the catering industry, we have managed to introduce practical legislation for catering on genetically modified organisms. It will come into force on 19 September, following a couple of rounds of consultation last year and early this year. In my view, if we can legislate for GMOs, we ought to be able to do so for nuts, too. I am not threatening or promising legislation. If it is practical for the industry to inform customers and to train manufacturers to know what ingredients they are using in respect of GMOs, it should be possible in respect of nuts.

I agree with the hon. Gentleman about the 25 per cent. rule. There is a problem that we are seeking to address through international negotiations; that is an exception

[Mr. Jeff Rooker]

that we do not consider should apply to nuts. I also agree with him about defensive labelling. I have criticised defensive labelling, which can be seen in most shops. I should like to put on record, however, the contribution of the industry. Some big confectionery manufacturers are operating nut-free lines because they cannot guarantee the complete separation of one product from another.

Since I became Minister with responsibility for food, I have taken a personal interest in the matter. However, the interest did not start under the present Government. When I met Mr. David Reading, I gave him a commitment that I would treat the matter as seriously as my predecessor, the hon. Member for Mid-Sussex (Mr. Soames), rightly did. Therefore, I was able to launch with some commitment the campaign for awareness in the catering sector. Although I was sometimes criticised by people who were ignorant of these matters, I recall that, as I went from studio to studio that morning, two individuals—a broadcaster and a sound technician—told me, "Someone in my family is affected by this. It is more widespread than you think." That is absolutely true and we have to take the matter extremely seriously.

There are too many deaths. There is more of the allergy about. We are checking into whether that is due to people's sensitivity or to the wider use of nuts, and we are funding research into the issue. It is not a matter of banning products, but of raising awareness. I have asked myself whether GM technology could remove the genes that cause the allergy, but it is more complicated than that. Technology has been used to good effect in the far east to deal with allergies to rice.

It is a matter not of looking to ban foods, but of looking for a solution through investigation. The Ministry spends just over £1 million on research. Several projects are under way, and there are bids for some new ones under our food standards and safety programme for next year. A number of groups are involved in addition to the Government and the catering industry, and there is more work to be done.

We have to revisit our expenditure on, and commitment to, the campaign, which involved contacting 200,000 establishments. Obviously, some people took the matter seriously, whereas others put the leaflets and posters in the bin and treated them as junk mail. The issue has to be revisited.

About one in 200 young children may be at risk of developing a life-threatening sensitivity to peanuts and nuts. In our population, that is a substantial number of people, so we cannot afford to be complacent. We need effective and practical labelling provisions and other measures. The Department of Health is taking the matter seriously. A few days ago, my right hon. Friend the Secretary of State for Health laid regulations, which came into effect on 7 June, designating the allergy as a medical speciality in its own right for the first time, which means that consultants can be appointed. A big contribution can be made in that area.

The catering industry is vastly complex. I have referred to the catering awareness campaign, launched in 1997. We sent out 200,000 information packs. At the annual meeting of the Chartered Institute of Environmental Health later this year, we shall discuss how the campaign has gone and seek ways to promote a "Be allergy aware" message throughout the industry. Some action is planned, and we shall be doing work with the industry and the enforcement officers at the conference in Bournemouth on getting the message across.

We shall also be meeting the anaphylaxis campaign, and the university and college caterers in July. Bearing in mind recent tragedies, we have to reinforce the message to caterers who deal specifically with young people in the further and higher education sector, and get across to them the seriousness of the issue. We also have meetings planned with representatives of large restaurant chains. With people eating out more than ever, it is in their interests to do everything that they can. We have the example of practical rules for GMO information in non-packaged foods, although the measure is not yet in force.

We have to pursue the issue of defensive labelling, which is an unsatisfactory lawyer's response. The British Retail Consortium has produced guidelines setting out good practice. We shall pursue the issue with the Institute of Grocery Distribution labelling group. We want to minimise the "may contain" tendency. Those words are not acceptable. We have to find imaginative ways to work in harmony with the industry to get the message across. It is not in the industry's interests to be seen to be lackadaisical or thought to be not taking the matter seriously.

There are moves in Brussels to amend the 25 per cent. rule for severe allergens. We have done a lot of work in this country on food intolerance, which we are sharing with our European partners. We are encouraging them to understand the seriousness of the issue. The 25 per cent. rule should go as soon as possible. There are problems with food sold loose, food sold at catering establishments and the 25 per cent. rule. We are tackling each of those systematically, in addition to our contribution to research projects.

I agree with the hon. Gentleman's points about getting the message across. I do not want to be over-critical of broadcasters, but they have a role to play. I was interviewed recently when promoting MAFF's research food safety budget for 2000-01, which will be the first year of the Food Standards Agency budget. One of the many projects relates to food intolerance and food allergy. I was criticised by an interviewer on an important daily early-morning food-related programme, who asked why we were spending all that money on an issue that was not serious. I had to point out with care and some force that it is a serious, life-threatening issue and people die. We feel that we can take measures to make the problems avoidable.

The media can help. This is not a food faddist issue, and is not a matter of the nanny state. A serious medical condition has been identified. We do not know all the answers, which is why we are spending money on research. We are not concerned only with nut allergies, although I am dealing with peanuts in particular. There is other food intolerance involving, for example, some dairy products, to which we must attend.

I do not know why such allergies are identified today when they were not 20 or 30 years ago when I was younger. They may have been around, but not been identified. People may have died or suffered serious injury without identification of the cause. With the advantage of biotechnology, we have more knowledge today.

There is no excuse for inadequate labelling where such products are deliberately added. We must ensure that the labelling is clear. I have occasionally made purchases for people with a peanut allergy. One can search shelf after shelf of confectionery, only to find in the small print the words "May contain nuts" or "Contains nuts". Few specialist products are around, so niche markets exist in the food industry.

I freely admit that the resignation of the Commission in Brussels has caused considerable difficulties with regard to the labelling of GM additives and flavourings, GM animal feedstuff labelling and the 25 per cent. rule. Commissioners have reappointed themselves, only to say that they cannot take any major decisions because they are not really the Commission. Now that the European elections are out of the way, we shall be taking action in Brussels via the parliamentary committees to encourage them to put pressure on the Commission. This is not an issue of great moment between parties or political ideologies, and it should not have to await the appointment of the new Commission, which is some months away.

I contacted food manufacturers and retailers after the 1997 food intolerance conference to ask them to improve their quality control procedures, and some have taken action. We want to do more to encourage them to go for nut-free lines, rather than have the present uncertainty about whether lines can be cleaned of all nut traces. Supermarkets should be embarrassed to have on their bread and cake counters—particularly the bread counters—freshly-baked produce from the store which contains no nuts whatever, yet which has labels, usually in scrawly handwriting, saying "May contain nuts". That is slipshod quality control, and it is anti-consumer and anti-choice for the customer; such slipshod supermarkets should be avoided because they are not taking the issue seriously. That is inefficient, anti-consumer, defensive labelling. I deplore that, as I have no doubt does the hon. Gentleman.

Mr. Edward Davey: The Minister is being extremely helpful and I thank him for that, but may I press him on one issue on which he touched at the beginning of his remarks? He said that he is not threatening or promising legislation, but does he intend to consult the catering industry on a code of practice and on regulations, and over what timetable?

Mr. Rooker: The short answer is yes. I shall certainly consult on a code of practice and take that forward. Whether that would lead later to regulation, I am not in a position to say. An effective code of practice which will raise awareness, so that the industry takes responsibility, may be sufficient. I can now tell the catering industry and the rest—as I could not in 1997—that we have succeeded in the practical regulation of GMOs, and the industry has gone along with that. We spent a long time consulting on it. The technology means that there is no difference between the tracing and checking of products for GMOs and other products. We shall take the issue forward to see whether a code of practice rather than guidelines would be beneficial and practical, to which we can give impetus.

I am in no way being slipshod or backsliding. I take the matter seriously and I am grateful to the hon. Gentleman for raising it. It is important that I am able to say to the industry, "These matters are being raised in Parliament. They are not fads of MAFF Ministers or officials who are seeking further regulation on the industry. Members of Parliament who represent their constituencies and raise issues in the public interest on the Floor of the House of Commons are raising these issues, and they want answers. At some point, I or other Ministers must come back and account for what we are doing."

In that respect, I can assure the hon. Member for Kingston and Surbiton that I will keep him and the others who have raised the issue with me fully informed of what we are doing.

Question put and agreed to.

Adjourned accordingly at Nine o'clock.

House of Commons

Friday 25 June 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PETITION

Health Products

9.33 am

Mr. John Bercow (Buckingham): I wish to present a petition on behalf of 77 of my constituents, headed by Susan Walters of Back to Nature, of Cornwalls place, High street, Buckingham, as part of the petition of Consumers for Health Choice, the Health Food Manufacturers Association and the National Association of Health Stores. The petition declares:

We believe that the Government proposals which give the Medicines Control Agency (MCA) virtually unlimited powers to classify safe products as medicines, are wrong. This would mean that the MCA could remove at a stroke products that are vital to the good health of many consumers and are currently sold under the Food Law. This is an abuse of the democratic process and a denial of freedom of choice. We actively seek the creation of a new law appropriate to the special needs of safe, natural health products.

The petitioners therefore request that the House of Commons urge the Secretary of State for Health to grant an immediate moratorium from the Government and the MCA that will prevent them from declaring these safe products to be medicines except on the grounds of illegal claims for safety.

To lie upon the Table.

Innovation and Enterprise

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

9.34 am

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): Good morning, Madam Speaker. I welcome the hon. Member for Rutland and Melton (Mr. Duncan) to his Front-Bench duties as shadow Department of Trade and Industry spokesman. I look forward to future debates and discussions with him in this forum and during Question Time, and perhaps in Standing Committee. This is the first time that there has been a shadow spokesperson to whom I can speak eyeball to eyeball. If the trend continues, the House may have to provide a couple of high chairs.

Today's debate is on innovation and enterprise. I shall set that in context, in case the hon. Member for Rutland and Melton has forgotten the situation before the last general election, and I shall set out the Government's positive and progressive agenda in partnership with business and the enterprising parts of the economy.

We inherited from the previous Government a boom-and-bust economy, with a company going bust every three minutes of every working day. Interest rates reached 15 per cent. and stayed there for more than a year. We underwent the longest recession in the second half of the century. A million jobs were lost in manufacturing. Unemployment peaked and remained at more than 3 million for a considerable period. More than 1 million home owners were in negative equity. We were a nation with no confidence in our economic future.

Against that background, the Government have spent the past two years developing macro-economic strategies and micro-economic policies to show our commitment to innovation and enterprise in the economy generally, and in British business in particular. I am happy to have an opportunity this morning to set out, together with my hon. Friend the Minister for Small Firms, Trade and Industry, the Government's robust policies for achieving those goals. Those policies have been developed not by Ministers in isolation, but with industry, on behalf of industry and for industry. Consequently, they will succeed.

The Government believe that only by fostering a strong entrepreneurial business culture can we create the wealth that we need to improve everyone's quality of life. That goal will not be achieved just with words and good intentions. Only by creating wealth can we tackle social exclusion and poverty, solve our social problems, and build and expand public services such as the national health service and our education service.

Governments do not create wealth. Only businesses and the people who work in them can do that. However, business will succeed only if we foster a spirit of enterprise in our society and help those who run or work in businesses to seize their opportunities. We must work in partnership with businesses, higher education, trade unions and local authorities to create a culture of enterprise and innovation.

We have discarded the uncritical laissez-faire philosophy of the previous Conservative Government. The hon. Member for Rutland and Melton was proud to wear the badge of the laissez-faire strategy, and I think

[Mr. Ian McCartney]

that he still wears it. We believe that the Government have an important part to play in ensuring that those with the will to succeed have a fair chance. We can do that by creating a supportive and stable economic environment, by helping the academic and business community to exploit knowledge to everyone's advantage, and by helping to promote an entrepreneurial culture in the United Kingdom and across the European Community.

The Government's policies to create a stable macro-economic framework are already paying dividends. Inflation and interest rates are at their lowest for more than 20 years. Employment has increased by more than 400,000. Long-term unemployment has fallen by 50 per cent. and youth unemployment has been halved. Industrial harmony is in evidence, with only 23,000 man-days per month lost due to industrial action since the election, compared with 100,000 in the last year of the Conservative Government.

We recognise that the level of the pound is causing some difficulties for exporters, but we must not over-emphasise the issue of sterling. Manufacturers across Europe are struggling as a result of the global downturn. Thankfully the latest survey suggested that things are starting to improve for our manufacturers, and yesterday the pound was at its lowest level for two years against the dollar.

Since coming into office, the Government have moved decisively to encourage both new businesses and the enterprise investment culture. We intend to do more to give all who create wealth a greater stake in the wealth that they generate, which is why we introducing a new programme of shares for all in which employees will be able, for the first time, to buy shares in their own companies from their pre-tax income. Every employer will be able to match, tax free, what the employee buys.

Next year, we will introduce a new enterprise management incentive, which will provide help for smaller companies with potential for rapid growth that are seeking to recruit or retain key personnel by offering them equity remuneration. The scheme will allow tax relief for incentives of up to £100,000—but there is more to supporting business and encouraging innovation and enterprise than tax measures, important though those are.

That is why we will be setting up the Small Business Service in April next year. The new body will have three main functions: improving the quality and coherence of Government support programmes, helping firms to meet the demands of regulation and, most important of all, acting as a strong voice for small business at the heart of Government. Next week, we will be issuing a consultation document setting out our proposals in detail.

I pay tribute to my hon. Friend the Minister for Small Firms, Trade and Industry, who has been the champion of that proposal in the Government, and the co-ordinator across Departments. He knows all about small businesses and being enterprising and successful, and having him on the Front Bench has paid dividends. We are the first Government to bring people from the enterprise culture into government at policy-making level to manage the work of the Government day to day and to promote our strategy on the economy in support of innovation, enterprise and the development of the small and medium-sized enterprise culture.

The Government cannot meet all the needs of small firms, nor should we attempt to try, but we want to ensure that Government support programmes offer a ladder of opportunity for small businesses at all stages of development—from the initial conception of a business idea, through start-up, taking on employees for the first time, and managing growth and movement into new markets. We also need to ensure that business is not constrained by other Government action, especially in relation to regulation.

That is why we announced a tougher approach to regulatory control in the modernisation White Paper in March. For the first time, we are compiling a forward programme of regulatory proposals that will enable Ministers to decide collectively on how to minimise regulatory impacts and burdens, and how to manage and reduce the cumulative impact of regulation. That is being done in partnership, involving the stakeholders at each stage in agreeing on whether regulation is required in the first place, determining whether a regulation is viable, considering what the impact of regulation will be and agreeing on how best to introduce it non-disruptively.

By listening to business, we have become aware that too many small United Kingdom businesses with good ideas have problems finding affordable finance. Small business people are workers without capital. They have intellectual capital—their ideas—but there is a disconnection somewhere and many entrepreneurs are unable to gain access to capital to help them to develop and grow their businesses.

The United Kingdom venture capital industry is the largest in the European Union, and it is growing. However, when we compare this country with the United States, very little venture capital goes into early-stage and technology-based investment. The Government are looking at ways of stimulating venture capital investment in such businesses.

Mr. Alan Duncan (Rutland and Melton): Does the Minister accept that one of the best ways of encouraging small businesses is to reduce the social costs that they face in their infancy? Although assisting them with gaining access to capital would be helpful, the removal of those social costs would achieve far more.

Mr. McCartney: The hon. Gentleman is masking his laissez-faire views; he is obviously embarrassed by them. By reducing social costs, he means removing people's right to be paid a national minimum wage and their rights to take paid holidays for the first time, to investment in their skills and to workplace development. He should realise that the small business community does not want to be smeared by the Conservative party as a poor employer; it wants to be, and in the main is, a good employer.

The Government, working together with the small business community, have introduced a national minimum wage in a non-disruptive way. It has become one of the most popular policies with small businesses in Britain because, for the first time in the past 20 years, they can enter the marketplace in the sure and certain knowledge that they are competing on the basis of their ability to produce good-quality goods and services without

worrying that some firm down the road is undercutting them by paying workers £1 or £1.20 an hour. That was the hallmark of the previous Conservative Government.

Mr. John Bercow (Buckingham): Will the right hon. Gentleman give way?

Mr. McCartney: I thought that that would get someone to their feet.

Mr. Bercow: I am grateful to the Minister of State for giving way. Of one thing we can be sure: he certainly cannot hide the fact that he is the left-wing troglodyte in his Department. Is he aware that the Secretary of State said in his speech to British Chambers of Commerce on 3 June that he intended to make three significant statements on deregulation in June. He regarded that speech as the first; what are the other two?

Mr. McCartney: If the hon. Gentleman had been at the conference, as I was, he would know that my right hon. Friend set out the framework of the Government's strategy on small and medium-sized businesses and the issues surrounding regulation and deregulation. I will outline that strategy in the remainder of my speech. My right hon. Friend's speech was received by the small business community with acclamation; indeed, when Ministers travel across the country to discuss such matters, we are all received with acclamation. Thank God small businesses have a Government who believe in and promote business. Our policy is not to close a business down every three minutes of every working day.

Let me make the hon. Gentleman an offer: next time I attend a business community event, I will look to see whether he is in the audience. I will invite him to join me and co-operate in promoting entrepreneurship in the British business community—

Mr. Bercow: I promise to stand up.

Mr. McCartney: I thought that the hon. Gentleman was already standing up.

Mr. Geraint Davies (Croydon, Central): Before my right hon. Friend was so rudely interrupted, he was talking about venture capital Although our venture capital industry is the most developed in Europe, does not it have some way to go? The vast majority of the venture capital industry in Britain is focused on re-engineering large enterprises through management buy-outs and leverage buy-outs. Its United States counterpart is much more diversified and focuses on new, high-tech small business enterprise growth.

The challenge for the venture capital industry in Britain is to achieve wider diversification to take advantage of the emergent opportunities in a new Europe and the single market. Unless we get our act together, there will be danger of a competitive threat from United States operators.

Mr. McCartney: My hon. Friend is absolutely right. I have been setting out the Government's strategy for turning round the Titanic that is the venture capital industry, successful as it is. The industry needs to play an effective, hands-on role with the small and medium-sized business community. It is also crucial that the Government have strategies for working with the financial community and the small business community, and bringing them together to deal with the equity gap in respect of technology-based investments and other investments which are important in achieving growth in such businesses.

The enterprise fund is a £180 million Government fund designed to increase the availability of finance for SMEs, particularly those caught in equity gap, as my hon. Friend the Member for Croydon, Central (Mr. Davies) said. New funds will be used to lever-in private finance and we will work with the private sector to maximise our resources and expertise. Early discussions have indicated support in principle from several major United Kingdom and European institutions.

We expect the fund to be operational by the end of the year. It will provide four key elements of assistance: continued support through the small firms loan guarantee scheme; support for regional venture capital funds specialising in the provision of small-scale equity to potential businesses, which is the area in which my hon. Friend the Member for Croydon, Central is keen for us to work; a national venture capital scheme to support early-stage, high-technology businesses, for which an additional £20 million was promised in the previous Budget; and flexible support for innovative proposals from the finance industry to meet the needs of fast-growing businesses and ensure that our SMEs have access to the widest possible range of funding options.

I shall now discuss ways in which we can promote an entrepreneurial culture. The Government can also foster a broadly based culture of enterprise so that people of all ages and from all backgrounds have the desire, confidence and skills to exploit an opportunity to turn new ideas into successful products and services—creating a society where people are willing to take risks and are rewarded. The Government will help to do that by supporting a national enterprise campaign led by British Chambers of Commerce. The campaign is designed to ensure that entrepreneurs are valued for the jobs that they provide and the opportunities that they bring, not just envied for the money that they make.

Young people's understanding of business is crucial to the creation and development of businesses in the future. The Department of Trade and Industry and the Government as a whole strongly support the young enterprise programme, which has been very effective in developing that understanding among schoolchildren. So impressed are we by young enterprise's achievements that we want to extend that understanding and the opportunity to development entrepreneurial skills among higher education students. Therefore, from October, 16 universities will participate in a scheme setting up 55 student companies.

Unlike the previous Government, we do not believe this country can compete as a low-wage, low-skill economy. We believe that the way forward is to produce high-value goods and services, but we will do that only if we raise the skills level of all our people—if we can bridge the skills gap and ensure that everyone has a higher level of skills than they previously needed.

Our strategy will not ensure a job for life; it is designed to ensure employment for life. The principle behind our drive is that people should be in a position to be employed

[Mr. McCartney]

for life because of the skills that they possess, their capacity for re-skilling and lifelong learning and their capacity to operate in an ever-changing labour market with companies that must meet constantly changing global demands. We need to be involved in and to develop that process.

When the Government came to office, one in three workers in Britain did not receive a single minute of training during their working lives. That is our inheritance from the Conservatives. It is impossible to compete in a global marketplace with such a poor record of investment in the skills development of our nation's greatest asset—its people, the work force. It is important that we bridge that skills gap, and that we do so in a partnership consisting of the primary, secondary, higher and further education sectors, Government and industry.

Mr. Duncan: What appropriate training did the Minister have for his job?

Mr. McCartney: I almost give up when faced with such a silly question, asked by an equally silly person. The hon. Gentleman should know—*[Interruption.]* Well, if the hon. Member for Buckingham (Mr. Bercow) wants to know, I spent a lifetime in work in the public and the private sectors. I was one of the first people in local government to help create a venture capital company. I was the first person to help create a single partnership between the public and private sectors. Mine was the first local authority in Britain to enter the process of inward investment. What more does the hon. Member for Rutland and Melton want to know? When I was the first Minister for inward investment, a record 600 new inward investment projects were attracted into the United Kingdom. Now what more does the hon. Gentleman want to know? I hope that the Prime Minister is listening to the debate. We are in a period when one must impress one's masters, so I thank the hon. Member for Rutland and Melton for that intervention. I ask him to make more during the debate. God almighty! Where do they find them? I got so excited I nearly lost my place, Mr. Deputy Speaker.

The intellectual property of our work force has a high value. Under the Conservatives, especially in the 1980s and throughout the 1990s, efforts were made to force a strategy of removing from the labour market a huge number of skilled workers—a million in manufacturing alone. Those people lost their job and their sense of self-worth and value; the economy lost the vast reserve of knowledge that they took with them. We should never, ever allow that to happen again. The combined knowledge of our work force is a strength that we need to build on and facilitate. That is why the culture of change, in providing an infrastructure for lifelong learning opportunities, is crucial to the success of this venture.

In 1997, the university for industry was a commitment in the Labour party's election campaign. By autumn next year, it will be open for business, transforming the availability and accessibility of learning opportunities for everyone. The university for industry will target those without basic skills; those trying to improve their information technology skills; and managers of small businesses, seeking to enhance their firm's performance. We expect that, by the year 2002, more than 2.5 million people a year will be using its range of information services and 600,000 people a year will be pursuing its learning programmes.

We are also conscious of the need to find jobs for those people who have the skills, but cannot find the right initial opening. There are excellent examples throughout the country of initiatives that enhance the employability of individuals and at the same time help businesses improve their competitiveness.

One example, in whose development I have taken a keen interest, run by Liverpool university, has helped create 500 jobs, has helped 2,000 graduates find full-time employment and has helped 1,000 small businesses to become more competitive. Companies large or small will succeed in exploiting knowledge only if they are innovative in the way in which they interact with their employees and others with whom they work. It is therefore crucial that, in local labour markets, skills and knowledge are matched with the needs of local enterprises.

Companies increasingly depend on the knowledge and skills of the people in their business to gain a competitive advantage. The DTI and Department for Education and Employment "Partnerships with People" report found that companies of all sizes, from all sectors of the economy, achieved sustained success by creating shared goals in culture, by continuously improving the skills of their work force and by sharing knowledge and information.

Hewlett Packard is an example of a company that has seen its success grow by this means. Its management style rests on the belief that the contribution of its employees is the most important factor in the company's success. All employees have targets relating to the company's goals, which encourage them to put into practice innovative ideas that will benefit the company. The Government will shortly launch a £5 million partnership campaign to stimulate many more such innovative partnerships at work.

However, Government cannot solve the skills gap by themselves. Upskilling is a challenge for everyone. It has the potential to deliver great benefits. A culture of continuous improvement, in which the contributions of individuals are valued, benefits both individuals and the company. *[Interruption.]* Does the right hon. Member for Haltemprice and Howden (Mr. Davis) want me to give way? Does he want to make a contribution to the skills gap of Britain?

Mr. David Davis (Haltemprice and Howden): No.

Mr. McCartney: Fair enough. Perhaps he is just talking to himself. No one else would listen to him.

The DTI will shortly publish a best practice guide to help spread learning through business networks. That publication is built on partnership. The business community sat down with Ministers and officials to develop this approach. Business is feeding in ideas, and the ownership of the document will be in business itself, because it is essentially the work of business people, working together to identify best practice, sitting down with the DTI and then developing that best practice and ensuring that every enterprise in Britain has the opportunity to operate those best-practice models to

improve, through business networks, opportunities for business investment and jobs growth. We want to encourage more businesses—

Mr. Geraint Davies: I am especially interested in the university for industry because some of the original ideas that gave rise to it were formed before the general election in the Labour finance and industry group, which I chair. Will there be a link between regional development agencies, which will establish regional strategies for specific industrial strengths in each region, and the university for industry, which can guide skills in the direction in which the region is moving industrially, so that training takes place and the pool of skills in a relevant area reflects the industrial strategy for that area?

Mr. McCartney: I can reassure my hon. Friend that the ideas have been the engine room of this change, and that the ideas are on-going in our extensive consultation process with the business community in each region, from which will emerge the piloting areas for each regional development agency. At every step in this regeneration of the United Kingdom's entrepreneurial culture, its business culture, its investment culture, business is working hand in hand with Government to get the maximum benefit from this process of change. It is critical that we provide local development partnerships that can affect areas of competitiveness.

I should like to refer briefly to the Wigan borough partnership. I declare a constituency interest, as a Member of Parliament for Wigan. Hon. Members can tell from the Lancashire accent—the elocution lessons did not go quite as well as I had expected.

Mrs. Angela Browning (Tiverton and Honiton): The Minister needs a bit more training.

Mr. McCartney: Perhaps I could join the lifelong learning process.

Mr. David Davis: A bit of upskilling.

Mr. McCartney: As I understand it, Scotland has many call centres because people like the Scots accent. It has a truthful and honest ring to it. I think that that is true. *[Interruption.]* Mr. Deputy Speaker knows what I am talking about. Indeed, we sound just like each other. I shall keep my accent, and shall not take up the suggestion of the right hon. Member for Haltemprice and Howden of a bit of upskilling. I shall remain with what I have got and count my mercies.

Wigan borough partnership brings together TECs, chambers of commerce, business links, the careers service and the local authority. The breadth of the partnership has enabled all the stakeholders to establish a common economic vision for the future of the borough, and it adds up to real success on the ground. Through this partnership approach, Wigan borough partnership has taken the competitiveness agenda one stage further, and has made the links between physical development, skills and enterprises.

The European Union is now the UK's major market: it is a home market of more than 200 million people. If we are to make that market work, we must exploit the strengths of Europe and offer something to the global market that others cannot. Europe needs to undergo some fundamental changes in the way in which it treats business and enterprise. We need to encourage entrepreneurship in Europe by developing a European venture capital industry to match that in the United States, and by dealing with unfair taxes that distort real competition. Promoting economic reform must be an essential part of that strategy.

Europe has already come a long way, and we have a sound platform on which to build, but more progress is needed to improve the functioning of Europe's product, labour and capital markets. Europe needs to maintain the momentum of reform so that it has the necessary strength and adaptability to make job creation easier and growth more dynamic.

Building on the investment in our science base, the reach-out fund, launched on 15 June, has been jointly created by the Department of Trade and Industry and the Department for Education and Employment in partnership with the Higher Education Funding Council for England and the Department of Education in Northern Ireland.

The fund is worth around £20 million a year. It is intended to initiate an important third stream of funding for universities, alongside research and teaching funds, to recognise the importance of working with business, and to develop the capability in universities to respond to business needs. That in turn will help to stimulate more informed demand from business for greater innovation and competitiveness. The fund will be open to all universities in England and Northern Ireland, complementing measures in Scotland and Wales.

As today's publication of the 1999 edition of the DTI's research and development scoreboard indicates, we also need to do more to encourage firms to invest in R and D. The scoreboard focuses on the important role that R and D can play as part of a company's innovation process and business strategy.

The scoreboard celebrates the great strengths we have in pharmaceuticals, aerospace and defence. It also provides graphic evidence of the determination of some of our smaller companies in investing considerable amounts in R and D—they will be the Glaxos and Intels of the future. However, it is encouraging that many large United Kingdom companies recognise the crucial part that effective R and D plays in the innovation process.

It is good to see that the UK pharmaceuticals sector still continues to lead the world on R and D investment levels as a proportion of sales. However, it is worrying that many other United Kingdom companies still invest less intensely than their overseas competitors.

The Government are acting to improve UK investment in R and D through a new tax credit to encourage small business investment in this area. That should help more than 3,000 companies to invest in R and D, and help to support at least £700 million of R and D spending among small firms.

Companies can be innovative only if they look to the future. The UK foresight programme helps them to prepare for the challenges that lie ahead by bringing people who know about markets together with people who know about technology.

The DTI is increasing its innovation budget over the next three years to some £230 million. The extra money will be used to drive forward many new and large programmes, and to promote a fundamental change in the

[Mr. McCartney]

UK's climate for innovation. For example, we are increasing the funding of the teaching company scheme. The scheme not only helps to facilitate the transfer of technology and knowledge between the science base and businesses of all sizes, especially SMEs, but provides industry-based training for graduates intending to pursue careers in business.

Last year, 77 per cent. of all graduates who completed their two years in a teaching company scheme were offered permanent employment by their host company. Every one of them is likely to have been an agent of innovation and change within those companies.

We shall continue to support Shell's technology enterprise programme, under which 1,600 undergraduates undertake an eight-week project-based work placement. Last year, the student selected as the most enterprising STEP student in 1998 undertook a project in a company manufacturing chemicals and supplying the electronics industry. That important project was carried out by a woman graduate. Her work resulted in alternative materials being used in a process with significantly reduced environmental effects, and achieved recurring savings of at least £30,000 for the enterprise concerned.

To remain truly competitive, UK companies can learn from examples of business practices both at home and abroad. They need to benchmark themselves against leading businesses around the world for new ideas, new technologies and management best practice.

Mr. Bercow: The Minister said that the Government would oppose tax measures that would damage the competitiveness of British businesses. Given that the London eurobond market faces a threat to its competitive pre-eminence and to jobs from the proposed European withholding tax, will he give an unequivocal guarantee that, if that withholding tax remains unamended, the Government will veto it—I repeat, veto it?

Mr. McCartney: The hon. Gentleman knows full well that the Government are absolutely committed to ensuring that nothing—but nothing—is proposed that will damage the process of work in the City. We have said that time and again. We are getting weary of Conservative Members wanting Aunt Sallies to knock down because of their anti position on Europe and on all matters relating to Europe.

Mr. Duncan *rose—*

Mr. McCartney: Just a second. I shall give way to the hon. Gentleman, but I want to finish this point. I knew that Conservative Members would not be able to contain themselves, and that their anti-Europeanism would well up inside them. A few cracks are appearing in their facades and in their view about business succeeding in Europe.

The CBI "Fit for the Future" campaign is critically important to us. It aims to help business to learn about and adopt more efficient and effective business practices used by others in the United Kingdom and beyond. The campaign's mission is to achieve an increase in the number of companies engaged in the transfer of best practice. That will be done by promoting success and linking people with experience with people who want to learn, working through a network of partners and champions, and signposting valuable sources of information and advice. This is a simple and comprehensive approach in the drive towards achieving a step change in UK competitiveness. To date, 35 partner organisations—such as trade associations—and 49 leading business champions have signed up to the campaign.

Mr. Duncan: I know that the Minister is well-equipped to roll over from time to time, but will he answer the question? Does he believe that the withholding tax would or would not harm business?

Mr. McCartney: The hon. Gentleman knows that, from the Prime Minister and the Chancellor downwards, this Government will do nothing to allow the European Union, or anyone else, to damage UK business in the City. I cannot be straighter than that. The hon. Gentleman wants to acquiesce in, and agree with, his party's views, and to treat the issue as an Aunt Sally. In fact, over the past 20 years the only giving way in terms of taxation and European issues has been done by a Conservative Government.

Mr. David Davis: My hon. Friend the Member for Rutland and Melton (Mr. Duncan) will know the position with regard to the withholding tax. Essentially, the Europeans have given the British Chancellor an opportunity to generate proposals that will be in the interests of the financial markets in Europe, and will protect British jobs. We are waiting for our Chancellor to present those proposals. He reserves the right to use the veto if necessary, in order to protect Britain in the endgame. I really do not see the problem that the Labour party is engendering.

Mr. McCartney: The right hon. Gentleman is struggling. There is no evidence, in this or any other context, that the Government are other than four-square committed to the interests of the United Kingdom.

This Government are listened to in Europe. No one listened to the Conservative Government. Even if anyone had wanted to listen, the Conservative Government were never there. They had an empty-chair strategy. They would turn up, sign in and get on to the plane back to Britain. Then they would sit in a huff in their ministerial offices while decisions about Britain's future and a range of other matters were made. They had no positive input at all. We will take no lessons from the Conservatives about the principles of Europe, the strategy of negotiation or how this country's interests are defended in Europe. They scored nought out of 10 each time on all those issues, and so far today they have conveyed no sense of urgency in regard to the development of a policy in opposition.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. McCartney: The hon. Gentleman should not dive in too quickly. He has had numerous opportunities to inject at least a smattering of intellectual activity into the debate. I may have to stay around to establish whether there is even a chink of light on the Conservative Benches, and whether the Opposition have any sense of direction. I fear that they have not.

Does the hon. Gentleman still want me to give way?

Mr. Bercow: When I listen to the Minister's speeches, I always feel that he is pricking himself with a needle. It would be much easier if he would answer questions directly, rather than giving a long, roundabout, circumlocutory response to my hon. Friend the Member for Rutland and Melton (Mr. Duncan). If he will not consent to any tax measure from the European Union that is injurious to British business, will he just confirm that any such injurious measure will be vetoed, vetoed—for the third time—vetoed?

Mr. McCartney: I do not know how many times I have to tell the hon. Gentleman that the Chancellor has already successfully negotiated with our European colleagues on proposals to tackle tax evasion and protect the legitimate interests of the British financial markets. We are ahead of the game. The hon. Gentleman is talking about an old agenda. The agenda has moved on, and, as I keep saying, at last the country has a Government to whom our European colleagues listen with respect. The Chancellor's proposals are moving the agenda further forward, and there is no possibility that our financial interests will be dealt with other than in a rigorously supportive way. The hon. Gentleman has demonstrated again that the Conservatives are not just behind the game, but out of the game. His is an old party with old policies to which no one will listen.

I hope that the hon. Member for Rutland and Melton will give us some inkling of whether the Opposition have learned from their 18 long years in government, during which they dismantled the British economy. Do they recognise that, over that time, tremendous errors were made in macro-economic policy? Do they realise how much social dislocation they caused through their lack of investment in training and research and development, and their failure to involve educational establishments with the business community? Throughout the sphere of innovation and enterprise, the last Government were found wanting.

Mr. John Butterfill (Bournemouth, West): Will the Minister give way?

Mr. McCartney: The hon. Gentleman should wait a while. He should listen to the debate. He has only been present for about 15 seconds. Well, perhaps 30 seconds. I am prone to exaggeration. *[Interruption.]* I knew that would get them going. The Conservatives only wake up when we make a joke. When the serious stuff starts, they switch off.

The Department of Trade and Industry has worked closely with the Department for Culture, Media and Sport to create the national endowment for science, technology and the arts. NESTA will shortly announce details of its policies and programmes to support talented and enterprising individuals in science and technology, as well as the arts.

During their first two years in office, the Government have gone a long way towards ending the poverty of ambition that was prevalent under the Tories. We have gone a long way towards improving our science base, and giving people both the incentives to take risks and the rewards for taking them. We realise that there is much more to be done if United Kingdom companies are to compete in the new knowledge-driven economy, but I believe that the policies that I have outlined will help our companies to succeed at home and abroad.

This morning we shall hear a bit more of the old Tory boom and bust, but we should always remember one thing: at the next general election, the Tories will be an out-of-Europe, out-of-a-job party. They will lay to rest 3.5 million jobs in Britain because of their policies in respect of the business community. Every worker in Britain should understand that the Government's attitude to Europe and the business community puts at risk all those 3.5 million jobs, and our home market.

The Tory party is an out-of-Europe, out-of-a-job party. Ours is a party that wants to be at the heart of Europe, making decisions and leading Europe into an enterprising and innovative economy: an economy that reduces unemployment, and creates new opportunities for entrepreneurs, new job opportunities, new research and development and new markets, in Europe and elsewhere. This is a Government with a vision and a strategy, and a Government with the tenacity to see it through.

10.18 am

Mr. Alan Duncan (Rutland and Melton): I acknowledge with gratitude the warm welcome extended to me by the Minister. Let me also say on behalf of us all that it is a pleasure to see him fit and well again, and in rumbustious and entertaining form. Long may that continue. The Minister is clearly enjoying his brief, and Conservative Members will enjoy sparring with him over the coming months.

If there is one thing on which the Minister and I agree, it is that the world is really run by those who are under 5 ft 6. I think that my hon. Friend the Member for Buckingham (Mr. Bercow) will agree with that. I am sorry that I do not have the Minister's mellifluous Scottish accent; I am afraid that my family lost that a generation ago. I shall have to be upskilled to get it back.

I look forward to carrying out my own brief. Perhaps I should adhere to the traditions of the House, and begin by making a full declaration of my interests. They are all registered, but the modern rules are a minefield. I want to make it absolutely clear to the Minister and the House that I shall not speak on matters pertaining to the motor industry, as I retain a shareholding in a Land Rover franchise overseas. I have some interests in oil and telecommunications, also overseas. Although I think that they have no bearing whatever on United Kingdom policy, I shall declare—indeed, over-declare—them as necessary.

I am also a non-executive director of a United Kingdom-based investment fund—a private venture capital fund that will concentrate on high-tech infant companies. In as much as any declaration is required on that, I shall endeavour to comply with the rules of the House to the highest possible standard.

Just a moment ago, I was thinking that it was exactly 20 years ago that I started seeking my first permanent job, on leaving university. I joined Shell, a big and successful—massive—Anglo-Dutch corporate concern. Looking back to 20 years ago, one can but realise that, in the intervening years, much has happened in our economy. I am pleased to say that much has happened in the Labour party, too.

[Mr. Alan Duncan]

In 1979—20 years ago—when the Conservative Government first took over, the United Kingdom was a very sick economy; we were regarded as the sick man of Europe. Quite simply, we were going down the plug-hole. Trade unions were seen to be dominant and overpowerful, and strikes were reported daily in our newspapers and on television. United Kingdom inflation was probably the highest in Europe, touching 27 per cent. Amidst all that macroeconomic disaster, we saw the stifling of enterprise and the crushing of innovation.

The human spirit, however, endured. Now, we realise and appreciate much more clearly that the individual qualities of enterprise and innovation are the engine of prosperity, and that they are the justification of the capitalism that harnesses private endeavour for the public good. It took a Conservative Government more than 18 years to give enterprise and innovation the freedom that they needed to flourish.

I acknowledge, however, that the Labour party has also changed. It has been forced to admit that the previous Government were right, and that it was wrong. Indeed, the Labour party has adopted much of our language—the language of enterprise, innovation and of business. No one can deny that Labour says many of the rights things. At best, however, Labour is only halfway there: although it may have learned its lines, it does not really understand the meaning of the lines it utters.

Increasingly—particularly in the past few weeks—we have seen that, now that it is in government, Labour is schizophrenic and divided. As on other issues—such as proportional representation, Europe and welfare—it is gradually crumbling and dividing into groups composed of the old rebels—[HON. MEMBERS: "Who?"]. I am talking about Labour Members who are in the Chamber, although, on days when the House is fuller, the division between the old rebels and the new robots is much starker.

Some Labour Members actually believe in something, such as socialism, social justice, equality, redistribution, intervention and everything that goes with that.

Mr. Hilton Dawson (Lancaster and Wyre): Will the hon. Gentleman give way?

Mr. Duncan: I shall in a moment.

There are also those Labour Members who—I do not know in which category the hon. Member for Lancaster and Wyre (Mr. Dawson) falls—slavishly merely follow a Blairite script, with little thought and even less respect.

Mr. Dawson: Does the hon. Gentleman accept that many Labour Members are deeply committed to manufacturing industry? In his eulogy of the Conservative years, will he acknowledge that, in constituencies such as mine, the manufacturing industry was decimated during that time, and that we are still struggling to recover from that problem?

Mr. Duncan: There is no doubt that, in the difficult years of the 1950s and 1960s, the manufacturing base was undermined—so that when reality dawned and hit the United Kingdom economy, there were some very hard times. We are seeing the same process under way, although much more extremely, in the former Soviet Union and in other east European countries. Economic reality in those countries is causing great hardship as the illusion of the past is being shattered.

If the hon. Member for Lancaster and Wyre really believes in manufacturing industry, he should come clean and tell us in which economic climate he believes that manufacturing industry will flourish—I should like to talk about that in the few moments in which I have to speak. We should then, perhaps, be able to see on which side of the Labour party divide he sits. Manufacturing industry is currently having a very hard time, despite the golden economic legacy that we left the Government in 1997.

The fact is that, 20 years ago, innovation and enterprise were words that the Labour party could not even spell. I welcome the progress that Labour Members have made, but ask them to understand more than they do.

Mr. Geraint Davies: Would the hon. Gentleman be interested in knowing that the number of work days lost per month as strike days is now down to 23,000, whereas, in 1996, there were about 100,000 such days? Any suggestion that there was industrial harmony and success under the Conservatives is therefore quite false.

Mr. Duncan: I am grateful to the hon. Gentleman for demonstrating the extent to which the previous Conservative Government succeeded in bringing the United Kingdom into reality. I am also pleased to say that there is now a climate in which there are fewer strikes. That is our legacy, and long may it continue. I also hope that the hon. Gentleman will realise that, in a climate of increasing global competition, future strikes will cause enormous damage, as will so many of the other burdens that the Government are placing on business.

Mr. Jim Murphy (Eastwood): Will the hon. Gentleman comment on that golden economic legacy in the light of the number of business failures under the previous Government? Only five years ago, there were 20,000 more business failures each year than there are now.

Mr. Duncan: The hon. Gentleman will know very well that the Government inherited a fantastic combination of low inflation, rising tax receipts and other factors, putting us in a perfect position to compete well with our European partners. The Government seem to be doing everything possible to destroy much of that competitive advantage.

This annual debate used to be entitled the "Small Business" debate. Sweeping that subject under the carpet is perhaps an interesting indication of the Government's priorities. They are not a Government who are friendly to small business. However, small businesses are enormously important, employing about 90 per cent. of United Kingdom employees. They are also the main innovators—the seedcorn of future commercial success. In fact, enterprise is usually more about taking that first risky step—as an individual, with an idea and a plan—than about the great corporate plans of larger concerns already present on the commercial map.

The small business is the embryo of a lifetime of commercial success. Microsoft started in a garage, as did Amstrad. Small businesses are the key matter, as they are our future. They are the ones on whom we should be directing so much of our thought and policy.

Despite the language that the Government use, they still do not understand what it takes to run a business and to manage risk. Instead, they look on all business as some great sector that can—or so they think—cough up more money, assume costly social responsibilities and support the Government's continuing collectivist approach to life. Ministers have a lot to learn.

Quite often, at the root of all enterprise and innovation is one simple decision that has to be taken time and again and made at the margin, so that one small Government action might push the decision one way or the other. Often, the decision is very finely balanced, and will make a difference not only to the enterprise and its progress, but to society generally. Which issue must be decided by small businesses? It is, "Should I employ another person?"

The Opposition say that the willingness of one person to employ another is something to be encouraged and admired, and supported by creating a climate in which that is likely to happen. The Government, however, still think that it is something to be milked in the sense that employers are compelled to fulfil a wider series of social and economic obligations, so that the person who wants to take a risk and is prepared to commit his own money becomes obliged to fulfil many responsibilities that should lie elsewhere.

Those who run small businesses have to count their pennies. They have to borrow and struggle. They, perhaps, have to send the wife out to work, or live in a smaller house. Those people really have to put their lives on the line.

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): The hon. Gentleman was talking about the problems that small businesses face when trying to find the right finance, but under the Conservative Government, interest rates rose to 15 per cent. What does he think that did to small businesses?

Mr. Duncan: I admit quite openly that high interest rates did a lot of harm to small businesses and everyone else. I do not want a regime of high interest rates; I welcome the current regime of low interest rates that the Government were fortunate enough to inherit from us.

There is no doubt too that in the past, the industrial sector has been too reliant on interest-variable debt. I welcome the ability to borrow at fixed interest over several years as that is very good for business. It is a welcome development which the free market in capital has delivered over the past few years to the business community. The present Government could not have done that and will never be able to do it in such an effective way.

Mr. Jim Murphy: I listened with interest to quite a revealing insight into modern Conservative thought when the hon. Gentleman said that many small business men send their wives out to work. In my constituency, 36 per cent. of small businesses are owned and run by women. Whom do they send out to work?

Mr. Duncan: I was hoping that the level of debate would be a just little higher than that.

Mr. Geraint Davies: The hon. Gentleman suggested that the reduction in interest rates was somehow a Tory legacy. Does he accept that that is a product of the independence of the Bank of England and that when that decision was made, long-term interest rates went down overnight? Given what he said, can he confirm that, unlike many of his hon. Friends, he is in favour of the independence of the Bank of England?

Mr. Duncan: In its current role, the Bank of England must respond to economic conditions. It is responding to the economic conditions which, I repeat, his Government were fortunate enough to inherit.

The best way to encourage innovation and enterprise is simply to ensure a stable, low tax, low regulation environment for business. The Government speak that language, but deliver the opposite. There has been a massive increase in the tax burden placed on businesses since the Government were elected in 1997. They have done everything that they can to do it by stealth. They gave their promises and pledges in a way that was specifically designed so that they could be circumvented. They said that they would not increase certain rates, but they have slammed business with all sorts of other taxes, not just by stealth but by deceit.

Mr. Ian McCartney: The hon. Gentleman is completely wide of the mark. In each Budget, the Government have consistently reduced taxation. We now have a 10p starting rate for small businesses and a 20p rate of corporation tax—the lowest ever rates—and we are committed to those rates for the rest of this Parliament. We have introduced new potential taxation releases for companies that invest in research and development and capital equipment. Across the board, where taxation impacts on the viability and competitiveness of a company, the Government's strategy is to reduce it, not to increase it.

Mr. Duncan: I fear that the Minister requires some serious upskilling on tax economics. The Government may have reduced some tax rates, but they tend to go for the headline and cheat behind the scenes. A significant number of companies now have to pay their taxes quarterly. Large corporate concerns will have to pay five years' worth of tax in four years. That is a massive burden on cash flow and the financing costs of those big concerns, and represents an increase in their tax burden.

Mr. Bercow: My hon. Friend is right to educate the Minister of State in the distinction between tax rates and the tax burden. Frankly, the Minister ought really to be aware of that distinction. In considering the tax burden, does my hon. Friend agree that we ought properly to take account of the proposed climate change tax, the company car tax, the fuel tax, the vehicle excise tax, the windfall tax, the abolition of the tax credit on dividends and the huge hike in national insurance contributions? The cumulative impact of the Government's imposts is, as Sir Clive Thompson, the president of the CBI recently pointed out, to increase the tax burden on businesses by £20,000 million in the lifetime of this Parliament.

Mr. Duncan: My hon. Friend is absolutely right and proves—as if proof were needed—that he is rather more firmly rooted in real life than the Minister.

Mr. Ian McCartney: I am quite enjoying this debate. I apologise to the hon. Gentleman for failing to mention

[Mr. Ian McCartney]

one tax—the windfall tax. We introduced an increase in tax on the profits of the privatised utilities. It has led to a huge investment in small and medium-sized companies in the private sector to take on new labour. It has enabled us to reduce by half youth unemployment and get more than 100,000 young people, who under the Tories were walking around the streets with their hands in their pockets, into work, giving them a future and a sense of self worth. We have reduced long-term unemployment by 50 per cent. as well, so one taxation increase has produced massive opportunity for the business community in Britain and helped a generation of young people and older workers who the previous Government had abandoned.

Mr. Duncan: I apologise to the Minister, because when I say he is not firmly rooted, I should not be so rude to the bonsai tree.

Businesses also have to cope with the national minimum wage, which some estimate will cost firms £8 billion over the lifetime of this Parliament and the working time directive, which could cost more than £6 billion and the loss of up to 200,000 jobs.

Mr. Butterfill: I am anxious not to restrict my hon. Friend's flow of rhetoric as he is making an interesting speech, but before we leave the issue of tax rates, can we look once again at the effect of the changes to advance corporation tax and the timing of the payment of tax? Does my hon. Friend agree that most investment by companies is funded out of retained profits and that, over the next two years, changes in the timing and the payment of tax will have robbed British industry of retained profits to invest? The Government do not seem to understand that.

Mr. Duncan: I am grateful to my hon. Friend as he has put that point much better than I did. He always speaks good sense on these matters and perhaps that will help the Minister upskill himself in a proper understanding of those matters.

Several hon. Members *rose—*

Mr. Duncan: I must make some progress, as I have been generous in taking interventions. I shall happily take some more in a moment.

One key issue that the Minister did not touch on is the vexed question of compulsory trade union recognition. In many respects it is a litmus test for the Government's conversion. Are they just saying what they feel people want to hear but doing something different behind the scenes, or are they genuine converts to the cause of enterprise and innovation? If they are genuine converts, they will remove the measure that would compel businesses compulsorily to recognise a trade union. Does the Minister share my view that small businesses should not have that requirement thrust upon them?

Mr. Ian McCartney: I put that down not to the hon. Gentleman's anti-trade union views, but to his job. The Employment Relations Bill includes an exclusion from the dispute resolution process which can lead to recognition by a ballot. Companies with 20 or fewer employees are excluded from that process, but they can agree to voluntary recognition. Since the introduction of the Bill, there has been a change in the business climate and many companies are reaching voluntary agreements with trade unions. However, there needs to be a process to deal with the dispute resolution and that is precisely what the Government are providing.

Mr. Duncan: The Minister will know that the matter was the subject of a Government defeat in the Lords. Will that be overturned when the measure returns here?

Mr. McCartney: The matter in the Lords did not relate specifically to the principle of union recognition; it was a technical amendment concerning the process. We are considering whether or not the amendment was effective and in due course the Government will decide whether to change that amendment or to remove it. It was not a defeat on the principle. The hon. Gentleman should realise that the Conservative Opposition did not move an amendment on principle against the concept of union recognition. If they did that and defeated the Government, we would certainly reverse that decision.

Mr. Duncan: We look forward with great interest to seeing what the Government finally decide to do about that.

Mr. Bercow: I am sorry to trouble my hon. Friend further. Is he aware that the Minister was the victor against the forces of modernity in his Department on trade union recognition? For the purposes of the Employment Relations Bill and trade union recognition, there is an exemption for firms of fewer than 20 employees. Does my hon. Friend think it extraordinary that for other purposes, such as the legislation on the late payment of commercial debt, the Government opted to define small firms as those with fewer than 50 employees? Why the inconsistency?

Mr. Duncan: As always, my hon. Friend is well informed and makes the point clearly—a point that the Minister is unready to admit. The Minister is also unready to admit the truth about the withholding tax. He refused to answer questions from my hon. Friend the Member for Buckingham and from me about whether that tax would be bad for business and whether he is against it. He equivocated in response to three interventions. He talks of principle and he gives us fudge. Will he give us a clear undertaking that the withholding tax will not be introduced and will he clearly admit that if it were introduced it would be harmful to business? I do not—

Mr. McCartney *rose—*

Mr. Duncan: Oh, I have caught a fish.

Mr. McCartney: The hon. Gentleman has not caught a fish. I have explained the issue until I get to the point of boredom. The Tory Opposition do not have a case. The Government are not only ahead of the game, but four-square in defending the interests of the City in all circumstances. We are also providing leadership in dealing with the issues that are important to the City. As a consequence, European policy has moved towards ours.

I am certain that the Government's position will prevail. Our policy will always be to put the interests of the British business community in the City first.

Mr. Duncan: The Minister has just done for a fourth time what he had already done three times. Would he veto the withholding tax? He will not say. Would it be harmful to business? He will not say. Is he against it? Would he bring it in? He will not say. All that we get is fudge.

Mr. Gareth R. Thomas (Harrow, West): On the question of fudge, will the hon. Gentleman clear up where he stands on the independence of the Bank of England? He has written about the need for an independent Bank of England. Will he give us an unequivocal statement that he still supports the independence of the Bank of England? While he is clearing up that issue, will he also tell us whether he intends to campaign within his party in favour of the abolition of the national minimum wage?

Mr. Duncan: I am pleased to say that I support my party's policy in both respects.

The state of the economy is mixed. The Minister declined to admit that manufacturing was having a difficult time. There is a big squeeze on profits and orders. We have a double-headed economy in which some sectors are doing well and others are having a hard time. We are in the middle of a technological revolution. Fifteen years ago, I thought that I was a big shot because I had a car in my phone. *[Laughter.]* Sorry, a phone in my car. I wanted to check that the Minister was still listening. I was pressing the test button and it worked. That is good.

Mr. McCartney *rose—*

Mr. Duncan: I shall allow the Minister one waggish witticism as a final salvo.

Mr. McCartney: If it is such a big phone, perhaps in the interests of competitiveness we could share it.

Mr. Duncan: I was clearly wise to give way. I look forward to our many encounters in the months ahead.

Conservative policies over the past 20 years have allowed Britain to keep ahead of many other countries and up with the United States in the fast-developing technologies. The UK has been made attractive for business and investment. Only Conservative policies—to which the Government now seem half committed—have made that possible.

Some of the Government's policies are putting a lot of that at risk. Inland Revenue press release IR35 threatens a crucial part of the progress of high-tech industries. A new pattern of employment is developing, with a dramatic shift away from big manufacturing concerns with lots of unionised employees clocking on at nine and clocking off at five. Big companies now look to little entrepreneurs for crucial support in the development of ideas and software—people with fantastic brains who do not need much plant and can do their work with a computer, a laptop and knowledge. They sell their services at a high price to add significant value to large corporate concerns.

The effect of IR35 is to say to those entrepreneurs, "To hell with that enterprise that you are showing. To hell with your plans and the way you have structured yourself and your energies and the risks you are taking. The advantages that you have derived from a free commercial regime in which you can set yourself up as a limited company, selling your services to a large corporate concern to add value to yourself and to them will be threatened." There is a risk that the hand of Government will reach into those concerns and cut off the life blood of innovation and enterprise that the Minister is pretending to champion. The Inland Revenue directive—or whatever we want to call it—risks doing an enormous amount of harm. I want an assurance from the Minister that it is being fully reviewed, that he will listen to the concerns and that it might be reversed.

Mr. McCartney: It is going out to consultation. Perhaps the hon. Gentleman could tell us whether he is opposed to tax evasion.

Mr. Duncan: Of course I am opposed to tax evasion. I am also opposed to a tax regime that will harm innovation and enterprise and hold back Britain's progress in developing frontier technology and innovative, pioneering companies in today's competitive world.

That is not the only threat to our competitive model. There is also a risk that many of the patterns of commercial activity that we see across the channel in other European countries will be imported to this country to our cost. We have our own model and structure. We have a different sort of economy in many respects. Given the Government's attempts to chum up with their European friends, we are likely to have many costly directives and structures brought into this country in the interests of some specious harmonisation that would lead not to competitiveness, but to uncompetitiveness.

The Institute of Directors speaks for clear-thinking people who understand business. In a recent press release, the institute acknowledged the need for an efficient regulatory framework. We are not talking about people whom the Minister would critically describe as laissez-faire capitalist anarchists.

Mr. McCartney: To be fair, I was talking about the hon. Gentleman, not the Institute of Directors.

Mr. Duncan: I am not one either. The Minister should read my books. He might upskill himself a bit more.

The Institute of Directors identifies several key issues for many companies. The Minister should listen carefully and put the issues on his agenda to ensure that we have innovation and enterprise. The first point in the press release is that

"the introduction of fresh legislation or new regulations should be avoided unless all alternatives have first been exhausted."

I wonder whether the Minister can give the House that pledge.

Mr. Gareth R. Thomas: Will the hon. Gentleman give way?

Mr. Duncan: I want to go through the press release first. I shall come to the hon. Gentleman afterwards if he wants.

[Mr. Duncan]

The IOD says:

"More time is needed by small firms both to respond to consultation documents and to familiarise themselves with new regulations."

The IOD also calls for sunset clauses. Does the Minister think it sensible that regulations should last for a finite time and not be renewed unless they have been proved to work satisfactorily?

The Minister seems unprepared to consult on this matter, but the IOD still wants an

"exemption for firms of fewer than 50 people from the Employment Relations Bill",

which is something that the Government should deliver. It wants the the parental leave directive to be scrapped—another burden on business imposed by the Government. It thinks that the

"introduction of National Works Councils across Europe must, in particular, be resisted in the UK."

That is quite a shopping list. If the IOD has such a shopping list, the Minister cannot in all good faith stand up and say that the Government are not placing new burdens on business.

Mr. McCartney: I cannot remember the date of the press release, but it is somewhat out of date. On national works councils, our policy in opposition and in Government has been to oppose any directive that would impose works councils on companies that operate wholly within the United Kingdom. We are in favour of the European works council directive, which is being implemented with the support of British industry. The Government's negotiating strategy has led to a position where, so far, there is no proposal for national works councils—a success for the Government, working with business.

On consultation, the Government have set in place a framework of consultation with industry and across all stakeholders in relation to regulations.

Mr. Deputy Speaker: Order. I have been trying to give both Front-Bench spokesmen some leeway, but interventions must be brief, and the Minister's intervention is far too long.

Mr. Duncan: Let me make one thing clear. My hon. Friend the Member for Tiverton and Honiton (Mrs. Browning), my colleagues and I will do our utmost to scrutinise every regulation that looks as if it is winging its way here. In return, will the Minister guarantee that no EU directive will ever end up tougher than its original form, and that, when incorporated into UK law, it will be no more onerous than its legal form and implementation in competitor countries? Can he give such a guarantee to the House now, or are we condemned to have tougher regulations here than the parallel ones implemented in other EU countries?

Mr. McCartney: It was the previous Conservative Government who failed industry in terms of implementing directives. They refused to negotiate, be involved or even to sit down at the table in the interests of British business. They opted out. This Government have a clear strategic approach to directives. We will judge whether they will create or lose jobs; whether they assist in the free movement of labour; whether they assist the modernisation of the labour market; whether they assist entrepreneurship; whether they assist investment strategies; and whether they assist in a framework of basic minimum standards. If they meet those requirements, we will, working with industry, develop appropriate measures for implementation. Where they do not, we will oppose them.

Mr. Duncan: Some might think that that was a good answer to a completely different question. I was asking about the equity of implementation of a directive. Clearly, I will not get an answer today. When we are in government, the Conservative party will not introduce any regulation without finding another one to abolish.

Mr. Gareth R. Thomas: Is the hon. Gentleman aware that, according to the House of Commons Library, the number of regulations imposing costs on business was 223 in 1994, 209 in 1996 and 199 in 1998? If he is such an opponent of regulations that have a cost on business, can he explain why the two years of most regulation were under a Conservative Government?

Mr. Duncan: It may be a three-letter answer—QMV, or qualified majority voting. Anything that achieves less regulation is welcome on this side of the House.

The Minister did not mention the single currency. Those people, including business men, who support a single currency believe genuinely that it will reduce their risk and make for a less risky climate in which they will have to work and sell their products. However, if one locks into a currency, other economic variables will move, and probably move more violently. It could be interest rates, pressure on wages, pressure on labour mobility or capital flows. Big business will be able more readily to adjust to those pressures, at least in some respects.

The key thing about a domestic small business is that it cannot adjust. Therefore, there is a risk to all small businesses of having to face macroeconomic pressures to which they cannot adjust and to which they can only respond. I hope that the Minister will realise that small businesses will be at much greater risk than big businesses if the stringency and inflexibility of the single currency and its effects on the domestic economy come into play.

Mr. Butterfill: I do not know whether my hon. Friend has heard the breaking news this morning. Italian industry is now saying that in order to keep within the constraints of the euro, it may be forced to ask workers to give up their pension rights.

Mr. Duncan: My hon. Friend, as ever, is fully up to date. Even if those people have to suffer a reduction in their pension rights, and not their total abolition, that is a very heavy price to pay and is damaging to the long-term prospects of any employee.

The Labour party often talks about the long term. In opposition, it paraded itself as the champion of the long term. The one thing that Labour hopes for is that the long term is long enough for it not to be found out. Within months of coming into Government, the Labour party damaged the existing savings culture—it has hit pensions with a bill in excess of £5 billion. Individual savings

accounts are an inferior savings vehicle to those previously on offer. Labour is attacking the savings culture that was in place before it took over. Labour has not done things for the long term—it has damaged the long term.

Economic lesson No. 2 is savings equals investment. If one attacks savings, one attacks investment.

Mr. Jim Murphy: What was economic lesson No. 1?

Mr. Duncan: Opportunity cost is the answer, and the hon. Gentleman should go away and learn what that really means and work out how Government policies always have an opportunity cost.

The Government talk about enterprise and innovation, but what have we seen in the papers this week? We saw the extraordinary headline in the business section of *The Times* on Tuesday:

"State-backed bank for PFI gets the go-ahead."

Mr. Wills: What a good idea.

Mr. Duncan: The Minister—and his Parliamentary Private Secretary, the hon. Member for Stevenage (Barbara Follett)—both agree. Some of us remember the days of the National Enterprise Board, a not-so-little outfit in the 1970s which was a disaster. We all remember the De Lorean gull-winged motor car; not the greatest commercial success in the history of industry, and the product of a poor decision by a Labour Government. The article says clearly that we are to have a state-backed bank—an announcement made not in the House of Commons, but in a press release to *The Times*—and states:

"The Government have given the go-ahead to radical plans to create a new state-backed bank, UK Capital—

it even has a name—

"aimed at injecting fresh enthusiasm into the Private Finance Initiative."

Not only does it have a name: it looks as if it has someone to head it. *[Interruption.]* The Minister clearly agrees. A Mr. Montague, the head of the Treasury-led PFI task force, will head it. The plan is to "inject fresh enthusiasm" into the private finance initiative. How can a private finance initiative still be a private finance initiative if it is to be financed by a state-backed bank? That means that it is not a private finance initiative, but a public finance initiative. The Minister shakes his head, but he will have to explain. He clearly has a clever scheme which, one day, he might have the courtesy to explain to the House.

The money will be off the Government balance sheet, which will help them to fiddle the figures. The subordinated debt will probably rank below private enterprise debt, so the risk is greater for the taxpayer and the state than for the private sector. The last paragraph of the newspaper article is the most telling. It says:

"The plans have caused alarm in the City, where the prospect of public money competing directly with private cash is viewed as unwelcome."

Will the Minister come clean and urge the Secretary of State to give the House a clear statement of what is intended and what will happen to what is said to be £1.2 billion of public money?

Mr. Gareth R. Thomas: The hon. Gentleman obviously has something of a selective memory. Does he recall that under the previous Government, about £30 million was spent on consultants' fees for PFI without one scheme coming to fruition?

Mr. Duncan: We launched PFI, which is very successful, and I suppose that that is why the Government are continuing to pursue it in one form or another, even though they said that they would get rid of it.

The Government have mastered the language but not the thinking. They say one thing and do another. I want to attach a permanent health warning to their use of the word "partnership". Beware the Labour word "partnership". It is not what they want people to think it is. It is a cover for collectivism, corporatism and, as we see elsewhere in the Government, cronyism. What really lies behind the use of the word is more Government interference and intervention.

We want small Government, less Government, less intrusive Government, fewer regulations from Government. I look forward to sparring with Ministers in the months ahead and showing that they are not delivering the enterprise and innovation culture that they pretend they are.

11.2 am

Mr. Jim Murphy (Eastwood): I am delighted to take part in this debate—the first Friday morning debate in which I have participated. It is rather cosy and intimate, but that does not disguise the strong differences of opinion on the issue. I am pleased to follow the hon. Member for Rutland and Melton (Mr. Duncan), who made quite a long speech.

Mr. Dawson: Endless.

Mr. Murphy: Fortunately, there was an end; no point, but an end.

I am also pleased to follow a fellow Scot, my right hon. Friend the Minister of State, who has now emigrated to Wigan. In a debate on enterprise and innovation, which includes invention, my right hon. Friend should not have been ashamed of his accent, whether it be Glaswegian, Ayrshire or with a hint of north-west England, because it was Scots who invented many of the great modern equipment and techniques and much that we now take for granted, such as the television and electricity.

My right hon. Friend spoke about call centres and Scottish accents. It was a Scot who invented the telephone, without which call centres would not exist. Without Scottish inventions, the hon. Member for Rutland and Melton could not have had a car in his phone and, more than that, if McAdam had not invented tarmac—tarmacadam—he would have had nowhere to drive his telephone with his car in it.

As my right hon. Friend said, we have a Government not only of economic competence, but of innovation. They have introduced a whole raft of policy innovations to deliver economic stability. In week 1, the Bank of England became independent. That was much criticised by the official Opposition, but much welcomed by business and others outside the House.

In the two years that I have been a Member of Parliament, I have not heard a proclamation or even a whisper from the Conservatives on whether they would

[Mr. Murphy]

reverse that policy. The hon. Member for Rutland and Melton was invited by my hon. Friend the Member for Harrow, West (Mr. Thomas) to tell us, but he refused. He said that he supported Conservative party policy. What is Conservative party policy on the issue? Is it to reverse the independence of the Bank of England or to stay with the stable environment created by the correct decision taken in the first week or so of the Labour Government?

Independence for the Bank of England has helped us to deliver low inflation and provide an economic framework to guarantee long-term investment. Labour is the champion of long-term investment because we know that we must invest in our people and our infrastructure.

Mr. Butterfill: The hon. Gentleman has referred several times to the independence of the Bank of England. There are independent central banks elsewhere in the world, but they are truly independent. There is a big difference between independent banks with an independent system for appointing their governors and the system introduced by the Chancellor, whereby the Governors of the Bank of England are appointed by him. That must call into question, at least to some extent, their true independence.

Mr. Murphy: The Government will decide what is in Britain's best economic interest. There are other models in the world, but I find it slightly odd that Conservative Members should encourage us to mimic European examples, when they are so hostile to much else that is European. The structure of the Monetary Policy Committee and the way in which the Bank operates seem to be very popular among the business community.

Mr. Geraint Davies: Long-term interest rates are at their lowest for 40 years. Long-term interest rates are an expectation on the part of the financial markets of future inflation. The markets are saying that they accept the current structure of the Bank of England as independent of political interference and believe that it will generate stable and low levels of inflation in the long term. That is precisely what the Government and the country want.

Mr. Murphy: My hon. Friend is characteristically accurate, and furthermore, if the Conservatives intend to reverse the Bank's independence if they come to power, it is clear that the business community has faith that they will not come to power, even in the long term.

My right hon. Friend the Minister of State talked about the skills gap and upskilling, and Conservative Members talked about downskilling. I was delighted to hear him reaffirming the Government's commitment to the university for industry, and telling us how many people will benefit from it and on what time scale.

We have had the traditional jousting on the one issue in which the Conservatives seem interested in this Parliament: the single European currency. I was pleased to hear again that the Government are committed in principle to joining a successful euro. That is important because it will set the economic framework and give advance notice to those who compete in business, in this country and internationally. We have laid down five economic criteria that will stand the test of time, in contrast with the Opposition, whose only test is time. That is an important difference between us.

My right hon. Friend the Minister eloquently described new Labour's belief that social justice is the natural partner of enterprise and innovation. Social justice is not in competition with enterprise and innovation, although the hon. Member for Rutland and Melton gave the impression that he thought that that was the case when he said that small businesses must have their social costs cut. In his mind, every great social advance that the Government have introduced seemed to be a hindrance to small businesses and the economic competence and innovation of this nation.

Mr. Gareth R. Thomas: Is my hon. Friend aware that many small businesses campaigned for the introduction of the national minimum wage because they did not wish to be undercut by other employers?

Mr. Murphy: My hon. Friend is right, and I am sure that he talks from his experience in Harrow. In my constituency, it is my experience from the many events that I organise with my local business community that the national minimum wage is indeed popular, with businesses and with the many thousands of people who benefit from it.

Mr. Butterfill: To suggest that small businesses are in favour of the national minimum wage is extraordinary. I would like to know which small businesses the hon. Gentleman means, because the National Federation of Small Businesses is implacably opposed to it and has claimed that it will do its members immense damage.

Mr. Murphy: In tests of opinion, small businesses have shown their support for the national minimum wage. I know from my experience and from talking to hon. Members from both sides of the House that small businesses have been ahead of the game in preparing for the national minimum wage, adapting to it and benefiting from it, because it has given a boost to our economy.

In discussions about the national minimum wage, I am always reminded of a hustings held during the general election campaign in Barrhead in my constituency, at which a security guard said that he was paid less than £1.50 an hour. He was married with a family, but it is not acceptable for anyone to be paid £1.50 an hour. It is not acceptable that the market allows that to happen or that a Government allow that to happen. I hope that the gentleman comes back to the hustings in a couple of years and asks me again what we will do for the low paid. I also hope that he is no longer doing that job and that his economic position has improved, but I will look him in the eye and tell him the truth: we made a commitment to introduce a national minimum wage, and we have done so. What I do not know is what my Conservative opponent at those hustings will say. Will he tell the audience that his party would abolish the national minimum wage, adjust it or leave it alone?

Mr. Dawson: In an earlier exchange, the hon. Member for Rutland and Melton (Mr. Duncan) studiously avoided answering that question about the national minimum wage. One of my local employers said that the national minimum wage and the trade union legislation were important because they cut out the cowboys, but the hon. Gentleman seemed to be proposing a cowboy culture in British industry.

Mr. Murphy: My hon. Friend is right. The vast majority of small businesses—the honest, hard-working

ones—are eager to compete on an equal footing and to pay quality wages to quality staff. There is no future for those businesses, or for our country, in paying £1.50 an hour to people with families who cannot survive on such wages.

At the hustings in two years' time, I will say that the national minimum wage has been a great success and it has benefited many thousands of people in Scotland and in my constituency. However, I still do not know what my Conservative opponent will say. I will ask the question repeatedly throughout the campaign, but perhaps the hon. Member for Rutland and Melton can give us the answer now. He was asked repeatedly today, and we have asked the Conservatives repeatedly in the past year, what their position now is on the national minimum wage. It is not good enough for the hon. Gentleman to say that he supports the Conservative policy on the issue when no one knows what that is. I invite him to intervene to give us an inkling about that policy. It is not a hard question—would the Conservatives keep the national minimum wage or abolish it?

We have heard much criticism of the national minimum wage because, it was claimed, it would lead to wage inflation and unemployment. I do not know whether Conservative Members have had time to reflect on those predictions of doom and gloom, but we still have low levels of inflation and of unemployment. I accept that unemployment levels are still too high, but we are working to bring them down, and they are at a 20-year low. Will the Conservatives now admit that their gloomy predictions about the national minimum wage were wrong?

The Conservatives also predicted that the new deal would not work and would cause economic disaster, but we heard only this week that 100,000 young people have benefited from it. Youth unemployment has been halved. We had a five-year plan to reduce youth unemployment and to achieve it in two years is a better performance than that of any Government in history. The Government should be given the respect and credit they deserve for that.

Mr. Gareth R. Thomas: My hon. Friend is right to say that the new deal is helping to combat youth unemployment. He will also be aware that it is beginning to combat the huge skills gap that hinders enterprise and innovation. We need to continue to focus effort on that skills gap, because the 1998 London employer survey revealed that some 83,000 people are considered by their employers to lack skills, especially in computer literacy.

Mr. Murphy: My hon. Friend's point illustrates the difficulties that the Government inherited 100 or so short weeks ago. We are trying to meet the challenge of upskilling and the new deal is achieving that for those who have been vulnerable and neglected in the past. A generation was forgotten and ignored. Many hon. Members have experienced unemployment, and, when I was a teenager, I was unemployed for two years. What was offered to me was a very poor relation—if it was a relation at all—of the new deal. Young people felt alienated from what the Conservative party was offering them as an opportunity. It was not a pathway to a skill to get them out of unemployment.

I know that from first-hand experience. I went to college as a mature student with many people who had been unemployed and they took that route because the schemes offered by the Conservative Government—unlike the new deal—were not worth the investment of their time and energy. Many young people went to college to gain the formal qualifications that they were not able to get the first time. Social justice is the partner of enterprise and innovation, although Conservative Members seem to think that it is their competitor.

I am delighted that the working families tax credit—another aspect of our social justice policy—will benefit 1.5 million working families throughout the UK, increasing the income and support available to 3 million children. Add that to the record increase in child benefit, and we can see how much has been done to help working families.

I do not want to be too party political, but it is incumbent on the Opposition to say whether they will abolish WFTC or whether they will, when they meet working families in their constituencies who used to receive a poor deal, remind those constituents of Conservative opposition to WFTC, which gives an average £24 more to every working family. Will they tell their constituents that they voted against that, and that they think that it a bad idea? I shall certainly remind mine of Labour's view.

Social justice is a cornerstone of domestic enterprise, but our social justice agenda can also help international innovation and enterprise, particularly by helping to write off more than £100 billion of international debt through the G8. We can help to free countries to provide opportunity and to benefit from innovation and enterprise.

I have spoken about the great Scots inventions of the past. We all know, however, that invention is not always as creative or as helpful as it might be. In some cases, Governments or enterprises may even be too supportive of inventors. Governments must support science and innovation, but they must be careful. Some unusual grants have been handed out, and we have all read that the Institute of Food Science and Technology received £200,000—£100,000 of it public money—to investigate why cornflakes become soggy when milk is poured on them. I am not interested in that, even when I am having breakfast, and the grant was perhaps not absolutely sensible.

In comparison with some international examples, however, that project equates in importance to Einstein's theory of relativity. A Scandinavian research grant was given to scientists examining the impact of wet underwear on thermo-regulatory responses and thermal comfort in the cold. Perhaps the Minister can tell me what that was all about. I mean no slight to our Scandinavian counterparts in saying that we should not become involved in aiding such research. The university of Minnesota was given funding to investigate patient preferences for waxed or unwaxed dental floss, another debate that excites me not at all.

Many challenges face enterprise, and much necessary research can be done. We must provide finance and seedcorn support if we are to remain at the cutting edge of world invention. We should learn from international experience. We should seek to turn today's school children and students into the entrepreneurs of tomorrow. Some 50,000 young people set up in business every year, although the proportion of women who run small businesses is lower than it should be, perhaps because support has not existed in the past.

[Mr. Murphy]

Analysis of the attitudes of young people is revealing. More than 40 per cent. are willing to work 60 hours a week, undercutting oft-quoted criticism of the youth of today. Many felt that they were not taken seriously because of age discrimination and the view that young people should work at junior jobs in business rather than owning one.

I pay tribute to the Prince's Youth Business Trust, which provides seedcorn finance and professional support for those aged 18 to 25. In Renfrewshire, more than 300 young people have established businesses with that support. Nor have those businesses proved short-term operations: 83 per cent. of them remain in business after a year, and more than half are still in business after more than three years. The PYBT enables young people to put down lasting roots in the business community. The average age of the people involved in my constituency is 23, and just over a third of them are women. Many people may just have left university at that age, and it is remarkable that they are in successful business.

Before those people received the support of the PYBT, 80 per cent. of them were unemployed. It has provided them with a pathway out of poverty and unemployment into work, but, far more, a pathway towards ownership of their own businesses. Some 20 per cent. of those people had no formal school qualifications, but they have set up and run their own businesses.

The Government are providing, I think, £50 million in matching funding for the Prince's Trust over the next five years to support 30,000 young people who are setting up their own businesses. My right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities has said that the Prince's Trust is remarkable in providing support for people who had not previously had economic breaks, perhaps coming from families with lower income backgrounds. The Government have undertaken several initiatives in Renfrewshire. Renfrewshire Enterprise is supporting families from poor backgrounds, particularly in Barrhead, a town famous principally for one business—Shanks and Co., the world-renowned producer of toilets. Indeed, when I first mentioned that business in the House, I almost prompted an unprecedented intervention in a maiden speech. Unfortunately, Shanks no longer produces toilets, but we are trying to reignite the entrepreneurial spirit in that industrial town.

Renfrewshire Enterprise is doing much through the Leven Valley Partnership, which is aimed at motivating children about what is possible in the world of business. One of the most interesting initiatives, for me and for people in Barrhead, is the involvement of Watt Nicol as a motivational speaker for those youngsters. Perhaps not everyone would recognise the name, but if I say that she was the successor to Eileen Drewery, the English football team guru, it may seem more relevant. Eileen Drewery was used by Glenn Hoddle in his period of failure as England manager and Kevin Keegan enlisted the support of Watt Nicol. Renfrewshire Enterprise is doing the same. Since the *News of the World* revealed Watt Nicol as Kevin Keegan's secret weapon, England have not won a match. I hope that my young people are more successful than the England football team.

Mr. Dawson: Hear, hear.

Mr. Murphy: My hon. Friend may say that, but it is not every day that I wish the England football team well. In its current predicament, my best wishes are appropriate.

The Government's White Paper "Targeting Excellence: Modernising Scotland's Schools" identified the need to encourage the involvement of young people in the world of enterprise. It stresses that we must invest in our youngsters to invest in our future. Much is being done, but I believe that more can be done. There are some good examples throughout the country and in my constituency.

The education for work initiative, piloted and supported by East Renfrewshire council and Renfrewshire Enterprise, has provided many opportunities for young people. I would be interested to hear whether hon. Members have had similar success with that initiative in their constituencies. The achievers international initiative is about setting up companies in schools so that young people can experience the spirit and responsibility of enterprise. St. Luke's and St. Ninian's schools are involved. I attended the launch at St. Ninian's. It set up a trading company for jewellery, exporting Charles Rennie Mackintosh jewellery to Nigeria and importing ethnic Nigerian jewellery. It did well and led to a thriving business in the school. Learning from that experience, 11 primary schools in my area have signed up to achievers international next year. I look forward to visiting primary schools to watch, listen and perhaps learn from young children aged 9 to 11 with the responsibility and opportunity to run their own company. That will be a liberating experience.

Under the education for work initiative, all senior pupils will be given a chance of work experience. There will be industry awareness days. Many schools in my constituency have been successful with the young enterprise initiative.

A key factor has been teacher placements in industry. I want continued Government support for that initiative. It is crucial that young people experience industry and enterprise, but it is imperative that teachers and, in some parts of the country, classroom assistants, get first-hand experience—if they do not have it already—of business and enterprise to pass on to pupils. We all pay tribute to the vast majority of teachers, who work diligently and hard. If we expect schools to become involved in the initiative to any great extent, we must support the teachers. I know that, in my authority, that is already happening. We expect nearly 4,000 teachers to be involved over the next three years.

I am keen on the agenda of encouraging young people to become involved in business and I am proud of the Government's efforts so far. The schools enterprise programme in Scotland operates under the banner "From Primary to PLC". Eighty per cent. of primary schools and 60 per cent. of high schools in Scotland are becoming involved. Seven of Scotland's universities offer modules in enterprise and entrepreneurship, regardless of faculty. They are trying to imbue the entrepreneurial ethic into our students. The programme has led to a 35 per cent. increase in the number of people interested in starting their own business in Scotland. It involves not only students with a marketing background, but engineers, social scientists and arts students.

So much is happening within this agenda. There is good news about what young people are doing, when given the opportunity. It is incumbent on any Government,

particularly this one, to provide the economic opportunity in the community and the business world by providing a stable economic environment. We have done much to achieve that nationally, but we must also provide support locally in community and youth groups and schools.

We talk about lifelong learning. Rightly, we are turning that slogan into a policy and, beyond that, into a reality. Lifelong learning does not mean only literacy and numeracy. We accept that the weakness has been that we did not encourage young people to become literate and numerate early enough. That is not a controversial point of view, and we are now building on that. If we are to deliver enterprise success in lifelong learning, we have to start early by involving primary and secondary schools and universities.

For me and the new Labour Government, enterprise and opportunity are equal partners with social justice. We deliver economic opportunity simultaneously with the achievement of social justice.

11.37 am

Mr. David Chidgey (Eastleigh): The hon. Member for Eastwood (Mr. Murphy) gave us a thoughtful and detailed view of life in his constituency, for which I am sure we thank him.

I am pleased that we are having this debate. We spend much time in this Chamber passionately debating how much or how little we should spend on the great things in our society such as health, education, social support and welfare. Although we can argue at length about how much or how little we should tax and spend, we must first generate the revenue, however. We have to be able to raise taxes. I suggest that taxes should come from highly skilled and highly paid workers, and from highly successful and profitable businesses. There is not much point in arguing about how much, how little or how well we should distribute wealth unless we have first created it.

The Government's role in business is straightforward. It is not to impose the centralist command and control structures that have failed dramatically in other parts of world. Nor is it their role entirely to ignore business by taking a libertarian or laissez-faire view relying totally on market forces. Any Government who are serious about creating wealth must concentrate on the key areas in which they can create the right framework. We could start by looking at the skills gap, and the need for Government to help nourish and nurture the essential seedcorn of human resources. Government must consider investing in research and development, the green shoots of innovation for our industry and commerce. Most importantly, we need to support our growing companies—our small and medium-sized enterprises. We need to develop a climate in which expertise and enterprise can flourish. Only then will we start to reap the benefits of sustainable economic growth; we can then start to improve—perhaps beyond any conceivable measure—the investment that we need in health, education and social services.

As the trade and industry spokesman for the Liberal Democrats, I have the opportunity to meet many company managers in different types of organisation throughout the United Kingdom. There are many shining examples of successful enterprises in our aerospace and pharmaceutical industries—both are world-class industries. However, at the other end of the scale, there are many small firms—often employing fewer than 50 people—tucked away in the corners of industrial estates, creating and producing advanced products. From seemingly small beginnings, those products are capturing world markets. However, the basic problem is that there are not enough of such enterprises to create wealth sufficient to sustain the level of economic growth that will meet the aspirations of the people whom we represent in all the corners of the kingdom.

To date, the Government's macro-economic policy has not been of particular help. In yesterday's *Financial Times*, it was reported that the United Kingdom's traded goods deficit widened from £1.91 billion in March of this year to £2.18 billion in April. The first quarter of this year is looking pretty disastrous. Further analysis of those figures reveals that, in April, the deficit in our trade with the European Union rose to £812 million. That is double the level at which it stood six months ago, and is the worst figure since August 1990.

In response to those figures, the chief economic adviser to the CBI said that those data highlighted one of the consequences of staying out of monetary union. She stated:

"Exchange rate volatility is the price you pay for being out of the euro."

That is a salient point in our continuing argument as to the benefits of EMU.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Chidgey: I thought that that might raise some interest from the Conservative Benches. I am delighted to give way to the hon. Gentleman.

Mr. Butterfill: Does the hon. Gentleman think that the euro, which has fallen by about 11 per cent. since it was launched at the beginning of this year, has been an example of successful monetary integration to date, or does EMU still have some progress to make?

Mr. Chidgey: I know the hon. Gentleman well enough to realise that he makes a serious point, so I shall give him a serious answer. On reflection, I am sure that he will acknowledge that, over time, there are significant changes in currency exchange rates—one finds examples of that with the dollar and with sterling, both of which have moved in value by about 50 per cent. over a 20-year period. One has to consider the euro in a longer-term context. Yes, 11 per cent. is a significant change, but that is not a serious problem if we take a long-term view of the fluctuations in exchange rates.

As a further response to the hon. Gentleman's intervention, I point out that, since August 1996, the pound has risen by 23 per cent. on a trade-weighted basis. That has been a disaster for UK exporters. It is no good blaming that problem on the crises in the economies of Asia, Brazil and Russia. It is important to remember that the UK exports more to the Netherlands than to those three trade areas put together.

We should pay close attention to the Treasury's own forecasts of business opportunities for the UK. According to the Treasury's figures, opportunities to get more business for the UK in our key markets overseas are growing at 6 per cent. a year, yet the take-up of those business opportunities by UK businesses is growing at

[Mr. Chidgey]

only 0.5 per cent. That is most worrying; it illustrates the problems faced by our business and commerce. We are not grasping the opportunities that exist in our key, strong markets.

The Government have to take some of the blame for allowing the pound to rise to the levels to which it has risen during the past few years, and for the growing trade deficit that we are experiencing this year. However, we must be fair. The problem did not start with the Labour Government; it can also, in quite large measure, be laid at the door of the previous Conservative Administration. Figures produced by the Library in relation to trade deficits over the past 25 years show that, since 1974, our balance of trade has been in surplus for only seven years. That has resulted in a net deficit in trade that is in excess of £80 billion at current prices. If that is merely part of the economic cycle—as we often hear when we discuss trade deficits and surpluses in this place—25 years must be the longest trade cycle recorded in history. That legacy reflects the lack of understanding of previous Administrations, over a long period, of the importance of innovation and enterprise to our economy's ability to achieve sustainable growth. Long-running trade deficits underline the long-term ills of the UK economy, the long-term problems for UK trade and Britain's failure to match our competitors in innovation and enterprise.

In relation to the problem of innovation shortfall, an interesting survey was produced for the European Commission. I am sure that the Minister will have seen it. It is a survey of 12 countries in the European economic area entitled "Eurostat Statistics in Focus, Research and Development, No. 2/99—Community Innovation Survey 1997/98". I am sorry to be so pedantic, but I am sure that the *Hansard* reporters will want that in detail. The survey shows that the largest proportion of innovative enterprises is in manufacturing. It offers the following definition:

"An innovative enterprise has either introduced new or improved products on the market or introduced new processes during the last three years."

The survey found that large enterprises—those with more than 250 employees—were the most innovative. That illustrates the point that, although we realise that the engine for growth in our economy is the small to medium-sized enterprise—the smaller firm—such firms have huge problems in grasping opportunities to be innovative, to show enterprise and to succeed.

The real point of mentioning the survey is that, in its results, it is apparent that the UK is behaving and performing poorly in relation to our competitor nations in the EU. We came a poor fifth for innovation in both the manufacturing and the service sectors. When it came to spending on innovation—innovation intensity, to use the phrase in the survey—the UK again came fifth in manufacturing. However, there was a ray of light in respect of services where we came first in innovation intensity, so we are getting something right.

Mr. Butterfill: The hon. Gentleman should consider other comparisons with the EU, such as unemployment levels and the rate of growth in the economy. In those matters, the UK appears in a rather better light.

Mr. Chidgey: I do not disagree with that comment for one moment. However, as I develop my speech, I shall illustrate my concern that we shall not be able to achieve growth in our economy unless we grasp the key issue that we must be more innovative and more enterprising. It is important to make comparisons with other nations with which we compete, not just in Europe but elsewhere. I shall come to that as I develop my point.

The survey showed that the key indicator of impact on innovation was the relative share of turnover in new or improved products. In that respect, the UK could manage only eighth place out of 12. That shows the scale of the problem. We in the United Kingdom are chugging along behind most of the European Union in innovation, but even the best in the EU lag far behind Japan. For example, for every 1 million ecu spent on research and development in the EU, Japan files twice as many patents as European industry. That is a measure of the lack of development of innovation in our economy and that of the EU, compared to our major competitors in the world marketplace.

Since 1985, the level of production in Europe has risen by only 10 per cent., whereas in Japan it has risen by 80 per cent. That is a severe handicap to business and employment, especially to the high-tech businesses, as the links between innovation, competitiveness and employment are becoming ever closer.

Finally, the survey confirmed that the companies that invested most in research were the ones that created the most jobs over the past 20 years. There is a pressing need, therefore, to step up innovation in this country.

From research, it is clear that we need to take action in three areas. The first is the promotion of a genuine innovation culture. The second is the establishment of legal, regulatory and financial frameworks that support innovation. The Government have been making noises this morning about how they hope to tackle regulation and set up a Small Business Service. I hope that that will go further than helping small business to understand and unravel the new legislation on the working families tax credit which, as the Minister for Small Firms, Trade and Industry knows, has not exactly been received with rapt enthusiasm in all corners of the House. We need a little more than that if we are to make regulations that help rather than hinder commerce. The third area that the Government must look to is how to gear research more to innovation, products and outcomes.

I shall deal briefly with the UK's business scenario and investment in research and development. The "Today" programme this morning quoted from a report from the Department of Trade and Industry that highlights the problem. If I understood what was being said at that early hour, it was reported that the UK's competitors were investing some 5 per cent. of GDP in research and development, whereas we invest only 2 per cent. of GDP in R and D. Worldwide, a quarter of all investment in research and development is in information technology, but in Britain very little is invested in IT, because we have very few firms that are still active in that sector. That is a cause for major concern.

Statistics provided by the Office for National Statistics "Business Monitor" for 1996 showed that, relatively speaking, only a small proportion of total investment in research and development is made by our smaller firms. That is extremely worrying. For example, 9 per cent. of investment in R and D is made by companies with fewer than 100 employees. For firms with a work force of 1,000 to 5,000, the level of investment is 38 per cent.

That is an interesting difference. We clearly need to take action to nurture small and medium-sized enterprises so that they spend more on research and development. I recognise that the Government's proposals for tax credits will help, but we must do far more.

To Britain's cost, the vital role of science and engineering has been neglected. Within limits, levels of research and development expenditure remain the best overall measure of innovative activity. Figures from the Organisation for Economic Co-operation and Development show that over the past 20 years, at a time when most advanced industrial countries have been increasing their commitment to R and D, in Britain investment has been falling.

The fall in investment is widely based. Government support for academic research in science and engineering fell from 0.4 per cent. to 0.3 per cent. of GDP. The Government's own spending on research and development has been cut, and many departmental research facilities have been closed. Even more damaging, spending on innovation—the take-up and development of new technologies in industry—has been reduced. The DTI's innovation budget has fallen by more than three quarters, from £280 million in the mid-1980s to £66 million at 1996-97 prices.

The biggest failure to invest in research and development lies with industry. Whereas in most industrialised countries there has been an increasing commitment from industry to invest in R and D, the contribution made by British industry has fallen to 0.9 per cent. of GDP, lower than at any time since 1975.

Above all, there has been no clear-cut political strategy for investment in R and D over the years. The previous Administration's attempt in 1992 to provide a strategy through the appointment of a Cabinet Minister responsible for an Office of Science and Technology withered on the vine, apparently amid departmental wrangles. That office has been incorporated into the DTI. Despite the present Government's rhetoric about competitiveness and innovation, we are still not clear where the responsibilities lie and what the strategy is.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Chidgey: Just one more time.

Mr. Butterfill: The hon. Gentleman has been extremely generous. Does he agree that, given the Government's rhetoric and their claim to be increasing research funding, it is extraordinary that last year, grants to the research councils were cut massively, to the point where many universities could not take on students taking masters degrees or PhDs in research-based subjects because the research councils' budgets had been cut so savagely?

Mr. Chidgey: I cannot confirm the hon. Gentleman's suggestion that student places have been cut, but I take issue with the Government on the way in which science and research funding has been cut across the board.

Although I welcome the commitment in the comprehensive spending review for an additional £1.4 billion over three years to be spent on research and development in the science base, that sum is not as great as it may seem. The £600 million to be spent on capital projects, of which half is to come from the Wellcome Trust, will begin to make good part of the backlog in re-equipping our universities, but we should not rely on the largesse of the private sector to make good what should be primarily a Government responsibility. Claims that the new money will provide £200 million extra each year for the science budget are wildly exaggerated. Once we adduce the allowance for inflation for the whole budget—approximately £60 million a year—we are left with £140 million of new money in the kitty.

Even after that injection of new money, United Kingdom science is still poorly funded compared with that of our competitors. Moreover, a good part of the money is directed to such schemes as the university challenge scheme, which is aimed not at pure research, but at encouraging industry and university links and other initiatives. I welcome those schemes, which are all good, and I am not criticising them, but I am worried about the fragmentation of effort, and that the process will do little to tackle the fundamental problem of industry's poor research and development performance. I am worried that the Government have yet to show my hon. Friends that they have a perceptive, pragmatic and progressive strategy for science.

I listened to the Minister of State with great interest. Much of what he said is welcome, as his words of enthusiasm often are, but I am still concerned about how far that will take us down the road that we need to take if we are to improve our competitiveness and enterprise. I refer Ministers to the statement made by the Secretary of State in the House on 10 March, in which he set out a raft of measures that would be introduced by the Government. Although I listened carefully to the Minister of State, I had difficulty in discovering whether the list outlined by the Secretary of State was being ticked off three months later—perhaps because of the Minister's accent, of which he is so proud.

Mr. Bercow: Is not part of the problem that, although the Minister of State—sadly, he is not in his place—stuck loyally to the Government line, he displayed not a smidgen of enthusiasm for the cause of deregulation? Does that not differentiate him, at least rhetorically, from the Secretary of State?

Mr. Chidgey: It is not for me to pass judgment on that analysis. I recall that the Minister of State showed great enthusiasm for deregulation, although I do not recall his being too specific about what he will do about it.

I do not want to delay the House for too long, although this is an interesting debate and a welcome opportunity to look at the real issues. For the benefit of the Minister, and if he will tolerate it, I shall outline a checklist. I may have missed something in passing—and if I have, I apologise—but we want to know how far the Government have got with their programme.

We were promised a strategy to encourage

"knowledge transfer"

and

"stimulate the flow of scientists and engineers into industry".—[*Official Report*, 10 March 1999; Vol. 327, c. 368.]

We are still waiting for that strategy. We were promised a Small Business Service. I shall return to that point, because we have made some progress this morning.

[Mr. Chidgey]

Moving down my list, we were promised a study into international price comparisons, a framework for utility regulation, a modernised merger regime and a consumer strategy, to be published before the summer. We have recently had the longest day of the year, so we can declare that summer is truly with us. The Secretary of State's statement was long on what the Government would do, but we are still rather short of things that have been done. The House deserves a little more information and a progress report on how well the Government are doing.

The Small Business Service is a good idea and I welcome the Government's proposals, but I want more detail—something I can get my teeth into. We need to follow the American model and establish a national network of genuine one-stop shops. An alarming situation was revealed in the community innovation survey, which took in 5,000 firms of different sizes throughout the country. It asked about their involvement—*[Interruption.]* I hope that the Minister will listen to this point. I know that he has other things to do, but I hope he is taking this on board.

I repeat the point for the Minister's benefit. The survey asked 5,000 firms about their involvement with Government programmes aimed at encouraging innovation. Only 6 per cent. were participating in those programmes. We need a genuine one-stop shop based on the American model, which has 900 small business development centres across America serving more than 500,000 small firms in partnership with federal, state and local government and community and private sector groups. That ensures that small businesses get a fair share of Government contracts and, through working with banks and investment companies, that they have access to affordable finance. We can learn a lot from that practice and I hope that we will see some action from the Government, not merely a shopping list that is yet to be delivered.

There are many key issues with which we need to be concerned in respect of innovation and enterprise, but let me emphasise a few of them. We need to promote a genuine innovation culture. That will call for creativity, an enterprising spirit, a taste for risk-taking and a willingness to be socially and geographically mobile. We need innovation and enterprise in our manufacturing industry.

What action will the Government take to promote best practice, to encourage the development of efficient supply chains, to promote application of new technology and to develop beneficial regional relationships? The Secretary of State spoke of those intentions in March. I want to know how far we have got.

For small and medium-sized enterprises, we need to create a climate of easy mobility for key workers, such as researchers and engineers. Young researchers and engineers must be able to work and gain experience in other countries—initially, perhaps, within the European Union. I welcome the Government's promise of new availability of finance for SMEs, but what SMEs really need are fewer hidden taxes, less regulation and lower business transport costs. In that context, hiking up the national insurance contributions of the self-employed is especially unhelpful.

What can the Government do? They can establish a legal, regulatory and financial framework that is conducive to innovation. They can seek improvements to the European patent system to reduce confusion and to prevent conflicting decisions being taken by different national authorities. The Government must really get their teeth into that.

The Government can extend help to enterprises and to researchers to protect intellectual property and combat counterfeiting. The opening arguments of the Minister of State were going the right way. I also welcome his comments on easier financing of innovation and encouraging venture capital funds to invest in the early stages of investment and innovative projects.

We also need robust information services to help individuals and enterprises to find out about sources of financing. I was horrified to find from the European Commission survey that only 6 per cent. of the firms surveyed in this country were taking part in Government programmes. If that is the best that we can do, what a waste of money and effort.

Finally, and most fundamentally, the Government can gear research to innovation. Too often in this country we develop a good idea, but never get it embodied into a product. The Government must find ways to step up research carried out in business; to encourage the setting up of technology-based businesses; and to intensify co-operative projects involving public research bodies, universities and industry, encouraging spin-off activities locally, regionally and nationally. The Government must address those key factors.

I have been speaking for more than half an hour. That may have become customary in this debate, but I believe that other colleagues would like to contribute, so I shall try to keep my closing remarks fairly short.

The Liberal Democrats have long recognised the importance of science and engineering in promoting competitiveness. In a world of global competition, the development of science-based industries is essential. Continuous adaptation and change are vital. When products quickly become out of date and skills and machinery become obsolete, we must adapt; we must change. The application of science and technology are integral to the search for sustainability. New technologies not only are more often research and energy efficient, but can be harnessed to develop more sustainable processes. We have a chance in this country to take a lead in developing such products and engineering processes.

We all know that high-quality education and training are essential to our competitiveness if we are to be part of the group of knowledge-based economies of the 21st century. However, we must put in the investment. As the Minister said, we must ensure that members of the work force—our human resources—have the skills to provide them with the opportunity to work for life.

We must support academic research as well as the bid-based research that seems so popular at the moment, because leading-edge research is not only the source of new ideas, but a training ground for those who can translate those ideas into innovative products and processes, and a strong science basis is an essential underpinning for the industries of the future. Governments should not shirk their funding responsibilities for science research.

The Government should make a commitment to aim to increase the science budget for the United Kingdom, so that we again invest in science research to the same level as our industrial competitors in other parts of the world. We have sadly fallen behind in the past few years.

The evidence is clear: we are lagging behind in innovation and enterprise, and we have done so for at least the last quarter of the century. We are creating and developing an ever-deepening trade deficit. We need to address the key issues, and to promote genuine innovation in our industrial culture. We need to establish a legal, regulatory and financial framework that helps and does not hinder business. We need to gear research to innovation, so that ideas develop into products.

The Government have promised us action in these areas. Some of their proposals are welcome, but we shall reserve judgment until the promises and proposals are turned into policies that are in place and working to embrace fully the challenge of improving innovation and enterprise. No Government, whatever their political complexion, can afford to ignore that challenge any longer. The Government at least realise that there is a lot more to do. They will be judged on how well they do it.

12.11 pm

Barbara Follett (Stevenage): I welcome the opportunity to speak in this debate, but I must apologise because I shall have to leave before its conclusion. A long-standing constituency engagement calls me.

It is not often that the House has the chance to debate issues such as enterprise and innovation, which are more often the subject of academic debate. When I was at university studying economic history, we spent a lot of time learning about enterprise and innovation. Those concepts baffled and fascinated economic historians, who wanted to recreate circumstances similar to those that occurred in this country in the mid-18th century and gave the world its first industrial revolution. At that time, enterprise and innovation came together and were combined with an unusual run of good luck, which for Britain included good weather—highly unusual at any time in this country.

In the 20th century, there has been no lack of innovation in Britain. As my hon. Friend the Member for Eastwood (Mr. Murphy) reminded us, we owe much of today's technology to the British talent for innovation. Listening to my hon. Friend, one would think that all that talent was confined to the northern part of these islands rather than spread throughout them. In the past 60 years, Britain has given the world the computer and antibiotics, and has pioneered the life-changing work on the DNA helix.

Unfortunately, that innovative genius has not always had sufficient entrepreneurial follow through. That is why Europe's largest pharmaceutical research and development facility, which is situated in my constituency, is not British owned. That is why the huge computer defence and satellite companies, which are also housed in my constituency, are only partially British owned. We are good at innovation, but not very good at creating the climate of enterprise in which innovation can flourish. As the hon. Member for Eastleigh (Mr. Chidgey) emphasised, that is the challenge that we face today.

Only once in this century in Britain have we seen the cluster of circumstances that allows innovation and enterprise to combine to create a British-based boom. That was the boomlet in the 1960s, when innovative young people in the music and fashion industry transformed this country and its capital: it went from being lethargic to swinging. For a brief moment, they made the economy swing. Despite that mini boom, for Britain, the 20th century has been a century of relative decline. The challenge facing us is to reverse that decline by raising the sustainable rate of growth in the economy.

As my right hon. Friend the Minister pointed out, if we are to do that, we must foster innovation and encourage enterprise by creating macro-economic stability and an entrepreneurial culture. That is Government's role. I do not agree with much that is said by the hon. Member for Buckingham (Mr. Bercow), but I do not think that, in this instance, Government can do more than provide a stable framework in which that entrepreneurial culture can develop.

So far, the debate has concentrated on what is happening nationally. Let me say a little about the progress that has been made in my region, which is in the east, and which is one of the most prosperous and densely populated parts of the country. Over the past two years, there has been a change in its macro-economic stability. As any economist will confirm, such changes result from a combination of good luck and good management. I believe that we have had the good management, along with a certain amount of good luck.

The economic indicators for the eastern region show the results of both factors. We have the lowest interest rates for the past 22 years, employment is rising steadily and unemployment is continuing to fall. In January 1999, 73,000 people were unemployed in the region. Although that figure is still bad, it is 87 per cent. lower than the figure that obtained at the peak of unemployment under the last Government—573,000. Eighty thousand more people are in jobs than at the end of last year, and 100,000 people have been helped into jobs, work experience or training under the new deal. That is good for my region and particularly good for Stevenage, where unemployment has fallen by 60 per cent. over the past two years.

We must create an entrepreneurial culture. In the eastern region, we have pockets of terrible deprivation, some of which are housed by my constituency. We must give people the opportunity to innovate, and we must make the investment to back that innovation. I join my hon. Friend the Member for Eastwood in praising the work of the Prince's Trust; but the new deal has made a huge difference to the mood and the economy of my constituency. In Stevenage, 1,126 young people have already embarked on jobs, work experience or training.

Mr. Bercow: I note what the hon. Lady says about participation in the new deal and, presumably, the benefit derived from that participation. Given that people who take part in the training and education option are twice as likely not to find a job as to find a job, and given that youth unemployment has risen in every quarter since the introduction of the new deal nationally in April 1998, why cannot the hon. Lady admit that this flagship has sunk?

Barbara Follett: Because it has not sunk—particularly in my constituency, where most of those who took advantage of the new deal needed a great deal of training and work experience. Those people were very unlikely to

[Barbara Follett]

obtain jobs without the new deal; they are now very likely to obtain jobs as a result of it. Indeed, many have already obtained jobs.

The entrepreneurial culture in the east of England has been greatly helped by several Government initiatives, some of which came from the last Government. The East of England development agency has been particularly helpful in developing a vision of the eastern region as one of the leading knowledge-based areas in Britain. The Business Link in Hertfordshire has helped firms to become internationally orientated, information technology-literate and innovative. That strategy has been developed within the framework of the strategy of the regional development agencies.

In my constituency, the Stevenage business initiative—which was established by Hertfordshire university, Hertfordshire county council and Stevenage borough council—has provided a wealth of information to small businesses. Each year, it helps between 50 and 100 businesses to set up in Stevenage and north Hertfordshire, bringing employment to the region and providing the mentoring that so many entrepreneurs need.

The Stevenage business initiative has also started a business incubation project, in which we are helping—with help and money from the Department of Trade and Industry—small businesses to develop their businesses on premises owned by Stevenage borough council. We are helping people to learn how to manage their businesses. Britain's main failure has been that, although people may be sufficiently innovative to develop a new product, they probably will lack the managerial skills necessary to ensure that the product is manufactured. In Stevenage, we are doing a great deal to counter that.

The Stevenage business initiative also makes annual enterprise awards to businesses that succeed. This year, I was lucky enough to present an award to 30 young people who had succeeded in a variety of businesses, making a difference not only to their lives, but to the life of their communities.

Innovation and enterprise are vital to our country's future. For far too long, we have derided those who have taken risks—taken their lives in their hands—by not only inventing new and wonderful things, but showing the courage to take their products into the marketplace, to try to sell them.

Britain has very few statutes dedicated to entrepreneurs, just as we have very few statutes honouring engineers. I hope that one consequence of the change in our entrepreneurial culture will be an end to some of our stuffy traditions and ways of looking at enterprise, so that we can start to honour some of those who have helped to make Britain great.

12.22 pm

Mr. John Bercow (Buckingham): It is a pleasure to be called to speak in this debate. I am particularly delighted to follow my hon. Friend the Member for Rutland and Melton (Mr. Duncan), whom I should like to congratulate both on his appointment to the shadow Trade and Industry team and on his outstanding opening speech for the Opposition.

My hon. Friend is a formidable and forensic critic of the Government, and an equally formidable exponent of the Conservative case. I think that both Government Front Benchers and Government Back Benchers will discover that, to their cost, in the months ahead. He flayed them this morning. If precedent is anything by which to judge, he will flay them before breakfast, before lunch, before tea, before dinner and before he consumes his cup of Horlicks or Ovaltine before retiring to bed at night. I am also delighted to follow the hon. Member for Stevenage (Barbara Follett).

It is essential to put the debate in context, not least for small firms—which is why the presence of the Minister for Small Firms, Trade and Industry is so welcome. We talk about small firms, and everyone says how critical they are, but none of us adequately emphasises their centrality to enterprise and innovation.

Specifically, we should recognise that companies employing fewer than 100 people constitute 99.6 per cent. of British firms, employ 50 per cent. of the private sector work force, and produce two fifths of the nation's output. That is the measure of their centrality within the British economy. They are the key engine of economic growth, the major source of new employment, and the seedcorn of our current and future prosperity.

The second point that needs to be understood about small firms is that they are in difficulty. Lately, there has been an exponential rise in business failures, which must be a source of concern to hon. Members on both sides the House.

The Minister will be aware that in the first quarter of this year, relative to last year, based on the findings of the respected credit information agency Dun and Bradstreet, there has been a 9 per cent. rise in company liquidations. That in itself is a matter for anxiety, but when the House reflects on the fact that for small businesses the increase in liquidations is 32 per cent.—three and a half times the rate of increase in liquidations generally—the serious plight of small companies becomes abundantly clear. On one hand they are important because they employ so many people, are the engine of growth and are crucial to our future prosperity; on the other, they are suffering disproportionately from a general increase in liquidations. Therefore it is important for us to focus not just on what the Government can do to assist small businesses by active measures, but on what they can refrain from doing, and thereby assist the development of small businesses.

I want to focus on one particular aspect of public policy that has been touched on by other hon. Members. I shall elaborate on that feature, namely regulation and the burgeoning over-regulation of British small and medium enterprises.

Conservative Members differ fundamentally and conceptually from Labour Members. The Conservative party takes the view best expressed by my right hon. and noble Friend Lord Lawson of Blaby that the business of government is not the government of business. That is the fundamental distinction.

As my hon. Friend the Member for Rutland and Melton so appositely observed, the trouble with Ministers is that they mouth the words, but they do not understand them; they utter the sentiments, but they do not will the means to translate those sentiments into practical policies of benefit to the enterprises on which our prosperity depends. That is the problem. My hon. Friend characteristically, with that self-effacing charm for which he is renowned, understated his case. I have had words with him before about his unfailing tendency to understate his case, to be

a little on the modest side and a trifle too generous to Ministers. I hope that I do not have to upbraid him again on this point—I do so now in front of the whole House—but his gentle instincts got the better of him again and he was a bit soft on Ministers.

The problem seems to be that many Labour Members do not believe in anything in respect of enterprise, innovation and small businesses. Some of us entered public life because we have passionate beliefs, intellectual convictions and gut instincts. None of that is evident from Labour Members and that is part of the problem. Because they do not know quite what to do, they tend to go back to what Labour Administrations have always done in the past.

I draw attention to two aspects of regulation: the rhetoric of Ministers and the reality of policy. I should like to dwell on the rhetoric of Labour Ministers. That rhetoric is important; we have to understand it and see whether policy matches up to it or contravenes it.

The first statement to which I draw attention is in the form of a foreword to Labour's business manifesto entitled "Equipping Britain for the Future" and published on 11 April 1997, pretty well at the start of the general election campaign. It was composed or at least signed by the Chancellor of the Exchequer, the right hon. Member for Dunfermline, East (Mr. Brown), then shadow Chancellor. For the delectation of my hon. Friends, I shall quote him. He said:

"We will not impose burdensome regulations on business, because we understand that successful businesses must keep costs down."

We are grateful for that. The right hon. Gentleman is a sinner who repenteth. He underwent an apostolic conversion, suddenly discovering what the Conservatives had been saying for a long time. We must not be narrow, ungracious or unwilling to recognise the possibility that Labour Members can see the light, change their minds and chart a better course for the future. My hon. Friend the Member for Rutland and Melton was ready to acknowledge that and so am I. I took that statement at face value and waited to see whether it was put into effect.

On 7 November 1997, the hon. Member for Hornsey and Wood Green (Mrs. Roche), who was then the Minister for Small Firms, Trade and Industry—the predecessor of the hon. Member for North Swindon (Mr. Wills)—said:

"We are moving purposefully and very speedily to bring about simpler government and cut red tape, which is a real barrier to growth for small businesses."—[*Official Report*, 7 November 1997; Vol. 300, c. 483.]

That was an unexceptional comment that many of us could have made some years earlier, but I welcomed it. The problem is that it was not in accordance with what the Government were doing.

The right hon. Member for Hartlepool (Mr. Mandelson), the former Secretary of State for Trade and Industry, who unfortunately is not favouring the House with his presence, made a similar statement almost 19 months into the term of office of this Administration. In one of his last pronouncements from the Dispatch Box, on 25 November last year, he said:

"we have no intention of introducing any legislation that presents a burden on business and reduces the competitiveness of British firms."—[*Official Report*, 25 November 1998; Vol. 321, c. 214.]

The trouble is that the Government have been burdening business with additional regulations, costs, legislation and red tape since they came to office. Approximately 2,500 additional regulations have spewed forth from the machinery of government in that time. That is a classic illustration of the point that my hon. Friend the Member for Rutland and Melton made earlier that Ministers mouth the words, but do not will the means. Worse than that, they do not merely leave a vacuum, but directly contradict those words.

I would like to be charitable and think that the right hon. Member for Hartlepool was blissfully ignorant of the fact that his words were contradicted by the reality. That would be charitable in one sense, because it would mean that the right hon. Gentleman was innocent of bad motives, but it would be uncharitable—and probably inaccurate—in another respect, because it would imply that he was stupid. There are many sins of which I accuse him, but political stupidity is not one of them. He must have known that what he said was not true and that the Government were implementing measures that directly contradicted the reality.

The second feature of the debate is the reality of the Government's record. My hon. Friend the Member for Rutland and Melton dissected the record earlier. I should like to develop that dissection.

The first example is the working time directive, which will cost British businesses approximately £2 billion a year. British businesses received from the right hon. Member for Hartlepool 45 days' notice of the requirement to implement that directive. If that was not a calculated insult to small and medium-sized enterprises in the United Kingdom, it is difficult to know what is—a mere six and a half weeks' notice of implementation, and wholly inadequate consultation on the regulations.

Moreover, the regulations accompanying the measure, and necessary to give effect in British law to the working time directive, took up 71 pages of A4 paper. It is frankly abominable that a Labour Minister should commit that folly in 1999, and then have the chutzpah to talk about believing in the cause of enterprise, innovation and the growth of small businesses.

The second example is the national minimum wage. That will cost British businesses approximately £2.7 billion a year. British businesses were given three weeks' notice of the requirement to implement the national minimum wage. The regulations governing the implementation of that wage took up fully 112 pages of A4 paper. Small businesses were expected to contend with, and give effect to, those regulations with only three weeks' notice. We all know that regulations are disproportionately burdensome for small companies—in terms of compliance with tax regulations, for example.

Mr. Dawson: Is the hon. Gentleman saying that he would advocate strongly with his party that the Conservatives should go into the next election calling for the abolition of the national minimum wage? Does he support the cowboy economy that has been so graphically described to me by one of my business constituents, where people are exploited at work?

Mr. Bercow: No, I do not support exploitation at work. Regrettably, I did not have the pleasure of the company of the hon. Member for Lancaster and Wyre (Mr. Dawson) during the Committee's consideration of the National Minimum Wage Bill. It would have been a delight to welcome him. Had he been on the

[Mr. Bercow]

Committee—I accept that it was not his fault that he was not—he would have heard me explain at some length how, when I was in the private sector, I took great pains to ensure that a colleague who was wrongly denied a bonus by her employers, and was too cowed to pursue the point, got what she was entitled to receive. Some of my hon. Friends went so far as to suggest that I was a champion of the under-privileged. It is not for me to overstate my case to the House. However, most good employers who can afford to do so pay decent wages and afford their employees decent conditions, and that is right.

It was the specific point about the enormously burdensome application of the minimum wage and the poor notice of the imminent burden on which I was focusing. I understand the eagerness of the hon. Member for Lancaster and Wyre, eagerness to know how the Conservative party intends to fight the next election but, with great respect, we are only two years after the last election. The hon. Gentleman is a person of good intentions, but it is a bit rich of him to expect us to provide him with an advance copy of the next Conservative election manifesto. If that is what he is requesting, I am afraid that I must politely decline.

Mr. Wills: We want to know the Conservative party's policy on the national minimum wage. I am sure that the hon. Gentleman knows what he thinks about the national minimum wage. Would he repeal it if the Conservatives ever came back to power?

Mr. Bercow: I am disappointed. I thought that the Under-Secretary had got the point the first time, but he did not. The Conservative Opposition have made it clear that we thought that it was unwise to introduce a national minimum wage of a statutory character. We were joined in that by the Federation of Small Businesses, the Forum of Private Business, the Confederation of British Industry, British Chambers of Commerce and the Institute of Directors. If the Under-Secretary wants to know now what we intend to say at the general election, he is inviting me to do something that it is not reasonable to expect me to do.

We will make clear our intentions at the next election. The Under-Secretary is ordinarily a patient fellow, but I know that there are beads of sweat upon his brow in eager anticipation of discovering what we intend. However, I hasten to assure him that, if he is patient, Pandora's box will be opened in due course. He need not be concerned on that point. We will have a policy, clearly set out, to appeal to the electorate, to business and to all reasonable-minded people who know the cost of what the Government are doing.

The Minister sought to assuage the concerns of the House about works councils by saying that there is no proposal on the table. He and the Under-Secretary ought to know of the enthusiasm of Padraig Flynn and others in the European Commission for introducing proposals for national works councils. It has been variously suggested that such councils would apply to firms with fewer than 50 or even as few as 20 employees.

It is no good the Minister implying that the Government would successfully fight works councils by use of the veto, as I hope that he is sufficiently well informed to know that they do not have a veto, because they foolishly signed up to the social chapter, the opportunity to do which the previous Government wisely eschewed. Much of the legislation arising from the social chapter is determinable by qualified majority voting, so we have no veto.

The first President of the Board of Trade in this Government, now the Leader of the House, told the Select Committee on Trade and Industry that she was opposed to national works councils. She then went into the lions' den and appeared on the BBC's ""On the Record", where she was interviewed, if memory serves me correctly, on 9 November 1997 by Jonathan Dimbleby.

There was a most interesting exchange. Mr. Dimbleby pressed her on works councils and she reiterated her opposition to the plans being mooted in the Commission. He asked what she would do if the Commission pressed ahead and she was outnumbered, given that the matter was determinable by qualified majority voting. It is only right to record for posterity her legendary response. She said, "Well, er, we shall see how things go."

Mr. Wills: The hon. Gentleman has just said that about the national minimum wage.

Mr. Bercow: I thought that my answer was a little more lucid, and it did not include an "er".

The right hon. Lady had no idea what she would do. The concern that my hon. Friend the Member for Rutland and Melton raised about works councils remains very real and very worrying for businesses the length and breadth of the United Kingdom.

The administrative regulations relating to the working families tax credit will have a damaging impact on small businesses. Then we have the child care credit, the disabled persons learning credit and the student loan repayment administration regulations. Whatever the intrinsic merits or demerits of those measures as public policy, they all entail a shuffling off of responsibility from Government agencies to beleaguered small businesses.

On top of everything else with which those businesses have to contend—including the macro-economic climate, international trading conditions and local employment markets—they are faced with damaging imposts from a Government who are insensitive to, and usually unconscious of, their needs.

Even if firms do relatively little cross-border trade, they have to comply with the regulations on self-assessment for transfer pricing, and the perverse manner in which the Inland Revenue operates is such that the normal principle that one is innocent until proven guilty does not apply. It is necessary for small firms to demonstrate compliance with the regulations and they are assumed to be guilty unless they are able to demonstrate that they are innocent to the satisfaction of the bureaucrats.

I have mentioned several serious issues and there are many others with which I could favour the House if only there were time to do so.

Mr. James Gray (North Wiltshire): Go on!

Mr. Bercow: My hon. Friend is cheekily encouraging me to dilate upon those matters, but that would be unfair. I had an exchange with the hon. Member for Croydon,

Central (Mr. Davies) earlier, and he was perturbed about whether he would have the chance to contribute to the debate. I would like him to do so and I would also like to hear from my senior colleague, my hon. Friend the Member for Bournemouth, West (Mr. Butterfill), so I will not focus on those other issues.

I have given practical examples of measures that are injurious to small businesses. There is an extraordinary mismatch between what Ministers say in their speeches and the truth about what is happening.

Mr. Gray: I had hoped that my hon. Friend would address a damaging press release—IR 35—put out by the Inland Revenue, which bears down heavily on contractors in the information technology and telecommunications industries. It will put most of them out of business on the assumption that, as contractors, they are merely trying to avoid national insurance. Interestingly, that policy was announced in a press release, not announced by a Minister in a speech. Is that how the other measures that my hon. Friend mentioned were announced?

Mr. Bercow: That is a growing tendency, and Madam Speaker has expressed concern about it on several occasions. I would not seek to take the name of Madam Speaker in vain, because that would be improper, but I do not need to look into a crystal ball when I can read *Hansard*. Madam Speaker has many times said that it is grossly unsatisfactory that Ministers disclose policy intentions via press conference, written answer or leak to favoured journalists, instead of paying this elected House the respect of announcing policies in the House and subjecting themselves to interrogation on them. That practice is emblematic of the arrogance, the presidentialism and the sneering disdain for alternative viewpoints that is regularly exhibited by Ministers and, not infrequently, by Labour Back Benchers.

Mr. Butterfill: I was until recently a director of the Delphi Group, which is this country's largest placer of information technology contractors, and I can confirm that the damage that is being done to industry is incalculable. The United Kingdom used to be the largest suppliers of IT contractors in the world, apart from the United States of America, and what is happening is driving those people abroad to Europe or the USA. The UK economy is losing an important source of talent, energy and innovation.

Mr. Bercow: My hon. Friend is right to underline how serious the situation is. When Ministers talk, as they regularly do, about encouraging exports, it is horrifying to think that that is what they mean. We want to export products to make money, to keep staff, to increase employment opportunities and to generate wealth to make UK plc more successful and better able to provide the quality of public services that a civilised community is entitled to expect. We do not want to export talent. We do not want a brain drain or to find that businesses cannot operate here and choose instead to go elsewhere. The fact that that is happening on a significant scale in an industry with which my hon. Friend is closely acquainted is very serious and I ask the Minister to guarantee—a simple nod of his head will suffice—that he intends to deal with that point in his reply to the debate.

Mr. Wills *indicated assent.*

Mr. Bercow: I am grateful to the Minister for that confirmation.

I attempted, as a modest Back-Bench Member, to improve the situation by introducing a ten-minute Bill on regulation on business. I wanted to call it the Lifting Burdens from Small Firms Bill, but was advised by the esteemed officials of the House that that would have been too evaluative a title. Those in a position to advise me suggested that it should be the Regulations on Small Businesses (Reduction) Bill, and I had the great pleasure of introducing it on 27 April.

The Bill was intended to be constructive and reflected many constituency representations. It made six proposals to improve the regulatory situation. First, it requested, for the benefit of enterprising and innovative businesses, that there should be an annual statement to Parliament of the cost of regulation on business and of the Government's plans to reduce the cost in the following year. I was horrified to learn from a written reply from the Parliamentary Secretary, Cabinet Office that the Government made no such statement in any form, and had no intention of doing so. I therefore emphasised the first point in my eminently reasonable Bill with particular force. Clearly, we need to know what the costs are, whether or not the Government plan to reduce them, and if they do, by how much.

Secondly, I asked that Parliament should be apprised every six months of the progress of any deregulatory initiatives, the steps taken by the Government and their calculation of the effect of those steps. Thirdly, I requested a review of existing regulation to see where gold-plating of European directives and regulations was taking place and where there might be scope to remove or simplify regulations. Fourthly, I suggested exemption from the most burdensome regulations for the smallest firms.

Fifthly, I proposed a system of sunset regulation under which regulations would automatically expire after a given period—three or five years—if they were not of sufficient merit to be re-enacted by Parliament. That proposal was based on the American model, which applies successfully at state and federal level. I drew the House's attention to the basis of the American model—the Regulatory Flexibility Act 1980 and the Small Business Regulatory Enforcement Fairness Act 1996.

Sixthly, my Bill proposed a minimum of three months' consultation on proposed regulations, and a minimum three months' notice of a requirement to implement them. The proposals were sensible, and I received warm support in my constituency and encouragement from a range of business organisations. Members of the public who had listened to the presentation of the Bill wrote to say that it was good sense and that it should not be a matter of party political dispute. I had addressed a problem and proposed a solution. People hoped that the Government would accept it as a non-partisan solution.

There was no frothing at the mouth in my proposals. The Minister of State regularly portrays my hon. Friend the Member for Rutland and Melton and me as right-wing firebrands, but my hon. Friends know that we are consensually minded figures who hold relatively middle-of-the-road views on many matters of public policy. We were simply seeking to identify a problem in detail and propose an effective solution. I hoped that I would get a helpful response.

Regrettably, the signs have been confusing. On 25 March, the Minister wrote to me in response to queries that I put to him in the Employment Relations Bill

[Mr. Bercow]

Committee about the American model. He described it somewhat dismissively as "highly prescriptive", and talked about the importance of rooting British policy in British traditions. That is so vague as to be largely meaningless. He inferred—I put no more strongly—that the Government did not propose to adopt my model.

Mr. Wills: Implied.

Mr. Bercow: I thought that the Minister inferred it, but if he wants to say that he implied it, I am happy to accept that. Moreover, a month later, on 27 April, after the presentation of my Bill, I had a brief chat with him. He said to me, "Right diagnosis, wrong prescription." That was explicit. It seemed obvious then that Ministers did not intend to heed my words or apply the measures recommended in my Bill.

Since then, the situation has become curiouser and curiouser. We have now had pronouncements on this important matter from the Secretary of State for Trade and Industry. My Bill was commended to him by my right hon. Friend the Member for Wokingham (Mr. Redwood) and, in the course of a parliamentary exchange, the Secretary of State invited me to send him a copy of my Bill and the speech accompanying its presentation with a view to him considering its proposals. It is now 36 days since I wrote to him and, while I have not yet had a response, I feel sure that one is winging its way to me. I shall soon be put out of my misery and learn whether he was impressed.

We have had some anecdotal evidence in the interim that is important for the future of small and medium-sized enterprises that want to prosper and seek to innovate. To his credit, the Secretary of State has admitted that the Government have not got it right on regulation. He gave an interview to *The Daily Telegraph* or *The Sunday Telegraph* on the subject and repeated the point on 20 April to the Select Committee on Trade and Industry, of which I happen to be a member. He admitted that the Government have not got it right and would have to do better.

I have still had no response to my letter of 20 May. I then chanced upon the Secretary of State's seminal speech to British Chambers of Commerce on 3 June. Whether it is indicative of a likely improvement in Government policy, we do not yet know. It would be premature to say that Government policy has changed for the better because, although there were encouraging words, they were only words. We do not know whether action to match them will follow. Interestingly, he said that, too often, regulations had been introduced with too little consultation and too little warning. I felt vindicated. A mere Back Bencher discovers that his words are echoed by one of the mightiest men in the land. Suddenly, the Secretary of State says with all the authority of his high office to a large audience at British Chambers of Commerce conference what I have been saying for some time to a not-always-packed House and to other audiences. He went on to say that we had to think small first—I must emphasise that I think that he was referring to small businesses rather than to my hon. Friend the Member for Rutland and Melton (Mr. Duncan) or to me. We had to think of small businesses first.

I was supremely encouraged when he said that he found the idea of sunset regulation attractive. At the meeting of the Trade and Industry Committee on 4 November last year, in response to questioning from me, the right hon. Member for Hartlepool (Mr. Mandelson), then the Secretary of State for Trade and Industry, somewhat pooh-poohed the notion of sunset regulation. Indeed, I am sure that the Under-Secretary will not mind if I point out that, in the first instance, the right hon. Member for Hartlepool did not even know what sunset regulation was. I was astonished. I was flabbergasted. I was under the impression that he knew all about the American model. He talked regularly about his visits to the United States. A few days before his appearance before the Select Committee, he had made a speech in which he talked about US enterprise and dynamism. I asked him about sunset regulation, to which he replied, "By which you mean?" I had to explain to the most illustrious representative of new Labour exactly what sunset regulation meant.

One cannot accuse the present incumbent of such woeful ignorance. The Secretary of State knows what sunset regulation is. In his most recent speech on the subject, he said that he found the idea attractive. That is most confusing, because the Under-Secretary gave the distinct impression—obviously not inadvertently, but deliberately—that the Government did not intend to emulate the American model. There is a split between the Under-Secretary on one hand and the Secretary of State on the other.

Mr. Wills *rose—*

Mr. Bercow: I readily give way to the Under-Secretary. I can see that he is in a state of some perturbation.

Mr. Wills: I hate to see the hon. Gentleman suffering in this way. Let me try to put him out of his misery. Perhaps that will enable him to move on to something else in his most interesting speech. To clarify the point, I suggested that we were not going to adopt American legislation in this country, for the reasons already cited by the hon. Gentleman. Let me make that quite clear: American legislation in this country—not.

Mr. Bercow: I fear that the hon. Gentleman digs himself deeper in. He is wobbling. The idea that American legislation could be directly implemented in the United Kingdom is patently absurd. We are not talking about the transposition of European Union directives and regulations into British law. The issue was whether we would follow the American model. I counsel the hon. Gentleman—for whom I have considerable affection, because he was immensely courteous during the Committee proceedings of the Employment Relations Bill—to take note of the old adage: better to remain silent and look a fool than speak and remove any lingering doubt. The hon. Gentleman is on weak ground; he knows perfectly well that he was against the American model. The Secretary of State is now making noises that give the impression that he is in favour of that model. What we do not know is whether the words about the American model will be translated into practical reality. That is what we want to know.

The second, potentially fatal, split in the Department of Trade and Industry is between the Secretary of State and his Minister of State. I mean no disrespect to the Under-Secretary when I say that it is one thing for the Secretary of State to have a minor tussle with his junior Minister—I do not suppose that the right hon. Gentleman takes umbrage at that; he probably feels that he can contend with the fact that a junior Minister in his Department holds a different view to his own—but to have as his Minister of State a left-wing troglodyte, who is fundamentally opposed to the deregulatory initiatives that the Secretary of State now claims to support, is grave indeed. It is not clear what progress we can make in those circumstances.

We hear words from some Ministers about enterprise, deregulation and the minimising of burdens. We do not hear those words from other Ministers.

Mr. Geraint Davies: In relation to the minimising of burdens, the hon. Gentleman assured me earlier that he would be brief. So far, he has spoken for more than 40 minutes, so, in respect of burdens, perhaps he would like to bring his comments to a close before we fall asleep.

Mr. Bercow: I thank the hon. Gentleman for his intervention. First, I did not say anything of the sort to him. It is characteristic of new Labour to twist and turn and misrepresent in every conceivable fashion. Secondly, although I have the highest regard for the hon. Gentleman, I was not aware that he had yet reached the lofty height of either Speaker or Deputy Speaker. If he will forgive me, I shall take my cue from the Deputy Speaker in the Chair. I am not inclined to be guided by the hon. Gentleman's benevolent counsel about the length or content of my speech.

I am concerned about reducing regulations on businesses. The Government are lacerating small businesses. I and my right hon. and hon. Friends want to liberate small businesses. My ten-minute Bill on 27 April this year was a small step in a positive direction at an opportune time. The Government should have supported it. They should not be dithering. They should be introducing their own practical and detailed proposals.

Are the Government blissfully unaware of the sheer scale of the anger of British businesses about the imposts upon them? Do they not know that, on 3 November last year, the president of the Confederation of British Industry, Sir Clive Thompson, described the regulation flowing forth from the Government as a "creeping paralysis", and that he went on to say that, unless action was taken to arrest and reverse the phenomenon, regulation would be the only growth marker in the British economy in 1999?

Is the hon. Member for Croydon, Central (Mr. Davies) proud of the fact that the president of the CBI so strongly disapproves of the anti-business, anti-enterprise and anti-profit-making culture that is being spawned by a combination of errors of commission and omission by the Government? If he is proud of it, let him defend that stance in front of his electors.

I am not proud of such a stance. I intend to carry on criticising it. I favour a better stance, a Conservative stance, a deregulatory stance, an enterprise-oriented stance—a stance that offers the prospect that small businesses will continue to be, and increasingly be, the engine of economic growth, increased employment and enhanced prosperity for all our people long into the future. At present, the Government do not offer that prospect; the Opposition assuredly do.

1.7 pm

Mr. Geraint Davies (Croydon, Central): I thank the hon. Member for Buckingham (Mr. Bercow) for completing his comments within 45 minutes. He seemed to speak not so much about business as about regulation and deregulation. I shall deal with some of those points.

My background is in multinational business; I then started a number of businesses myself. I mention that in response to some of the Opposition comments about Labour Members not having a business background.

I shall not spend a great deal of time speaking about the general economic environmental benefits that have allowed enormous growth in small and medium-sized enterprises in the British economy since the present Government took power. Hon. Members are aware of the extra 400,000 jobs, the lowest inflation in six or seven years, the lowest long-term interest rates in 40 years and the low short-term interest rates, all of which have come about under this Government. The overall environment of stability and job creation has been extremely successful.

Enterprise is in the mind of the entrepreneur. The Government have taken numerous structural and fiscal steps to encourage entrepreneurial activity in small business. When people leave school or university, they should not ask, "Who will give me a job?" They should be thinking actively about how they might become involved in creating new jobs, products and opportunities, rather than walking into a job. We have not quite cracked that problem, but the Government are moving quickly towards resolving it.

The attitude towards risk in Britain is not as ambitious as in the United States. There, on average, every millionaire has gone bankrupt three times. The Government are rightly encouraging responsible risk-taking, which is what we need. However, people are still reluctant to move from a cushy environment to one in which they are taking risks and creating wealth.

The financial situation for small businesses in Britain has historically been difficult, because they have tended to rely on high street banks, which want the collateral of the business man's house, and pull the rug if anything goes wrong. The banks will not consider orders to be guarantees of future cash flow income and have often forced small businesses into bankruptcy on that basis. That is not the situation in continental Europe, where banks often take equity in small businesses.

Fortunately, the Government have been responding to that agenda by trying to establish and encourage venture capital funds, but the difficulty is that venture capital in Britain tends to be focused on big re-engineering—management buy-outs and the like—and not on small business start-ups, which are seen as irrelevant to getting the big bucks. We need to confront the issue of making that culture change, especially if we are to avoid competition from the United States for venture capital opportunities in the single market.

Mr. Butterfill: I must declare an interest. For many years, I have been an adviser to the British Venture Capital Association. The hon. Gentleman is not exactly

[Mr. Butterfill]

correct. Although funds are used predominantly in larger businesses, this country's venture capital industry, which is the second largest in the world, supports a much greater number of small businesses in respect of the number of transactions—that is what should be looked at—and that trend is increasing.

Mr. Davies: My point is that the share of cash invested is biased enormously to the larger transactions and the re-engineering of big corporations. There is a great difference between the situation here and that in the United States. The expertise that has been built up in the venture capital industry to enable start-ups is not as developed as that in the United States, although it is growing and the Government are increasing it. We want that expertise to be targeted regionally on the strategies emerging from the regional development agencies.

It is important that the Government consider getting rid of regulations as well as introducing them, and my right hon. Friend the Secretary of State rightly made a big play of that in his speech to British Chambers of Commerce. In a sense, regulation is a poll tax on all businesses. Although big businesses such as Asda, which has been mentioned in many of our debates, have been progressive in introducing regulation, which is all well and good for them, the administrative burden is small compared with that for a small operator.

We should all bear that point in mind, because big retail and manufacturing operators often want to get rid of small competitors. One way to do that is to encourage more regulation. Although that sounds peculiar, it is the case.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Davies: I will take a brief intervention, even though the hon. Gentleman gave us a 45-minute monologue.

Mr. Bercow: The hon. Gentleman should be grateful that the substance of his speech is such that it has inspired an intervention from me. I am listening to him intently. I have two points to make. First, will he confirm that he accepts the calculation that the smallest firms—those employing one to four people for the purposes of compliance with tax legislation—face an annual cost of £288 per employee, whereas the largest firms, with 5,000 or more employees, face a cost per head of only about £5?

Secondly, can the hon. Gentleman clear up a smidgen of confusion resulting from the Minister of State's contribution? Given that the Secretary of State said in his speech to British Chambers of Commerce on 3 June that he intended to make three significant statements on deregulation in June, and that that speech was the first of the three, what were the other two? Have we had them yet, did we miss them or have we a treat awaiting us next week?

Mr. Davies: I must confess that, unfortunately, the Secretary of State has not disclosed his particular intention to me. I am not in a position to answer that question, as the hon. Gentleman may have guessed.

Mr. Wills: Perhaps I can give the House two other examples. First, we have launched a consultation document on the automated payroll service which, as the hon. Member for Buckingham (Mr. Bercow) will be aware, will help small firms with one of the most onerous burdens on them—administering a payroll. Secondly, as he will also be aware, next week we are launching the consultation document on the Small Business Service, which is specifically tasked with helping small firms to cope with regulations. Those are but two examples.

Mr. Davies: The Small Business Service, which we are all about to enjoy, is of paramount importance in focusing the eyes of civil servants and others on the needs of small business in terms of the overhead of regulation. I do not want to take too much time because I have criticised the hon. Member for Buckingham for taking a great deal of time, but I want to cite as an example of regulation what happened when I started a tour operating company.

In VAT law, there is something called the tour operators' margin scheme. The tour operator would receive some money from people who were going on holiday. After deducting the cost of flights to leave the gross margin, one would pay VAT on that part of the gross margin associated with accommodation. That was fine. Then, suddenly, it was decided that a company must pay VAT on both the accommodation and the flight element of the gross margin unless it owned an airline. That was unfair to small businesses without an airline. Small business responded to that effect. The advice from Customs and Excise was, "In that case, start up your own airline company."

So, I then had to start another company—an aviation company—which simply bought from the people from whom I was buying flights in the first place. The new company sold to the original one with a margin, then paid back a management fee to equalise the impact on VAT. The costs of that process, and the fact that entrepreneurial and management time is being diverted into that, are ridiculous.

That is a simple example of structures that can come from Europe, or from the Government—that change took place under the previous Government—which can have a very difficult impact on small businesses that are competing internationally against very large operators. Such problems are now well known to Government, which is why the issue has risen to the top of the agenda—hence the statement made by the Secretary of State to British Chambers of Commerce.

Inward investment, which tends to be from larger companies, has a direct spin-off effect on small and medium-sized enterprises servicing them. Recently, I attended a meeting of Japanese industrialists and financiers in Britain. They discussed the prospects for future investment and the fact that, increasingly, they were looking for added value in Britain rather than mechanical assembly work. That emphasises the need, of which the Government are aware, for our focus on education, education, education, to be about adding value to the things that we do in this economy and generating decent wages in a competitive way. We are not competing on a very low skill basis with the developing world, which would be in no one's interests.

Europe and the euro have been alluded to. As is known, the Government's position is that we should move forward as and when the conditions are right for Britain to enter. That is an important point, because although

Japanese investors are happy to invest in Britain as a platform into continental Europe, if they thought that we would never join the single currency—which is the view of some people—they would simply move their investment into continental Europe. In the meantime, those people who feel more risk averse about our eventual intentions are hedging their bets, and some of their production is going over to the euro.

A similar process is evident in the financial markets. Institutions such as the Industrial Bank of Japan must decide where to site their administration—Frankfurt, Paris or London. We need to think about that in the context of innovation and enterprise, which cannot simply be about small business. We are talking about enterprise and innovation in large business, and the relationship between large and small business. Investors are attracted by the English language, access to the European markets, and the more flexible and less-regulated market in Britain. To be competitive, we need to preserve that.

Training and added value are key issues. The difficulty for any company in the business culture in the United Kingdom and the United States, which is different from that in Japan, is that people do not stay all their working lives in one company, so it cannot freely invest enormous amounts of money in human capital and productivity in the knowledge that people will stay for life and it will not lose that investment. In Britain, companies invest in management and productivity, but people then go to another company. There is a danger of poaching, which is a disincentive for companies to invest in higher productivity.

We must devise strategies for transferring the training risk. We have already begun to create links between universities and industry so that the risk is shared. More productive people will emerge from that, which will be good for the economy and the Exchequer, and will create additional jobs. That is to be welcomed. I was involved with the university for industry in its infancy, and it is good that the Government have such high ambitions for the success of that idea.

Hon. Members have not mentioned the internet as a means of generating more prosperity for small business. Small businesses, by their very nature, tend to trade in a small area, not internationally. The internet offers a new opportunity for small businesses in Britain to find market niches anywhere in the world. The single currency will make that easier. We have sterling, but there is a single currency in Europe, so there is no need to have many transactions.

Complementary products and compatible markets can be found on the internet. That will enable small businesses to grow. There are new opportunities to generate products by sourcing products from foreign markets. There is an argument for import substitution. People buy products that are exported to Britain and are not produced in this country. Why are they not produced in Britain? Could they be produced here? Do the Government have a role to play in helping to facilitate the production of competitive products? Perhaps the regional development agencies could be involved. I should be interested in the Minister's thoughts on that.

Products emerge in other markets that are not yet prospective imports into this country. If we were quick enough, we could create similar products and establish export businesses in that market. Does the electronic age provide partnership opportunities to enable us to do that?

The Government have created the conditions for success in Britain: a stable environment, stable interest rates, and an increase in the number of people in work. They are committed to containing regulation so that it is not a hindrance to successful business, and are creating an enterprise and innovation culture. As we approach the millennium with new confidence, Britain can be proud to be leading the field.

1.23 pm

Mr. John Butterfill (Bournemouth, West): I shall follow the example of my hon. Friend the Member for Rutland and Melton (Mr. Duncan) and declare my interests as recorded in the register. I am a partner in a family firm of consultancy on finance, corporate affairs and real estate. I am a director of Miller Non-Marine Ltd., which is one of the leading Lloyds insurance broking companies. I have a residual interest in Curchod and Company, a firm of chartered surveyors of which I was a senior partner before I entered the House. I have for many years been the parliamentary adviser to the British Venture Capital Association. I hope that, in some small way, I have contributed to the growth and success of the venture capital industry.

I have listened with great care to the speeches of Labour Members. Not everything that the Government have done to encourage industry and commerce has been entirely bad—some of their proposals have been helpful in principle. The changes to the capital gains tax regime are a step in the right direction. However, the abolition of indexation and the introduction of a 10-year taper will mean not just that an entrepreneur will be locked in for far longer, but that in most instances he will end up paying more tax. The taper is far too long, and the definition of business assets is far too narrowly drawn. I welcome the principle of a taper for capital gains, but I hope that the Government will look at the length of the taper, because it is not encouraging new investment at present. That is the view of the British Venture Capital Association, and the view of all other serious commentators.

I am worried about the general direction of policy in other respects, and I shall expand on that shortly. First, however, I think it worthwhile to consider the direction in which the country has moved since the last Labour Government. At that time, the British economy was largely a command economy. Huge swathes of industry were nationalised and in public hands. That economy was regarded as the sick man of Europe. Trade unions had massive power, and at the same time we had appalling industrial relations. We had one of the worst strike records among the western economies.

As a result of all that, our economy was steadily going down the tubes. If we had continued with the policies that were being pursued then, we would still be in that sorry state now. Fortunately, even this Labour Government no longer believe in most of those policies, but there are worrying signs that they are turning back in that direction.

The last Conservative Government changed everything. We reformed trade union legislation. We now have the best strike record in Europe, and the lowest levels of unemployment in Europe. We have privatised all those massive state industries. Who would want to return to the days when telephones were obtained from the Post Office? We could have any phone we liked, as long as it was black and had a funny circular dial. Today, we have an industry that is a world leader.

[Mr. John Butterfill]

Who would want to return to the days of the old BEA and BOAC? The service was appalling, and the cost of the subsidy from the taxpayer was massive. Today's modern, dynamic industry boasts not just British Airways—probably the world's leading airline—but plenty of deregulated competitors, such as Virgin Airways, British Midland and easyJet. They have been an enormous success, and they have liberated the British economy.

The last Government's abolition of exchange controls, which was vehemently opposed by the Labour party, was probably the most important deregulatory step that could have been taken. No one would reverse that today. Indeed, all the deregulatory reforms undertaken by the last Government are being earnestly emulated throughout the world, even in the former Soviet bloc countries. In fact, many of those countries are deregulating rather more quickly than we are under the present Government.

I must confess, as a long-time enthusiast for the European Union, that my initial enthusiasm was born of two things. First, I felt that the EU's political objectives were highly desirable, in that they combined the free economies of Europe and would prevent our ever going to war again. The vision of people such as Mr. Schuman was outstanding in that respect. Secondly, during the days of the Labour Government—I have described the position of our economy under that Government—we saw the countries of the European Union, as it is now, as a bastion of free enterprise, innovation and harmonious working relations. We did not have that in this country. One therefore thought that, by joining the European Union, we could perhaps prevent the slide into state socialism that we were experiencing and, by that association, improve our economy.

Sadly, the situation in the European Union has rather changed. In various European countries, profoundly interventionist legislation has followed the election of a succession of socialist Governments. Those countries maintain very large parts of their economy within state control, and regulation has grown and grown. Today, a comparison between the European Union and the United Kingdom is not such an attractive prospect—certainly not the one that it was 20 years ago.

The change is perhaps exemplified by the non-wage costs imposed on employers in the European Union. In the United Kingdom, non-wage costs are 19 per cent. of wages, but, in France, they are 44 per cent.; in Spain, 35 per cent.; and, even in Germany, they are 27 per cent. Such costs are making the economies of those countries increasingly less competitive, which would not be totally disastrous were it not for the regulatory burden being imposed on European Union employers.

Year after year, more regulations are dreamt up by the Commissioners and imposed on industry and commerce across the EU. Now, the United Kingdom has adopted the working time directive, a minimum wage and the parental leave directive; and the Government are increasing trade union rights and enacting their Employment Relations Bill. All those changes are designed to increase the burden on employers, making industries less competitive.

If Labour Members do not believe that that is true, they have only to consider what has happened to United Kingdom inward investment—which has surpassed inward investment to all the other European Union countries combined. Why have we received so much inward investment? It is not because we have an especially low-wage economy, or a particularly attractive climate, but because we offer a business climate that is far more attractive than that of the other EU countries.

Mr. Wills: I wonder whether the hon. Gentleman is aware that, last year, under a new Labour Government, we had the best year ever for inward investment. Is he aware that that shows that those inward investors do not share his concerns?

Mr. Butterfill: No, I am not aware that they do not share those concerns, because many of them say that they do share them, as do many leaders of British industry. Of course we are continuing to receive inward investment. The golden legacy that the Government inherited from the previous Conservative Government has created conditions that still make United Kingdom inward investment extremely attractive. I am concerned that the Government's actions are making it increasingly less attractive to invest here. If they continue down that road, they will achieve the end result of making it very unattractive to invest here—which is not their objective, I hope.

If the Minister doubts that, he has only to consider what has happened in the other countries of the European Union. German manufacturers, for example, are moving their manufacturing progressively out of Germany. Volkswagen is establishing itself in the Czech republic; BMW is investing in the United Kingdom and in the United States; and Mercedes-Benz is creating new plant capacity in the United States. French industries are acquiring British companies in ever growing numbers. Indeed, the French centres of learning such as ENA—Ecole Nationale d'Administration—and Science Po are extremely concerned. In the past, their brightest and best graduates used to go into French industry and commerce, now increasing numbers of them go to work in the United States or the United Kingdom. One has only to look around the City of London to see how many graduates of the prestigious French academic institutions are employed here rather than in France. The French Government are extremely worried about that.

I hope that Labour Members will heed those warning signals, because if they take us ever further down the road that certain people in the Commission, the European Union and certain political leaders in EU countries are advocating, they will achieve their objective of making us all suffer equally the misery suffered by employers in the EU. As a result, we shall become increasingly less competitive and lose the enormous advantage that the previous Conservative Government bequeathed to the country.

One particular measure that is especially worrying is the energy tax that the Labour Government intend to impose on British industry. The climate change levy is unnecessary as Britain has already done more than any other leading economy to reduce emissions. Of course I am sympathetic to the idea that we should continue to reduce emissions worldwide, but not unilaterally or in a way that will damage the British economy.

The United States has no intention of making serious moves in that direction—as was confirmed to me by an American business man only yesterday. Most of our

competitors are doing far less than we have already done. We need to look at the burdens that the proposed measure is likely to impose on British industry. According to British Steel, it will mean fuel price increases of 49 per cent. for coal, 40 per cent. for gas and 20 per cent. for electricity.

According to the CBI, the tax will add 8 per cent. to electricity prices for small users and 15 per cent. to gas prices. For larger uses it will add 15 to 20 per cent. to the price of electricity and 40 per cent. to that of gas.

The statistics are enormously worrying because they mean that critical industries such as British Steel, which is going through a difficult time because of world market conditions, will become increasingly and unilaterally less competitive at a time when it needs to be ever more competitive if it is to survive in the current world environment.

Mr. Bercow: I recognise the figures that my hon. Friend has just given to the House. Am I not also right in thinking that British Steel calculates that its costs will increase as a result of this measure by something in the order of £200 million? I believe that that is an annual figure, but perhaps my hon. Friend knows better than I do.

Mr. Butterfill: My hon. Friend, in his customary way, is extremely well informed and accurate. Those are the figures that were quoted by British Steel.

I really do not see how, at this very delicate time for British Steel, the Government can realistically contemplate increasing its costs by £200 million a year. It is enormously difficult to see how the company can make savings in other areas to compensate for that level of imposition. It is not just British Steel, of course. The director of policy at the Engineering Employers Federation is immensely critical and has said:

"This is more than a bit of a scare. If you end up with an asymmetric position on energy taxation you will find that either UK based companies will move their production facilities to other countries or they will simply close down."

That is a fairly apocalyptic prediction from such a person as the director of policy at the Engineering Employers Federation. Can the Government really contemplate that sort of action when they claim that they are particularly supportive of engineering and manufacturing industry? It just does not add up.

There will be odd regional effects. Representatives of Transco and some of its partners in the energy industry in Northern Ireland came to express their concerns to me yesterday. They said that the programme of modernising the energy production industry in Northern Ireland that they are committed to would be severely prejudiced by the measure. The fine margins that they calculated for their investment would be almost entirely eroded. Under the rules that the regulator has to follow they would not be permitted to recover a significant proportion of the cost from their consumers. They estimate that the increased burdens placed on Northern Ireland businesses as a result of the levy would make them increasingly uncompetitive, particularly in comparison with their rivals in the Republic of Ireland.

We are trying to increase prosperity in Northern Ireland. There are sensitive negotiations about the future and economic prosperity is probably the one factor that can help to bind the parties together in a common objective. Destroying that burgeoning prosperity would cause profound damage and may be a considerable contributory factor if the Government's political efforts—which I praise—fail apart.

It is mad to impose a unilateral burden on British industry that will not fall on our competitors. I urge the Government to think again.

1.41 pm

Mr. Hilton Dawson (Lancaster and Wyre): It is good to join in the debate at this late stage. I have very much enjoyed the past four hours of discussion. There have been some worthy contributions from hon. Members on both sides. The hon. Member for Bournemouth, West (Mr. Butterfill) has just made a balanced and interesting speech.

In just under 12 hours' time I shall still be out at a rather nice do in Lancaster. When I am celebrating with my constituents, I shall enjoy an extra little frisson at the thought of the hon. Member for Buckingham (Mr. Bercow) sitting up in bed with his Ovaltine learning copious amounts of *Hansard* so that he can quote it back at us on another occasion.

Mr. Bercow *rose—*

Mr. Dawson: It is only a joke. I shall not give the hon. Gentleman further opportunity to entertain us. He has done so for long enough.

I particularly want to talk about Lancaster and the opportunities for business development of research expertise and ideas from higher education. That is the most important development that the Government are trying to introduce. For decades under successive Governments, British industry has failed to make anything like the most of the opportunities presented by some of the best and most innovative and inventive brains in the world. I greatly welcome the range of Government initiatives, including partnership with the Wellcome trust, increased investment in scientific research, the new round of the foresight programme and the new opportunities for investment created by the provision of capital for small business innovation.

The key concepts of enterprise and innovation, taken with the opportunities presented by the Government, will galvanise Lancaster's economy. We can establish Lancaster as a regional centre at the heart of the north-west, but with potent economic links to the world, to attract business investment to our superb environment. Our communications links to the north and south are important, and those to the west—to Northern Ireland and the Republic of Ireland—are increasingly important. We have excellent educational resources, particularly—but not solely—the world-class university of Lancaster, the engine for the future of Lancaster.

I profoundly believe that the small and beautiful city of Lancaster has the potential to build a great knowledge-based economy. The university has first-class resources across the board, but the resources in applied science, computing, biochemistry and management are world class. Academics and students are attracted from around the world to study in Lancaster.

I am talking about a knowledge-based and environmentally sustainable economy. Enterprise, innovation, development and investment in our

[Mr. Dawson]

knowledge, expertise and skills could provide a good model on a small scale for the whole country, and could certainly transform the economy of Lancaster, which is important to the north-west, but which needs transforming in many respects.

We have heard much today about the golden economic legacy, but I have not seen that in Lancaster over the past 20 years. Lancaster once led the world in the manufacture and production of floor and wall coverings. However, only about 10 per cent. of people in employment in the city are now employed in manufacturing.

Lancaster has pockets of high and endemic unemployment and is being denied the investment that it manifestly needs for its transport infrastructure. The city requires radical measures and major investment to deal with congestion and to develop integrated and sustainable transport. Lancaster has large areas of industrial dereliction.

Frankly, Lancaster was comprehensively failed by the Conservative party which, for 27 years, exerted political dominance in the city and represented it in this House. The Tories took the place for granted and let slip our assisted area status. They had no ambition for the area and allowed it to run down. I believe that, with our resources, our local people's ability to work together and the opportunities provided by the Government, we have a chance to put all that behind us.

Last week, I was at Lancaster royal grammar school to witness innovation and enterprise at first hand. There is unique collaboration between that school, one of the country's best; Lancaster university; British Energy, from Heysham nuclear power station; Linklaser, a software firm; and an extremely bright ex-student, John Fawcett. They are using the national grid for learning and have developed a programme that makes live data about the operation of the power station immediately accessible to schools on the internet.

I quit physics as soon as I could, but even I can see that that could transform science education. The knowledge, experience and skills at Lancaster university and in local colleges, schools, business and the local authority can produce business innovation and enterprise and the skilled well-paid jobs of the future.

At a recent business breakfast, we considered a vast range of Government initiatives to develop science and enterprise and incubate business from higher education research, encouraging investment and innovation in small business. There are plenty of bright ideas that can be transformed into future opportunities. That is the great hope for the city of Lancaster and for the national economy.

I have witnessed the development of robots at Lancaster university and heard of small businesses setting up all along the coast around Morecambe bay, from Lancaster up to Sellafield. There is the embryonic network of a mechatronics coast, linking innovative industry with business and university research and development, developing new applications and pioneering the use of robots under the sea and in hostile industrial environments.

There is a growing initiative in applied sciences, with engineering students being placed in local companies and gaining experience of the real working world. In a few short weeks, there has been a complete revamping of the IT systems of a small local firm, DMS Meters, which from humble beginnings—in someone's shed, I think—is ploughing into worldwide electric metering markets in the middle east and Asia.

My favourite example is of two local farmers, Ken and Colin Newsham, who, with intelligence and courage and through their sheer willingness to engage with people, listen and learn, are linking with one of the best management schools in the country, at Lancaster university, to turn a traditional north Lancashire family farm into a management training centre and a model for sustainable development and diversification in the countryside.

Those are but a few examples of how the university can be the engine of the new economy in Lancaster. That is where our competitive future lies. We are building the knowledge-driven economy and transcending the devastation that was bequeathed to us in the 1980s. That is not an easy process. Although all sides are willing to work together to grasp the many opportunities being provided by the Government, we have a long way to go. The cultural differences between the academic and business worlds can be profound and we need to marry them together to achieve a change. As Professor Richard Davies of Lancaster university has said, we need to put the D firmly back into R and D.

We are also struggling with decades of under-investment. We have not had objective 1, objective 2 or assisted area status to help with technology transfer. We have the land for the business park, the ideas and the enthusiasm for the knowledge-based economy, but we need real resources to push it on. We need time, commitment and people, as well the opportunities to build and develop. The Government are dealing with the big issues of higher education, and we need more students, especially women students, to study technology, science and mathematics. We need more bright people, perhaps from backgrounds without a tradition of further and higher education. In Lancaster, we are developing good access arrangements and we can make progress from there.

We desperately need the Government to sustain their initiative and drive and ensure that all the benefits of their excellent policies make a difference at the grassroots. I have a vision for Lancaster that incorporates ideas, innovation and enterprise into our glorious historic setting and beautiful city, freed from traffic congestion and offering real opportunities to those who have been denied them for so long. We can provide a dynamic setting for research, imagination and enterprise in the heart of the north-west, in green countryside between the dales, the lakes and the sea, and a resource for the world that will draw people in. I am pleased that the Minister is replying to the debate, because we are hoping to draw him to Lancaster soon. We have a good tale to tell, and we would appreciate some special help with innovation and enterprise so that we can grasp the future that is not so very far away.

1.58 pm

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): We have had an interesting debate today on an important subject and I thank all the hon. Members who have taken part. The hon. Member for

Rutland and Melton (Mr. Duncan), whom I welcome to the Front Bench, gave a fascinating display of ideological zeal. I look forward to hearing more of his interesting visions in the coming months.

My hon. Friend the Member for Eastwood (Mr. Murphy) highlighted the importance of the minimum wage and spoke of the need for seedcorn support for R and D. He also spoke passionately about the need to support young entrepreneurs. The hon. Member for Eastleigh (Mr. Chidgey) agreed that the role of the Government was to find a third way between the old-fashioned interventionism of the post-war period and the crude laissez-faire approach that the Conservative party seems still to espouse. He spoke eloquently of the importance of R and D and mentioned the trade deficit. However, he omitted to mention that, in the late 1980s, the deficit was 4 per cent. of gross domestic product and is now down to 1.5 per cent. of GDP, but perhaps that would have ruined his argument. The hon. Gentleman also inquired about various policies and I am delighted to say that they are either on their way already, or they will be shortly. I welcome his support for the Small Business Service, consultation on which will be launched next week.

My hon. Friend the Member for Stevenage (Barbara Follett) spoke of the British genius for innovation and of the need to continue to combine it with entrepreneurial talent and drive. She gave a compelling picture of how her constituency shows the need to give everyone the opportunity to innovate and to grow a business.

We heard a remarkable 45-minute monologue from the hon. Member for Buckingham (Mr. Bercow), who began with effusive congratulations for the hon. Member for Rutland and Melton. I noticed that the hon. Gentleman used no notes, and I congratulate him on that. He gave a sparkling defence of zealotry. He was against the right to a decent minimum wage, against the right to paid holidays, against help for children and against help for child care. He has not yet written his manifesto, but I look forward to reading all that again.

Mr. Bercow: I feel sure that the Minister's misrepresentation of my speech is entirely inadvertent, but I challenge him to identify in *Hansard* on Monday morning the column at which I object to paid holidays. If he can do so, I shall happily donate £100 to charity. If not, I hope that he will do the same.

Mr. Wills: I had misunderstood the hon. Gentleman, and I now understand that he favours the working time directive.

Mr. Bercow: No.

Mr. Wills: The hon. Gentleman is not in favour of the working time directive. I look forward to continuing this discussion with him.

Mr. Gareth R. Thomas: The hon. Member for Buckingham (Mr. Bercow) mentioned *Hansard* on Monday morning, so I would take him up on his bet, because we were not sitting then.

Mr. Wills: I thank my hon. Friend.

The hon. Member for Buckingham spent a lot of time rehearsing the arguments of his ten-minute Bill. I am happy to agree that regulations can be burdensome for business. Indeed, the Government led by the right hon. Member for Huntingdon (Mr. Major), whom the hon. Gentleman supported, added 10,000 regulations in their final three years. With the greatest of respect to the hon. Gentleman, I have to say that his remedies are either mere debating points or already on their way. I shall not delay the House now, but shall happily explain later to the hon. Gentleman which of his remedies fall into which category.

My hon. Friend the Member for Croydon, Central (Mr. Davies) rightly drew attention to the needs to encourage responsible risk taking and to develop regional venture capital funds, as we are doing. I was pleased to hear him highlight the central importance of new information and communication technologies and the importance of the internet to the growth and prosperity of small businesses.

The hon. Member for Bournemouth, West (Mr. Butterfill) offered welcome support for Government policy, and I am pleased that he shared his views on the European Union. He mentioned the climate change levy—the so-called energy tax—on which I should like to reassure him. We are aware of competitiveness issues, but we must take every measure to produce sustainable development and preserve the environment. First, the new levy will entail no overall increase in the burden of tax on business. Secondly, we intend to set significantly lower rates for the energy-intensive sectors. We are in negotiation with the sectors involved, including steel. I hope that the hon. Gentleman can take some comfort from all that.

Mr. Butterfill: The Minister says that there will be no overall increase, and I assume that he is referring to the offset from national insurance changes, but British Steel estimates that only 4 per cent. of its costs will be met by the national insurance reductions.

Mr. Wills: I can only repeat what I have said. There will be no overall increase in the burden of tax on business. To take one company as a negation of that point is to miss the point.

I welcome the support of my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) for Government policy on science, innovation and enterprise. He gave a glowing description of his beautiful constituency. I was interested by his cogent analysis of how what the Government are doing will help his constituency.

The most interesting feature of the debate was the way in which it revealed a stark dividing line between the Government and the Conservatives about how best to promote innovation and enterprise. They are motherhood words; we all accept that they need to be encouraged. The difference is about how to do it. The Conservatives still rest on their record in government. They hanker after a largely mythical 19th century vision of laissez-faire. That was encapsulated in the contemptuous rejection by the hon. Member for Rutland and Melton of the idea of partnership. I was surprised by his scorn for something to which I thought that we could all subscribe. It reveals the extremism rooted in the Conservatives that they can reject partnership as incompatible with their laissez-faire vision.

Mr. Duncan: Does the Minister accept the Conservative view that innovation and enterprise in commerce are predominantly private sector phenomena?

Mr. Wills: I am happy to enlighten the hon. Gentleman about our view of the respective roles of Government and the private sector. We differ on the role of Government. We all agree that business must do what business does best, but we believe that there is a role for Government.

Some Conservative Members mentioned IR35 but they did not mention that it is a measure to tackle tax avoidance. I would have hoped that Conservative Members could have joined us in agreeing that we should try to reduce the scope for tax avoidance—indeed, that is the job of Government. When taxes are levied democratically through this House, we should all agree that people should pay them. Nor did Conservative Members mention that there is nothing in IR35 to stop agency working or individuals setting up service companies, which lies at the root of their objections. I am happy to be corrected, but they appear to be against any Government action to reduce the scope for tax avoidance. That is typical of their dogmatic, extreme approach.

Mr. Duncan *rose—*

Mr. Wills: If the Conservatives are prepared to support us in trying to reduce the scope for tax avoidance, I shall happily give way.

Mr. Duncan: We are against the Government deeming something to be tax avoidance to make people pay more tax.

Mr. Wills: I am not sure that I am wholly clear about the hon. Gentleman's position on tax avoidance. We will return to the subject in the months ahead.

The fundamental dividing line between us is the role of Government. The hon. Member for Rutland and Melton has intervened on that already. We believe that the Government have a clear and necessary role in supporting business and promoting innovation and enterprise. The Government cannot absent themselves from the field. They must underwrite the essential conditions for growth and prosperity and tear down the barriers to growth that inevitably arise in any market. They must help create the conditions in which business can flourish.

The Government must first create the essential platform for innovation and enterprise: a stable and supportive economic environment. Under the Conservatives, Britain was probably the most volatile economy in Europe, as a Lloyds bank survey showed before the last general election. Interest rates rocketed to 15 per cent. in the early 1990s and inflation to 10 per cent. Boom and bust is the worst possible environment for business to plan ahead.

The hon. Member for Rutland and Melton mentioned investment. Between 1990 and 1993, business investment fell by 18 per cent. That is the worst possible environment for innovation and enterprise. This Government have taken the tough action needed to create the stable and supportive environment that business needs.

We have given the Bank of England operational independence to set interest rates. As my hon. Friend the Member for Eastwood so cogently pointed out, the Tories still cannot make up their minds whether they support that or whether they will reverse it. Over the past two years, we have reduced public borrowing by £32 billion. As a result of the measures that we have taken, inflation has remained at, or around, the Government's target of 2.5 per cent. for the past 11 months. Base rates are now at 5 per cent.—that is the lowest level for 22 years. Mortgage rates are now at their lowest level for 33 years. Last year, business investment rose by 7 per cent.

We have also acted to give back to business the resources needed for innovation. The hon. Member for Rutland and Melton mentioned tax. As my right hon. Friend the Minister of State, Department of Trade and Industry pointed out, the hon. Gentleman omitted to mention the fact that corporation tax has been cut to 30 per cent.—its lowest ever level. The starting rate for small firms has also been cut to its lowest level ever—10 per cent. The ratio of tax to gross domestic product is lower this year than it was last year; over the next two years, it will be lower than it is this year. The total corporate tax burden on business in this country is lower than in most EU countries.

Of course, Government must do more than that. We must help to create the essential infrastructure of knowledge and skills. The value placed on that by the Conservatives is demonstrated by the fact that, when we came into office, we inherited a science budget—the underpinning for innovation—that was due to fall by 5 per cent. over the following two years. We took the necessary action. We made available for the science base an extra £1 billion over the next three years. By 2001–02, the science budget will be about 15 per cent., in real terms, above its value in 1998–99.

The hon. Member for Eastleigh spoke about DTI support for innovation. I am glad that he raised that issue. We have given a £100 million boost to the smart scheme for small and medium-sized enterprises to undertake research and development and technology development. The research and development tax credit that we are introducing will underwrite almost one third of R and D costs for SMEs. That will give a crucial boost to innovation in a sector that Members on both sides of House will agree is a critical motor for our future economic development.

Mr. Chidgey: I welcome the hon. Gentleman's comments. Does he share my concern that, in our economy, over time, the amount of investment in R and D as a proportion of GDP has fallen compared to the nations with which we compete? Is the Government's policy to try to restore, over time, the level of R and D investment as a proportion of GDP to one that at least equals that in our competitor nations?

Mr. Wills: The hon. Gentleman is right. We inherited a desperate situation when we came into office. I agree with him on that point. We are taking the necessary measures to put right that situation. There is now a Labour Government and we are moving forward—at last. We are investing in the skills of our people—the crucial underpinning for the enterprise economy. We are providing £21 billion new money for education; we are setting up the university for industry to encourage lifelong learning. By 2002, we shall give every school in the country access to the unique learning opportunities afforded by the internet—95 per cent. of those schools

will be connected by a high-speed ISDN line. We are using the best technology that is available; we shall carry on doing so for our children's future.

Mr. Bercow: I suspect that the hon. Gentleman's compendium of knowledge on that latter point is not as comprehensive as it might be. Does he think that it is right that Gawcott county first school, a very small school in my Buckingham constituency, should pay the same for line rental, for the purposes of internet access, as a large comprehensive? That is the current position.

Mr. Wills: As always, I am astonished by the hon. Gentleman's knowledge of his constituency. If he gives me details about that school, I shall be happy to look into it.

In relation to the general point about line access, we realise that, if we are to build the essential electronic infrastructure, it is a fundamental goal that we must roll out those technologies as quickly as possible; that means considering the whole question of internet access.

Oftel—the Office of Telecommunications—published a consultation on the matter and is digesting the results. We await Oftel's proposals. I assure the hon. Gentleman that these matters are close to my heart and to that of the Government.

We have launched the £20 million reach-out fund which will help to foster closer links between universities and business. We are also increasing the DTI's innovation budget over the next three years to some £230 million.

We all agree that small firms will be the crucial motor for growth and prosperity in the years ahead. We are launching the Small Business Service to create a ladder of opportunity for all small businesses, to help people move from employment or unemployment into self-employment, to help them over that critical stage in self-employment when they take on their first employee, and all the way up the ladder.

When small firms face critical barriers to growth, the Government will offer help if they want it. We are not thrusting it down their throats. We are leaving them to get on with it, but sometimes businesses need help and support, because markets do not always work perfectly. With his in-depth knowledge, the hon. Member for Rutland and Melton knows that the markets can be lumpy and patchy, and small firms often face particular barriers to growth. The Government will be there to help them if they want.

One of the most onerous administrative burdens that small firms face is administering the payroll. We will help them with the automated payroll service. We will help them with the burden of regulation, in the way that has already been discussed. We will help small firms with access to appropriate finance. There is a critical equity gap for many small firms—

Mr. Chidgey *rose—*

Mr. Wills: I will make progress, if I may.

We will help small firms with the critical equity gap by rolling out regional venture capital funds, which will help with the smaller packets of venture capital that are so lacking at present. *[Interruption.]* I know that Opposition Members are talking among themselves and are not very interested in what we do for small firms. They should be more concerned than they are. It is all very well talking the talk now, but when they were in government, they did not walk the walk.

I remind Opposition Members that the average net loss of small businesses in every year of the 1992 to 1997 Government—that is, the surplus of companies closing over companies opening up—was 72,000. In 1992, more than half a million companies closed down. That represents half a million heartbreaks for the people who risked everything, worked hard and were let down by the Government.

By way of contrast, in the first full year of a Labour Government, there was a net gain of 36,000 businesses opening up. That is the difference between us and them. There was a net loss, on average, in every year of the John Major Government, with 72,000 companies closing. Under new Labour, there has been a net gain of 36,000 companies opening.

Mr. Duncan *rose—*

Mr. Wills: I give way.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before the hon. Gentleman intervenes, I remind the Minister that he must refer to hon. Members by their constituency.

Mr. Wills: Indeed, Mr. Deputy Speaker. I apologise.

Mr. Duncan: What concerns us is that the Minister's long litany of action that the Government will take—he got quite animated when he was citing it—smacks of Government intervention and Government intrusion. Is he saying that the regional venture capital funds will be state funds, or will they be entirely private enterprise funds?

Mr. Wills: The hon. Gentleman should recognise the difference between intrusion and support. I hope that, as the months unfold, he will grow to learn and appreciate the distinction between them. On regional venture capital funds—

Mr. Chidgey *rose—*

Mr. Bercow *rose—*

Mr. Wills: I will deal with that point, if I may, and then give way to the hon. Gentlemen, who are obviously desperate to intervene again.

Regional venture capital funds will be a private-public sector partnership. We are putting in public funds to lever in considerably greater sums of private sector capital. We have been working closely with the private sector on the matter.

Mr. Chidgey: I have listened with great interest as the Minister has expressed enthusiastic support for small business in particular. Will he address a particular issue? A recent survey has shown that there is only 6 per cent. take-up of Government programmes by business. What, precisely, will he and the Government do to improve that?

Mr. Wills: I again make the point that we are there to offer support for business if and when it wants it. We are

[Mr. Wills]

providing that support and make no secret of it. We intend constantly to improve the quality of that support. We are not thrusting it down the throat of business, as the hon. Member for Rutland and Melton seems to be suggesting, nor should we do so, as the hon. Member for Eastleigh seems to be suggesting. We are providing support for businesses when they want it—the support that they need and deserve.

Mr. Bercow: In waxing lyrical about the fortunes of small firms under the Government, the Minister exudes alarming complacency. Does he accept the findings of the Dun and Bradstreet survey, which shows in the first quarter of this year a 32 per cent. increase in small company liquidations relative to the same period last year? In particular, does he acknowledge that the percentage increase in his—*[Interruption.]* I do hope he is attending to the point; it is of the utmost significance. The increase in small company liquidations in his own south-west region is 40 per cent. Does he accept that? Is he worried by it? Will he show a bit of concern? Above all, will he do something about it?

Mr. Wills: I had hoped that the hon. Gentleman knew me well enough by now to know that I am never complacent about anything. Governments can always do better and we will not take things for granted, which is the trap that the previous Government fell into. Businesses, too, can always do better and everything the Government have done shows that we are not complacent.

One reason for rolling out the Small Business Service is that we think that business support can be made better still. We will welcome all views on that, including those of the hon. Member for Buckingham. We want to make sure that mechanisms are in place to provide business with the support that it deserves and needs. If he wants to come up with further suggestions, I can assure him that they will be gratefully received, if not necessarily acted on.

If I may, I shall move on to Europe. Given the visceral instincts of the Conservative party towards the European Union and the European single market, it was perhaps inevitable that a debate about innovation and enterprise would somehow end up on that issue. Labour Members believe that the innovative genius and enterprise of our people could run to waste unless this country is actively engaged with our trading partners to ensure that our companies can sell as easily overseas as they can at home.

We are a great trading people. *[Interruption.]* Does the hon. Member for Rutland and Melton disagree?

Mr. Duncan: So far, so good.

Mr. Wills: I am delighted that, from a sedentary position, the hon. Gentleman has agreed with that proposition. We are a great trading people and we need to engage actively with our trading partners overseas, so I am unclear why Conservative Members lash out at the EU and at the single market, where we do more than 50 per cent. of our trade. *[Interruption.]* The hon. Member for Rutland and Melton disagrees with me that the Conservative party is opposed to the European Union, the European single market and everything that goes with them. Would he like to clarify his position?

Mr. Duncan: I am perfectly happy to confirm that the Minister is wrong when he says that we are opposed to the European Union and the single market.

Mr. Wills: I am grateful for that. The hon. Member for Buckingham said that he deplored politicians who speak rhetoric, but do not deliver the means to deliver on the rhetoric. Perhaps the hon. Member for Rutland and Melton will explain in a little more detail how the constant carping about and sniping at Europe, the constant removal of Conservative Ministers from any discussion on European issues when they were in office, opting out of the social chapter and the contempt that Conservative Members so often show for the policy measures put forward by our European partners will further the integration of the single market.

Mr. Duncan: Because we wish to be in Europe, but not run by Europe, and because we wish to preserve the right to make our own law, we urge the Government to discuss more widely the dangers of the single currency, on which the electorate recently delivered a damning verdict.

Mr. Wills: I wondered when we would get to the soundbites; I have now found out. I believe that the most recent opinion poll suggests that the verdict in the European elections had absolutely nothing to do with anything except the low turnout. The Conservative party managed to mobilise its core support with a rather extreme manifesto based on a misunderstanding of what is going on in Europe, but that is a matter for that party. At the general election, we shall see what verdict the British people place on our respective policies towards Europe.

Mr. Bercow: The hon. Gentleman seems to labour under the misapprehension that he has a strong case on the subject of the European Union. First, it is important that he should not exaggerate the figures and get them wrong. Will he now acknowledge that he was wrong to say that more than 50 per cent. of our trade is conducted with the European Union? That is simply factually wrong; the figure is below 45 per cent. Secondly, will he acknowledge that the share of Britain's trade with the European Union is declining and that the share of Britain's trade with countries outside the European Union is rising? Will the hon. Gentleman conduct an honest debate and stop giving credence to untruths?

Mr. Wills: I am baffled about how the hon. Gentleman thinks that this will advance the argument. Even he must concede that the European Union is a crucial trading partner of this country. The single market is a key part of our economic future.

I still have not received an answer to my basic question. How does the hon. Gentleman think that the co-operation and partnership that are necessary to make that single market work, and to enable our companies and businesses to take advantage of the single market, to be in Europe, to shape Europe and to reform Europe, while not being run by Europe—*[Interruption.]* No, we are not being run by Europe. How is all that helped by standing on the sidelines and shouting, as the previous Government did, and as the Conservative party is threatening to do,

should it ever return to government? If any Conservative Members want to try to illuminate that point, I shall be happy to give way again, but they—

Mr. Bercow: I am obliged to the hon. Gentleman for wanting me to favour the House with my further views on this matter. I should have thought that it was abundantly clear. It is what the late Enoch Powell would have said was a point so obvious that only an extraordinarily clever person could fail to see it. The answer is that we have a conviction about the nature of the relationship that we should enjoy with the European Union, and believe that the policy of the Government should be to fight for being in Europe and not run by Europe, whereas the Labour Government just believe in supine acquiescence and me too-ism. That is the difference. They believe in being told what to do; we believe that if we have self-respect and fight our corner, we have a better relationship with the European Union. That is the distinction between us.

Mr. Wills: I am not absolutely sure that that is the difference between us. The hon. Gentleman talks about having a conviction about the approach to Europe. With the greatest respect to him, I would categorise it differently. I would describe the Conservative position as a visceral antipathy to Europe. I believe that the Conservative party is embarking on a slippery slope towards withdrawal.

One question that the Conservatives have not yet answered in their new European policy—they have had several European policies since 1997; there may be more to come—is what will happen if the European Union does not accept their plans to renegotiate and only to take part in things pertaining to the single market. It is interesting that the Conservatives think that they will be able to confine their activities to that. However, leaving that point aside, what will they do when the rest of the European Union refuses to have anything to do with the fantasies that they are currently promulgating?

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Denbighshire County Council (Funding)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hanson.]*

2.30 pm

Mr. Gareth Thomas (Clwyd, West): Denbighshire county council is one of the smaller unitary authorities in Wales. It is a creature of the Local Government (Wales) Act 1994 and local government reorganisation. Its birth and early years have been particularly difficult as a result of local government reorganisation, and the disastrous legacy of debt that Denbighshire inherited from one of its predecessor authorities, Rhuddlan borough council.

Many of my constituents live within Denbighshire county council's area. It is a diverse county embracing a large rural hinterland, which includes the historic markets towns of Denbigh and Ruthin, the latter being in my constituency. It also has a populous coastal belt centred on the seaside town of Rhyl, so vigorously represented by my hon. Friend the Member for Vale of Clwyd (Mr. Ruane), who unfortunately cannot be present today. However, I know that he would support fully the case that I propose to put on behalf of Denbighshire county council. My colleague, the Assembly Member for Clwyd, West, Mr. Alun Pugh and Mrs. Ann Jones, the Assembly Member for Vale of Clwyd, would also wholeheartedly support my case, as would the Chairman of the Select Committee on Welsh Affairs, my hon. Friend the Member for Clwyd, South (Mr. Jones), part of whose constituency includes an area of Denbighshire.

I am sure that the Minister will know that my hon. Friend the Member for Vale of Clwyd and I have been actively involved in this vexed issue since we were elected in 1997. He will also know that the Rhuddlan legacy has been the subject of an inquiry by the Select Committee on Welsh Affairs. Minutes of evidence of that inquiry have been published, and the report is awaited. The subject has also been dealt with by the district auditor on a number of occasions. A public interest report has been produced in view of the grave public disquiet about the matter. That report has, itself, been subject to a review.

I have met the Minister several times to discuss this matter. He has given a positive and helpful response to the crisis—I call it a crisis—with which Denbighshire has had to deal. However, a bad position has got markedly worse in recent weeks.

The purpose of this debate is, first, to spell out just how serious Denbighshire county council's financial position now is, especially in the light of fresh evidence of mismanagement of European regional development funds by Rhuddlan borough council.

Secondly, on behalf of my constituents, I shall underline the practical effect this problem has and will have on the services that Denbighshire county council provides, particularly in relation to schools, highways and other essential features of the work of a local council. Thirdly—I suppose that this was my main purpose in raising the issue—I invite the Government, in the form of both the Welsh Office and the Welsh Assembly, to give renewed and urgent attention to the need to devise a long-term solution to the county's problems, so that its finances can be put on a sustainable basis. I emphasise "long-term".

[Mr. Gareth Thomas]

The problem concerns the allocation of capital, rather than revenue. There is concern in Wales about what is described as the formula for allocation of revenue support grant, but I am not concerned with that today. The council has inherited what its chief executive, Mr. Huw Thomas, has rightly described as a "crushing and unexpected" burden of debt.

I am not talking about Denbighshire's position in absolute terms, or its position in the league table of local authority debt that the Minister may have in his possession, which might put a rather less damaging gloss on the situation. I am talking about the position of what, on any view, is a small county with a small capital base: a county that is experiencing serious repayment difficulties. I am just as concerned about the manner in which the debt is expected to be repaid as I am about the size of that debt.

At present, it seems that the debt inherited from the predecessor authority may well be as much as £10.7 million. It is unrealistic to suppose that that will not have a disastrous effect on the council's functions. This is how the debt is made up: Rhuddlan's capital deficit in 1995-96 was £3.9 million, and the carry-over payments for its capital schemes amounted to £3.3 million; Ffrith beach's clawback in regard to the European regional development fund—the amount that is now due—is £0.8 million. A further amount of £0.3 million is likely to be payable on the scheme. According to a report produced by Deloitte and Touche the accountants, at the behest of Denbighshire county council, there is likely to be further ERDF grant clawback totalling £2.3 million. The total inherited debt therefore amounts to £10.7 million.

Those figures should be seen in the context of Denbighshire's basic credit approval and its power to raise and spend capital: about £6 million per annum. However, when ring-fenced elements such as housing revenue accounts and housing improvement grants have been taken into consideration, the general element of the basic credit approval—in other words, what is available to finance capital expenditure—is £3.29 million. That is the starting point.

From that amount, Denbighshire must find money to finance highway repairs, school refurbishments, council house repairs and so forth. Moreover—crucially—it must find money for an increasing array of schemes provided by various grant agencies that are in a position to give the county much-needed capital resources, but only if the council can match the funding. That is an increasing feature of the way in which capital is provided for county councils. A small local authority unit with a modest BCA—on any view, even without inherited problems—would be hard pushed to maintain an adequate capital programme.

I commend to the Under-Secretary the minutes of evidence of the Welsh Affairs Select Committee's inquiry into the Rhuddlan legacy for a fuller account of the funding gap that arose shortly after the reorganisation, when it became apparent that Rhuddlan had overspent to the tune of £3.9 million—which is the first element of the legacy.

About two years ago, after lobbying by my hon. Friend the Member for Vale of Clwyd and me, the Welsh Office responded to the gap by devising a package through a special credit approval enabling Denbighshire to borrow an extra £2.5 million. The important point is that this money is repayable from Denbighshire's basic credit approval—its core capital and spending power—at the rate of no less than £500,000 per annum for five years, commencing in 2001–02. That is the major concern.

In the light of subsequent events, the repayment schedule is untenable. I ask the Minister, most earnestly, to take on board that fact. I should also add that Denbighshire county council has dealt with the balance of the overspend by recyling housing grants and by other action.

The second element of the legacy is what has been described as the carry-over of excess capital liabilities inherited from Rhuddlan, amounting to £3.3 million, and representing bills due that were incurred by Rhuddlan—which had led Denbighshire officials to believe that they would amount to no more than £400,000. As time wore on, however, the full scale of the carry-over became apparent.

I pay tribute to the officers of Denbighshire county council, particularly its chief executive, Mr. Huw Thomas, and its finance director, Mr. Nigel Thomas. I have no quarrel at all with them, but am entirely supportive of their efforts to do the best of a very bad job. They have sought to regularise Denbighshire county council's accounts, and have taken valiant steps to do so by devising ingenious methods of diverting capital resources, maximising resources and managing payments. The £3.3 million carry-over is being dealt with by such methods. Consequently, however, Denbighshire has had to forgo pursuing many of its objectives, and to concentrate largely on servicing its inherited capital commitments.

The third element of the legacy—as if all that were not serious enough—is the dire problems that have arisen as a result of the gross mismanagement of ERDF funds by the predecessor authority, putting Denbighshire in the invidious position of having to repay moneys to the ERDF by way of grant clawback. In the light of the new circumstances, the real fear is that unless there is a creative package of aid or—quite frankly—debt relief, that grant clawback will have to come out of basic credit approval.

Denbighshire county council needs to be able to repay the clawback from its revenue accounts through a special credit approval, payable not through the BCA over a short period, but over a much longer period, thereby putting its affairs on a much more sustainable basis.

The Minister is well aware of the problems associated with the Ffrith beach development. The council now considers it likely that the full extent of the grant—£1.1 million—will be repayable. I spoke to the chief executive recently and he feels that that is almost inevitable. However, the Deloitte report was referred to in Denbighshire's evidence to the Select Committee. It indicated that further steps would be taken to assess the size and extensiveness of the problem of the mismanagement of EU funds. The report was published last month. It is likely that no fewer than three schemes are not capable of being signed off or certified as conforming with the original grant claims. I refer to the children's village, the Rhyl station gateway and the Rhyl high street pedestrianisation. Consequently, there is a very real prospect that £2.3 million will have to be paid back by way of grant clawback.

In my view and that of the chief executive, this latest development puts the council in a critical position. There are issues as to how the predecessor authority could ever have got itself into a position whereby EU funds and grants from other agencies were mishandled, misspent and abused. I shall not pursue it now, but in my view there is certainly a moral and political case that the Welsh Office should be held liable to Denbighshire because it can reasonably be argued that inadequate control was exercised over the manner in which Rhuddlan and other councils in Wales administered ERDF funds. I may wish to pursue that point at a later stage, but at the moment I am more interested in the way forward.

It is important for the public to know that Denbighshire finds itself in an invidious and difficult position not as a result of its own actions, but as a result of actions taken by the predecessor authority, because in law the successor authority stands in the shoes of the predecessor authority. I am asking the Minister—and the National Assembly—to give the most sympathetic consideration to that point.

The size of the capital debt problem is beyond what is reasonable for an authority to manage alone, especially when it is not responsible for its inheritance. I am not expecting the Minister today to give me any firm indications as to what he or certainly the Welsh Assembly would propose to do. First, I am seeking an indication that the Government realise the exceptional nature of Denbighshire's predicament. As far as I am aware, no other authority in England or Wales has experienced similar problems. Secondly, in due course I hope to have meetings with the First Secretary and other Secretaries of the National Assembly, together with fellow Members of Parliament and Assembly Members representing Denbighshire, to discuss the issue. I seek a way forward to relieve the pressure on Denbighshire's basic credit approval by allowing a flexible package whereby an SCA could be granted to cover the debt, particularly in relation to the clawback.

The original rescue package is totally inadequate in the light of the new evidence. I am making a plea on behalf of my constituents. I have been provided with a long list of capital projects that the county would like realised. It amounts to £26 million of much-needed work. There is an enormous backlog of highway repairs and council house repairs. I am particularly concerned about the state of the fabric of Brynhyfryd school in my constituency. The pressures on its resources are greater because it is a bilingual school. It does excellent work, but the physical environment is disgraceful. Little can be done for the school unless the pressure on Denbighshire's capital budget is relieved. I hope that my hon. Friend the Minister will take that on board and will carry the message to Cardiff and the National Assembly.

2.51 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): I congratulate my hon. Friend on securing the debate. Today was almost his last chance to raise the subject here, because within six days it will be a matter for the National Assembly for Wales.

I recognise the importance of the issue. From the moment that it became evident, after the reorganisation of local government in 1996, that Denbighshire county council would be facing financial difficulties as a result of the capital spending of the former Rhuddlan borough council, the Welsh Office began to work closely with the council. By early 1997 it was clear that the council had inherited a substantial, unanticipated debt, although its precise level is still unclear.

On the basis of the figures that I have looked at, the outstanding loan debt of Denbighshire is in the lowest third of all Welsh unitary authority debts. All Welsh unitary authorities inherited debts. That relative position takes into account the council's relative size. It is difficult to accept that the problem is particularly acute in Denbighshire in an absolute or a relative sense. However, I sympathise with my hon. Friend on the potential and uncertain increase that could confront the authority as a result of possible clawback that may be required by the European Commission owing to the apparent poor control exercised by the former Rhuddlan borough council.

Those problems are highlighted by the fact that the district auditor had considerable difficulty in tracing papers relating to the accounts. Denbighshire was offered a financial package that helped the authority to service its capital debt and to minimise the effect on service provision and the level of council tax. The package allowed the council to use £1 million of supplementary credit approval, originally issued for home renovation grants, for unfinanced capital expenditure. The package also gave the authority an additional SCA of £1.5 million towards unfinanced expenditure. That SCA was issued on the understanding that the authority would repay it by accepting a reduction of £500,000 a year in its basic credit approval over three years, starting in 1998–99.

In August 1997, following the publication by the district auditor of a public interest report, the then Under-Secretary, my hon. Friend the Member for Bridgend (Mr. Griffiths), authorised an enhanced financial package, which included a supplementary credit approval of £2.5 million, with a repayment period of five years beginning in this financial year.

Because of the particular circumstances surrounding the financial position of Denbighshire and the public interest that it evoked, the Welsh Affairs Committee has been investigating the problems caused by the inherited debt, and has sought to establish what lessons could be learned for the future. The Committee is expected to issue its report in a few weeks' time.

In giving oral evidence to the Committee, Denbighshire's chief executive took a positive approach, saying that now that the authority has

> "brought the Rhuddlan accounts into Denbighshire's and obtained assistance from the Welsh Office, we can actually put this behind us and create something new for Denbighshire."

The district auditor, in summarising his evidence, said:

> "Given Denbighshire's positive approach, the assistance provided by the Secretary of State and the Council's position relative to other Welsh authorities, if further problems do not arise, with careful planning and monitoring, Denbighshire should be able to manage its financial position."

The financial packages had been offered against a background of uncertainty as to the precise extent of the debt. Earlier this year, my right hon. Friend the Secretary of State issued Denbighshire with a further supplementary credit approval to enable the council to complete a review of its capital programmes, and particularly the capital projects that it had inherited from Rhuddlan. This review,

[Mr. Jon Owen Jones]

conducted by Deloitte and Touche, has recently been completed, and highlighted various matters that needed to be addressed.

Among those matters—as my hon. Friend the Member for Clwyd, West (Mr. Thomas) has indicated—are certain issues concerning four European regional development fund projects sponsored by Rhuddlan borough council. My officials have already held informal discussions with chief officers of Denbighshire about these projects, and are now urgently considering in greater detail the various options that might be open to us to handle the apparent difficulties.

The Commission has also become aware of the review and the possible implications for its ERDF investment, and has been sent a copy of the report. Arrangements have been made for my officials to meet the Commission on Monday to discuss the report and its possible implications.

This is not the only ERDF-related issue facing the authority. In October 1997, the European Commission informed the Welsh Office that it was considering, under article 24 of the co-ordination regulations, reducing, suspending or cancelling assistance to the Ffrith beach project on the basis that there had been a significant modification of the conditions on which the grant was awarded to it.

Having consulted Denbighshire about this approach, the Welsh Office responded to the Commission that, as action by the authority to attract private investment to the site was continuing, it was not unreasonable to expect substantial progress towards meeting the project outputs by 31 December 1999 so action under article 24 was inappropriate.

The Commission does not at this stage appear to be convinced by that response and is currently seeking the repayment of £768,000 of ERDF grant, with the caveat that it is prepared to leave the remaining £357,000 with the authority until 31 December 1999—the programme's closure date. At that point, it will wish to consider whether the original outputs have been achieved. The Commission will decide at that time whether or not to seek repayment of the £357,000 from Denbighshire.

Both we and the authority are continuing to resist the Commission's demands over Ffrith beach, but whether we will ultimately be succesful is impossible to predict. To provide the authority with the wherewithal, if necessary, to make any repayments, we have agreed with Denbighshire that if the Commission reclaims grant, we will reduce the amount of supplementary credit approval that the authority has to repay.

I trust that it will be evident to my hon. Friend the Member for Clwyd, West that I fully recognise the gravity of the financial position confronting Denbighshire and that we have done all that is possible and reasonable to assist the authority either to avoid potential repayments or, where those are inescapable, to assist, as far as we can, with the necessary resources to facilitate the repayments. My hon. Friend will realise that the Welsh Office has to be seen to act fairly with Denbighshire, but also with other local authorities.

From next Thursday, these responsibilities will pass to the National Assembly for Wales, which I am sure will continue to work closely with Denbighshire to help it resolve its problems.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

Written Answers to Questions

Monday 14 June 1999

TRADE AND INDUSTRY

Electricity Trading Arrangements

Mr. Boswell: To ask the Secretary of State for Trade and Industry (1) what changes in primary legislation will be required to implement the revised arrangements for wholesale electricity trading; [86880]

(2) what has been the reason for the revised date for the planned completion of the Review of Electricity Trading Arrangements; [86881]

(3) what is the cost of the Review of Electricity Trading Arrangements; [86882]

(4) what estimate he has made of the additional costs which will arise in *(a)* establishing and *(b)* running a revised electricity wholesale trading market; and who will bear these costs. [86883]

Mr. Battle: The Government are committed to introducing legislation to implement new wholesale electricity trading arrangements and will do so as soon as parliamentary time permits. Consequently the earliest feasible date that new trading arrangements could be introduced is October 2000. The purpose of legislation would be to provide the powers to introduce conditions into electricity licences necessary for the implementation of the new electricity trading arrangements.

Offer's 1999–2000 budget for the Review of Electricity Trading Arrangements programme is £11.2 million. Preliminary estimates of annual costs to implement new electricity trading arrangements for each of the first five years are £10-£20 million for the central set-up, £60 million for participants' set-up, and £30 million for participants' operating costs. These implementation costs will be met by market participants. Against this, the Government's overall programme of electricity market reforms is expected to lead to a reduction in wholesale electricity prices of at least 10 per cent. over the medium term.

Renewable Energy

Mr. Brake: To ask the Secretary of State for Trade and Industry if he will make a statement on the *(a)* amount and *(b)* percentage of energy consumed in the United Kingdom in each of the last five years that came from renewable sources. [86664]

Mr. Battle: The amount and percentage of energy consumed in the United Kingdom in each of the last five years that came from renewable energy sources is given in the following table. The table also shows the amount and percentage of electricity generated from renewable sources:

	1994	*1995*	*1996*	*1997*	*1998*
Total UK use of renewable sources of energy (thousand tonnes of oil equivalent)	2,079	2,142	2,103	2320	2,649
UK use of renewable sources as a percentage of primary inland consumption of energy	0.95%	0.97%	0.90%	1.02%	1.15%
Total UK generation of electricity from renewable sources (GWh)	7,306	7,237	6,053	7,378	9,322
UK generation of electricity from renewable sources as a percentage of total electricity generation	2.25%	2.17%	1.74%	2.14%	2.62%

Source:
Digest of United Kingdom Energy Statistics 1999 (to be published on 29 July 1999)

As is said in the discussion paper "New and renewable energy, Prospects for the 21st century", we expect the proportion of electricity from renewable sources to rise to 5 per cent. by 2003. The Government are working towards a target of renewable energy providing 10 per cent. of UK electricity as soon as possible and hope to achieve this by 2010.

City Flyer Express

Mr. Gerald Howarth: To ask the Secretary of State for Trade and Industry when he expects to announce his decision in respect of the proposed acquisition of City Flyer Express Ltd. by British Airways; and if he will make a statement. [86869]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry will publish the Competition Commission's report on British Airways' proposed acquisition of City Flyer Express Ltd. as soon as is practicable.

Milk

Mr. Luff: To ask the Secretary of State for Trade and Industry if he will make it his policy to publish his decisions on the Monopolies and Mergers Commission's report into the supply of milk before the end of June. [86875]

Mr. Tredinnick: To ask the Secretary of State for Trade and Industry when he plans to announce the date of the publication of the Monopolies and Mergers Commission's report on the supply of raw cows' milk in Great Britain. [86974]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry will publish the MMC's report as soon as is practicable. He has said in the House that he expects to be able to publish before the House rises for the summer recess.

Manufacturing Industry

Mr. McNamara: To ask the Secretary of State for Trade and Industry if he will list the total amount of financial support for capital investment provided by (i) the United Kingdom Government and (ii) the European Union to

(a) the manufacturing sector, *(b)* manufacturing companies established by inward investment and *(c)* the textiles and clothing sector in the last five years. [86861]

Mr. Battle: Financial support for capital investment is provided in various forms, including through grants, guarantees, tax allowances and general industrial support. One of the main programmes is regional selective assistance which over the last five years in Great Britain has provided offers of grant of £1.6 billion to the manufacturing sector as a whole, of which £935 million was offered to foreign-owned companies and £51 million to the textiles and clothing sector.

Many other UK Government and EU programmes provide direct or indirect financial support for capital investment but information on the total is not held centrally and could be obtained only at disproportionate cost.

Retail Petrol Market

Mr. Pollard: To ask the Secretary of State for Trade and Industry how many written or verbal complaints were received by his Department and the Office of Fair Trading in each year from 1996 to date about (i) unfair agreement terms being applied by oil companies to operators of retail petrol sites and (ii) the actions taken by the oil companies which did not conform to the agreement signed by the operators. [86710]

Dr. Howells: My Department and the Office of Fair Trading have received a number of complaints about agreements between oil companies and petrol retailers during 1996–99. The cost of providing an accurate breakdown of these on a year-by-year basis would be disproportionate.

The Director General of Fair Trading is responsible for investigating complaints about anti-competitive behaviour. He does not however have a locus to intervene in contractual disputes unless these raise competition concerns.

Mr. Pollard: To ask the Secretary of State for Trade and Industry when the review of the petrol undertakings by the Office of Fair Trading will be completed; if he will publish the findings of the review; and if he will make a statement. [86767]

Dr. Howells: The timing of the review is a matter for the Director General of Fair Trading. My right hon. Friend and I will receive advice from him when the review is complete. I will announce my decision in due course.

Mr. Pollard: To ask the Secretary of State for Trade and Industry if he will list by number and grade the officials employed full-time in monitoring the UK retail petrol market and the departments to which they belong. [86768]

Dr. Howells: No officials in the Department of Trade and Industry or the Office of Fair Trading have responsibility for monitoring the UK retail petrol market on a permanent full-time basis.

Mr. Pollard: To ask the Secretary of State for Trade and Industry for what reasons the Office of Fair Trading's inquiry into the retail petrol market, published in May 1998, did not include an examination of retail petrol stations located on motorway service areas. [86769]

Dr. Howells: The content of the report is a matter for the Director General of Fair Trading. The report, copies of which are available in the Libraries of the House, examined the supply of petrol by all retail outlets. However, I understand that motorway service areas were not referred to specifically as they were not considered to be in a separate market.

Post Offices

Mr. Rendel: To ask the Secretary of State for Trade and Industry how many (i) post offices and (ii) post offices run by sub-postmasters, there were at *(a)* at the latest available date, *(b)* in 1997, *(c)* in 1989 and *(d)* in 1979. [86930]

Mr. Ian McCartney: I understand from the Post Office that the numbers of post offices in total and of sub-post offices at the dates requested were as follows:

	Total	*Sub-post offices*
End April 1999	18,707	18,107
End March 1997	19,251	18,645
End March 1989	21,030	19,537
End March 1979	22,793	21,213

Mr. Rendel: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of post offices, indicating separately those run by sub-postmasters, which operate in rural areas. [86931]

Mr. Ian McCartney: I understand from the Post Office that the total number of post offices at the end of April 1999 was 18,707, of which 8,842 were in rural areas and operated by sub-postmasters.

Regional Aid

Mr. Sayeed: To ask the Secretary of State for Trade and Industry when he plans to announce his policy on regional aid. [86860]

Mr. Wills: Reviews of the Assisted Areas and Structural Funds maps are currently underway. We will announce the proposals which we will send to the Commission shortly.

Proposals for the re-focusing of the Regional Selective Assistance scheme, as announced in the Competitiveness White Paper, are still under consideration and the changes will be announced in due course.

Trade Union and Employment Law

Mr. Sayeed: To ask the Secretary of State for Trade and Industry when he last met the Institute of Directors to discuss trade union and employment law reform. [86840]

Mr. Ian McCartney: My right hon. Friend the Secretary of State for Trade and Industry met representatives of the Institute of Directors in February, March and May to discuss various matters.

ICL/Pathway Consortium

Mr. Field: To ask the Secretary of State for Trade and Industry if the ICL/Pathway consortium will be liable for losses arising from fraud when the Post Office barcode technology is in use. [85859]

Mr. Ian McCartney: The exact details of the contracts between the Post Office and ICL/Pathway are commercially confidential but I understand that there will be penalties built into the contracts for failure to perform.

Horizon Project

Mr. Field: To ask the Secretary of State for Trade and Industry what modifications have to be made to the computer terminals installed in post offices as part of the Horizon project to make them compatible with *(a)* smart card and *(b)* barcode technology. [85865]

Mr. Ian McCartney: The system is already fully compatible with both smartcard and barcode technology.

Plutonium Sea Shipments

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what communications he had with the relevant United States authorities in respect of the relevance of the United States Government's threat assessment to the sea shipment of plutonium prior to concluding the safety and security plan for such shipments from the United Kingdom to Japan. [85822]

Mr. Battle: During preparation of the transport plan, a number of meetings took place between officials from the Governments of Japan, France, the United Kingdom and the United States to discuss all aspects relating to the arrangements for the sea shipment of MOX fuel from Europe to Japan, including safety and security considerations.

Environmental and Social Reporting

Mr. Gareth R. Thomas: To ask the Secretary of State for Trade and Industry what action he is taking to promote environmental and social reporting by British companies; and if he will make a statement. [86864]

Mr. Battle: There are a number of related issues in this area. For example, the DTI is working with the DETR to meet the objectives of the national Sustainable Development Strategy to develop standards and guidance for environmental reporting and to encourage all UK companies to report publicly on their environmental performance.

In March 1998, the DTI launched a fundamental review of company law which is being taken forward by an independent Steering Group. The Steering Group is considering a wide range of issues concerning the company's relationship with its wider interests, including the potential for company law to promote corporate transparency. The role of non-financial reporting, including on environmental and social issues, forms part of this consideration.

WALES

Refrigerants (NHS)

Mrs. Brinton: To ask the Secretary of State for Wales if he will estimate the total reduction in greenhouse gas emissions if hospitals and other NHS facilities in Wales used not-in-kind refrigerants. [86167]

Mr. Jon Owen Jones: Information from which to estimate the total reduction in greenhouse gas emissions if NHS bodies used not-in-kind refrigerants is not collected centrally.

The Welsh Office is fully supportive of the Government's commitment to running its operations and buildings in accordance with best environmental practice as an integral part of its contribution to the UK's sustainable development strategy.

Following the transfer of functions, this issue will be a matter for the National Assembly.

NHS Disciplinary Procedures

Mr. Rowlands: To ask the Secretary of State for Wales how many disciplinary hearings have been heard under Welsh Health Circular WHC(96)22 Disciplinary Procedures for Hospital and Community Medical and Dental Staff; what has been the length of time taken to hear and resolve each of the cases; and how many such cases were discontinued. [86276]

Mr. Jon Owen Jones: Records of the number of disciplinary hearings held under WHC(90)22 are not held centrally. There is no requirement to notify the Welsh Office of any case unless the proceedings exceed 6 months. The Department has been notified of only one such case, which took over 4½ years to reach a negotiated settlement.

Following the transfer of functions, this issue will be a matter for the National Assembly.

DEFENCE

Defence Medical Training Organisation

Ms Perham: To ask the Secretary of State for Defence what performance targets have been set for the Defence Medical Training Organisation for 1999–2000. [87142]

Mr. Doug Henderson: Key Targets have been set for the Chief Executive of the DMTO for financial year 1999–2000 as follows:

Key Target 1—Academic Success (Quality and Quantity)

To achieve the following academic success rates:

	Percentage
Common Core Course (CCC)	94
Specialist Registrars (SpR)	96
Pre Registration Nurses (Pre Reg Nurses)	96

Key Target 2—Academic Success (Timeliness)

The following percentage of trainees achieving academic success to be delivered on time agreed with the customer:

	Percentage
CCC	96[1]
SpR	96
Pre Reg Nurses	98

[1] Remainder within 6 weeks

Key Target 3—Individual Medical Services Training

Establish and agree with customers the baseline requirement for external medical services training by 31 March 2000.

Key Target 4—Agree Annual Training Requirement

To achieve 1.5 per cent. efficiency gain in matching capacity to the Agreed Annual Training Requirement.

Key Target 5—Systems Approach to Training

To ensure comprehensive application of the Systems Approach to Training, to a minimum of 33 per cent. of all appropriate courses.

RAF Signals Engineering Establishment

Dr. Stoate: To ask the Secretary of State for Defence when the quinquennial review of the Royal Air Force Signals Engineering Establishment will start. [87143]

Mr. Doug Henderson: The Performance Evaluation phase of Quinquennial Review of the Royal Air Force Signals Engineering Establishment (RAFSEE) started on 17 May 1999 and is expected to be complete by 30 July 1999. This phase will review the performance of the Agency since its launch in November 1994. The forward-looking Options Phase will start today and is expected to be complete by 29 October 1999. The Options Phase will consider RAFSEE's role and core functions against the background of the formation of the Defence Logistics Organisation, of which RAFSEE is now part. This phase will assess whether Agency status remains appropriate for each of the functions undertaken by RAFSEE or whether there are other more cost effective means of delivering RAFSEE's outputs.

Comments and contributions from those with an interest in RAFSEE and its work would be welcome and should be sent to, Air Commodore K. J. M. Procter, RAFSEE Review Team, Room G50, Headquarters Logistics Command, RAF Brampton, Huntingdon, Cambridgeshire, PE18 8QL.

Satellite Dishes

Mr. Key: To ask the Secretary of State for Defence, pursuant to his answer of 8 June 1999, *Official Report*, column *211*, on satellite dishes, for what reason there will be a 12-hour delay between transmission and viewing by ships' crews. [86874]

Mr. Doug Henderson: The transmissions are received by RN ships using existing military satellite communications equipment, which was not designed to take video transmissions. The band width required for normal video transmission is considerably greater than that available on our military satellite system. However, recent developments in transmission technology now allow for the broadcast of compressed video transmissions over such systems. The time taken to transit the information in this way is dependent on the available band width. The drawback of this system is that the images cannot be viewed until all the video information has been received. On occasions where there is heavy use of the system for military communications, which have priority, only a reduced band width is available for video transmission. This means that there could be delays of up to 12 hours before one hour of material for viewing can be made available to the ships' crew. The advantage of utilising the military satellite system is that coverage is achieved over sea and land, whereas commercial satellite transmissions are generally directed towards land only. Large satellite dishes can provide limited coverage for vessels at sea, such as cruise ships, but there is no room to fit such dishes on frigates.

Dimming Sun Exercise

Mr. Matthew Taylor: To ask the Secretary of State for Defence for what reasons the nuclear weapon exercise Dimming Sun has been postponed; when this exercise is now due to be held; and what costs have been incurred by his Department to date in organising this exercise. [86295]

Mr. Doug Henderson: The decision to postpone the joint UK/US Exercise Dimming Sun was taken in the light of present commitments in the Balkans, including the possibility that civil agencies in Norfolk who will participate in the exercise, might receive refugees from Kosovo. This decision will ensure that key exercise objectives can be met at a later date whilst ensuring that the conduct of the exercise does not interfere with our support to NATO operations in the Balkans. As yet, no new date has been set for the exercise.

As for costs relating to Exercise Dimming Sun, I have nothing to add to my letter of 27 November 1998 to the hon. Member, a copy of which is in the Library of the House.

Official Meetings (US)

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 5 May 1999, *Official Report*, column *381*, if he will list the meetings which his Special Adviser and the Deputy Chief of Defence Procurement (Support) held with United States Department of Defence officials on 5 March, the location of each meeting, and the names of the US officials at each meeting. [86298]

Mr. George Robertson: The meetings held on 5 March with Department of Defense officials to discuss defence industrial co-operation were both held at The Pentagon in Washington DC. The names of the US officials at each meeting are as follows:

Meeting 0900 hours—1215 hours

Mr. Al Volkman, A/DUSD (International and Commercial Programmes).

Ms Susan Ludlow-MacMurray, D/International Security Programmes.

Mr. Marvin Winkleman, D/Foreign Transfers.

Mr. Vic Ciardello, D/Finance and Economic Analysis.

Cdr Ronald Neubauer, Assoc Deputy Gen Counsel (International Affairs).

Mr. Dominic Cipicchio, Dep Director Foreign Contracting, (D/Defense Procurement).

Captain Richard Lewis, International Programmes Office.

Mr. Bill Leonard, Prin Director Security and Intelligence Office.

Meeting 1215 hours—1415 hours

All above plus:

Dr. Jack Gansler, Under Secretary of Defense (Acquisition and Technology).

Mr. James Bodner, Under Secretary Defense (Policy).

Mr. Steven Grundman, Acting Deputy Under Secretary of Defense (Industrial Affairs and Installations).

Mr. Harvey Nathan, Deputy General Council of Acquisition and Logistics.

Mr. Paul Gebhard, Assistant Chief of Staff to Dr. Gansler.

Bloody Sunday Inquiry

Mr. Gerald Howarth: To ask the Secretary of State for Defence how much money has been spent to date by his Department in financing the legal costs of former members of the Parachute Regiment called to give evidence to the Bloody Sunday inquiry; and what forecast he has made of the total cost. [86684]

Mr. George Robertson: The cost to my Department of financing the legal costs of potential military witnesses at the Inquiry as at the end of April 1999 was £1,144,707.61. Due to the way in which legal assistance is being provided, it is not possible to break out the costs relating to former members of the Parachute Regiment. It is also not possible to estimate the likely final cost.

HEALTH

Greenhouse Gas Emissions

Mrs. Brinton: To ask the Secretary of State for Health if he will estimate the total reduction in greenhouse gas emissions if hospitals and other NHS facilities used not-in-kind refrigerants. [86168]

Mr. Denham: Information from which to estimate the total reduction in greenhouse gas emissions if National Health Service bodies used not-in-kind refrigerants is not available centrally.

The Department is fully supportive of the Government's commitment to running its operations and buildings in accordance with best environmental practice as an integral part of its contribution to the United Kingdom's sustainable development strategy.

The NHS is making good progress in achieving the 20 per cent. energy efficiency improvement targets from the 1991–92 base year to March 2000, as set by Green Ministers. Additionally, progress is being achieved against the wider Government objective (agreed as part of the Kyoto Protocol) to reduce greenhouse gas emissions by 12.5 per cent. below 1990 levels by 2008–2012, with a domestic target of 20 per cent. reduction in carbon dioxide emissions by 2010.

Dental Anaesthesia Services

Mr. Etherington: To ask the Secretary of State for Health what additional money he plans to make available to health authorities to establish hospital-based dental anaesthesia services for dental general practice. [86160]

Mr. Denham: A review of general anaesthesia and sedation with dental treatment is currently underway under the leadership of the Chief Medical Officer and the Chief Dental Officer. The review is due to report by the end of the summer. When we consider the report we will also consider any funding issues.

Mr. Etherington: To ask the Secretary of State for Health what representations he has received regarding the arrangements for dental anaesthesia in dental community services. [86159]

Mr. Denham: Records show that since the General Dental Council's amendment of their ethical guidance last November the Department has received ten letters from hon. Members and seven other letters. There have also been five questions from a Noble Lord about the impact of the General Dental Council's amended guidance.

Hospitals (Sunderland)

Mr. Etherington: To ask the Secretary of State for Health what plans the NHS has in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001 to 2003 to (i) reduce the number of hospital beds and (ii) close hospitals in Sunderland; and if he will make a statement. [86279]

Mr. Hutton: In 2000–01 the Ryhope Hospital will close and all services will move to the Sunderland Royal Hospital site as part of the redevelopment of the site. This will reduce the fragmentation of acute services, improving clinical configuration and access to specialist equipment, in high quality purpose-built accommodation. We are committed to modernising the National Health Service and this redevelopment will offer better quality treatment. There is no planned reduction in numbers of patients being cared for, although it will be possible to achieve this in very slightly fewer beds than at present (931 from 942) because of the improved acute bed facilities.

Medical Students

Mr. Etherington: To ask the Secretary of State for Health if he will list those health authorities that have implemented career start schemes to attract medical students to general practice indicating the (i) start date, (ii) duration, (iii) number of places available and (iv) annual cost of each scheme. [86161]

Mr. Denham: There is no national career start scheme. We are encouraging health authorities to develop schemes which address particular problems with recruitment in their locality.

Junior Doctors

Miss McIntosh: To ask the Secretary of State for Health, pursuant to his answer of 11 May 1999, *Official Report*, column *136*, on junior doctors, when he expects the decision to be made on the extension of Council Directive 93/104/EC relating to junior doctors. [86032]

Mr. Denham: A unanimous decision was made at the European Social Affairs Council on 25 May to propose a thirteen year implementation period for extending the provisions of Council Directive 93/104/EC, the "Working Time Directive", to cover previously excluded groups, including junior hospital doctors. The Council has proposed a transposition period of four years from the date of adoption before new Europe-wide minimum standards apply. These standards will provide a statutory limit to the maximum average working week. There will be a staged period of nine years after transposition, during which interim targets will apply, before the 48 hours limit is reached.

The decision formally to adopt this amendment to the Directive is subject to co-decision between the Council of Ministers and the European Parliament, which is due to re-assemble this autumn.

The Government remains fully committed to implementation of the New Deal on junior doctors' working hours. We have no intention of raising the 56 hour limit which is part of the current agreement.

We need to plan and implement the move to 48 hours carefully over a reasonable period of time, and in such a way that does not jeopardise patient care and the training needs of juniors.

Radiotherapy

Mr. Paul Marsden: To ask the Secretary of State for Health (1) when the national report on reviewing radiography equipment will be sent to him; when it will be published; and if he will make a statement; [85694]

(2) if he will list those cancer centres in the UK which do not have two linear accelerators; and if he will make a statement. [85693]

Mr. Hutton: The report of the review of radiotherapy provision will be sent to my right hon. Friend the Secretary of State shortly for consideration. Information on the number of linear accelerators in cancer centres has not been collected centrally but will be contained in the review of radiotherapy provision.

The Calman/Hine Report recommended that radiotherapy should normally be confined to cancer centres but in some remote areas a cancer unit could provide radiotherapy services in collaboration with a centre. The radiography equipment in a cancer centre will depend on the population served and the pattern of service available in local cancer units.

NHS Staff (Disciplinary Hearings)

Mr. Rowlands: To ask the Secretary of State for Health how many disciplinary hearings have been heard under existing disciplinary procedures for hospital and community medical and dental staff; what has been the average length of time taken to hear and resolve each case; and how many such cases were discontinued in each of the last 10 years. [86273]

Mr. Denham: The information requested is not available centrally. Disciplinary action is the responsibility of local National Health Service employers.

A and E Departments

Miss Widdecombe: To ask the Secretary of State for Health what plans he has to monitor the number of incidents of patients waiting on trolleys in accident and emergency departments. [86029]

Mr. Denham: Times to admission through accident and emergency departments are already monitored under the Patient's Charter and published quarterly in the National Health Service Magazine.

Reinstated Doctors

Ms Perham: To ask the Secretary of State for Health how many doctors have been reinstated by the General Medical Council in the last 10 years; and what has been the average length of time between their being struck off and reinstated. [86307]

Mr. Denham: The removal of doctors from the Register of Medical Practitioners and their subsequent reinstatement are matters for the General Medical Council.

Kidderminster Hospital

Mr. Gill: To ask the Secretary of State for Health if he will list the persons and organisations he met when he visited Kidderminster hospital. [86441]

Mr. Hutton: My right hon. Friend the Secretary of State has not visited Kidderminster General Hospital in the recent past. When I visited Kidderminster on 28 May, I met the following people:

Mrs. A. Brinton, Chairman, Kidderminster Health Care NHS Trust (KHCT)

Mrs. C. Wells, Chief Executive, KHCT

Mrs. C. Playn, Director of Operations and Nursing, KHCT

Mr. N. Ahmed, Medical Director, KHCT

Mr. C. Tallents, Clinical Director for Surgery, KHCT

Mr. K. Poyntz, Surgery Directorate Manager, KHCT

Mrs. J. Matthews, Nurse Specialty Manager, KHCT

Dr. A. Miller, Clinical Director for Medicine, KHCT

Mrs. C. Jones, Medical Records Manager, KHCT

Sister W. Hayes, KHCT

Mr. N. Kumar, Accident and Emergency Consultant, KHCT

Sister M. Steadman, KHCT

Mr. C. Bexley, Director of Information, KHCT

Dr. J. Ball, Chairman, Health Concern Worcestershire

Dr. R. Taylor, Chairman, Save Kidderminster Hospital Campaign

Mr. F. Baillie, Independent Councillor, Wyre Forest Council

Mr. D. Barton, Independent Councillor, Wyre Forest Council

Ms M. Shineton, Independent Councillor, Bridgnorth Council, South Shropshire.

Mr. Gill: To ask the Secretary of State for Health (1) what notice was given to local interest groups in advance of his recent visit to Kidderminster hospital; [86442]

(2) what assessment he made prior to his visit to Kidderminster of the availability of local interest groups for meetings; [86439]

(3) which *(a)* persons and *(b)* organisations representing communities in Shropshire he met when he visited Kidderminster hospital. [86440]

Mr. Hutton: My right hon. Friend the Secretary of State has not visited Kidderminster General Hospital in the recent past. The purpose of my visit to Kidderminster on 28 May was twofold: to visit Kidderminster Hospital following a commitment to the hon. Member for Wyre Forest in an adjournment debate and to participate in the national announcement of new funding for accident and emergency services from the modernisation fund.

The visit was organised at short notice due to the latter. Despite this, local interest groups were invited to attend, and I met a delegation including the Chairman of Health Concern, the Chairman of the Save Kidderminster Hospital Campaign and Councillors from Wyre Forest District Council.

I also met Ms M. Shineton, an independent councillor from Bridgnorth council, who represented the community of South Shropshire.

Medicines Control Agency

Dr. Harris: To ask the Secretary of State for Health (1) how, where pre-publication approval of specific

advertisements has been undertaken by the Medicines Control Agency secretariat, the MCA will ensure that pre-approvals by them do not unduly influence decisions by the same officials following a complaint after publication of the advertisement on whether that advertisement is in breach of the Medicines (Advertising) Regulations; [86660]

(2) how, under the new procedures to be adopted by the Medicines Control Agency under the provisions of the Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999, he will ensure that the precedents needed to ensure consistency in future advertising decisions are routinely made publicly available; [86659]

(3) under what circumstances a notice, a threat of a notice or a request to cease advertising will be made by Ministers or Medicines Control Agency officials under the Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999; and if the Independent Panel will have the right to consider whether such a notice, threat of issue of notice or request has been properly issued; [86658]

(4) what legal advice he has received in connection with the legality under the Human Rights Act 1998 and the European Convention on Human Rights of the new procedures to be adopted by the Medicines Control Agency under the provisions of the Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999; and if he will place a copy of that legal advice in the Library; [86661]

(5) if the new procedures to be adopted by the Medicines Control Agency under the provisions of the Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999 give a company, to which the Agency issues a notice that it is minded to take action, the right to a full oral hearing before the Independent Review Panel at which all evidence can be challenged and questioned. [86662]

Ms Jowell: The Medicines (Advertising and Monitoring of Advertising) Amendment Regulations clarify and strengthen existing procedures in the control of medicines advertising. The Medicines Control Agency undertakes pre-publication assessment of advertising in exceptional circumstances only and has no intention of extending that role. Any opinion given on the suitability of the advertisement for publication is based on the information provided by the company and the current scientific knowledge and is issued without prejudice to any action the MCA may have to take against a future complaint. In the unlikely event that a complaint is received about an advertisement which officials have previously agreed is acceptable for publication the advertisement will be reconsidered taking any new information into account in reaching a decision.

We have clear legal advice that the proposals are compatible with both Community law and the European Convention on Human Rights. To publish the advice itself would break with the long-standing and important principle that legal advice given to Ministers is privileged. This is reflected in the Code of Practice on Access to Government Information (2nd Edition (1997) para. 4(d) which provides that information covered by legal professional privilege, such as Counsel's Opinion, is exempt from disclosure under the Code.

There are specific circumstances under which notices may be issued to advertisers under the procedures in the amending Regulations. These are:

Under paragraph 1—to request a copy of an advertisement

Under paragraph 3—to advise an advertiser that Health Ministers are "minded to" make a decision that an advertisement is in breach of the Advertising Regulations,

Under paragraph 4—to advise an advertiser that an advertisement would not be in breach, and

Under paragraph 5—to advise an advertiser that, after consideration of the advice of the Independent Review Panel Health Ministers have decided an advertisement is in breach.

Notices under paragraphs 1 or 3 may require an advertiser to cease advertising on an interim basis. At any stage the recipient of a notice can seek judicial review of the decision to issue that notice.

The issue of notices under the Schedule will not be automatic—the MCA will continue, as now, to discuss problems with advertising with the company concerned so as to secure acceptable changes. There is no provision for, or purpose in, threatening to issue a notice. The formal procedures will come into play only when informal negotiation fails to reach an appropriate outcome.

The remit of the Independent Review Panel will be to consider written representations from advertisers who have been issued with a notice under paragraph 3 and advise Health Ministers on the compatibility of the advertisement in question with the Advertising Regulations. The Panel will not consider the issue of notices or other procedural matters. The amending Regulations provide for the making of written representations by the company concerned but do not preclude oral hearings where these are considered appropriate by the Panel. We have no objection to the reports of the Review Panel meetings being made publicly available. Furthermore, the Medicines Control Agency has already established a working group, the Medicines Advertising Liaison Group, to provide a forum for all regulatory and self-regulatory bodies concerned with the advertising of medicines to exchange information and opinions on advertising issues.

Special Hospitals (Advocacy Services)

Helen Jones: To ask the Secretary of State for Health what progress has been made on establishing independent advocacy services in each of the three English special hospitals; and when he expects the services to be in operation. [86431]

Mr. Hutton: Independent Patients' Advocacy Services are already operating at Ashworth and Rampton Hospitals, and a process has been agreed which will lead to the introduction of a service at Broadmoor Hospital to be operational from September this year.

Ligament Operations (West Country)

Mr. Steen: To ask the Secretary of State for Health what the waiting times are for *(a)* cruciate ligament

operations and *(b)* consultations relating to them (i) in hospitals in Devon and Cornwall and (ii) in the Princess Elizabeth Orthopaedic Hospital in Exeter; and if he will make a statement on the time taken to provide treatment for Mr. Jason Ganney of Buckfastleigh. [86426]

Mr. Denham: The Department does not collect information on individual procedures. The latest information available on inpatient and outpatient orthopaedic waiting times for Devon and Cornwall is shown in the tables:

Waiting time experience before operation of orthopaedic inpatients—Quarter 4 1998–99

		Percentage					
National Health Service trust	*Total number*	*0–2 months*	*3–5 months*	*6–8 months*	*9–11 months*	*12–14 months*	*15–17 months*
South Devon Healthcare	1,260	47	27	16	8	3	0
Plymouth Hospitals	2,080	37	26	16	9	7	4
Royal Cornwall Hospitals	1,453	42	32	14	8	3	1
Royal Devon and Exeter	2,132	45	26	15	9	5	1
Northern Devon Healthcare	581	51	27	12	7	3	0
Exeter and Community	30	87	10	3	0	0	0

Note:
Figures may not be 100 per cent. due to rounding

Waiting time experience before first appointment of orthopaedic outpatients—Quarter 4 1998–99

		Percentage			
National Health Service trust	*Total number*	*0–3 weeks*	*4–12 weeks*	*13–25 weeks*	*26 weeks plus*
South Devon Healthcare	1,036	15	33	33	19
Plymouth Hospitals	1,065	25	71	1	3
Royal Cornwall Hospitals	1,661	26	31	14	29
Royal Devon and Exeter	1,378	34	36	21	10
Northern Devon Healthcare	494	15	24	32	30
Exeter and Community	160	13	57	17	14
Cornwall Healthcare	42	62	36	2	0

Note:
Figures may not be 100 per cent. due to rounding

A patient's position on the waiting list is determined by their clinical priority.

Details of an individual's treatment are governed by the rules of patient confidentiality.

PRIME MINISTER

Royal Hospital, Haslar

Mr. Viggers: To ask the Prime Minister how many letters he has received concerning the future of the Royal Hospital, Haslar; and of these, how many supported its closure, and how many opposed it. [85554]

The Prime Minister *[holding answer 8 June 1999]:* My right hon. Friend the Secretary of State for Defence published the Government's proposals for the reorganisation and restructuring of Defence Medical Services in a written answer to my hon. Friend the Member for Portsmouth, North (Mr. Rapson) on 14 December 1998, *Official Report*, columns *328–29*. The proposals are subject to consultation with the local community and others.

The restructuring of secondary care arrangements is a key component of the Government's proposals. These include the establishment of a new Centre for Defence Medicine as a centre of excellence for research and training, and a new Ministry of Defence Hospital Unit in Portsmouth. It is intended that the Royal Hospital, Haslar should only close once the new arrangements in Portsmouth are in place.

Since December 1998 my office has received an average of four letters per week regarding the future of the Royal Hospital, Haslar. The vast majority were against the proposed closure.

Kosovo

Mr. Bercow: To ask the Prime Minister what measures he is planning as part of a general settlement on Kosovo, to guarantee the (i) security and (ii) rights of non-Albanian ethnic groups in the province. [86366]

The Prime Minister: KFOR has been tasked with establishing a safe environment for all people in Kosovo, regardless of their ethnic group. It will be an important task for KFOR to ensure that all communities understand KFOR's role and that they are there to protect them. NATO Secretary-General Javier Solana, made it clear in his statement of 10 June that this is an opportunity for peace and that violence by any party will not be tolerated.

The interim administration under UN auspices will establish and oversee the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo. Plans for a civilian peace force are also under way.

Echelon System

Mr. Bercow: To ask the Prime Minister what representations the Government have received from European Community institutions regarding the deployment of the Echelon system; and if he will make a statement. [86725]

The Prime Minister: None.

Privy Council

Mr. Gordon Prentice: To ask the Prime Minister what the criteria will be for recommending the appointment of Ministers in the devolved administrations to the Privy Council; and if he will make a statement. [86648]

The Prime Minister: Appointments to the Privy Council will continue to be made in order to ensure that the Queen is suitably and properly advised on all matters which come before her in Council. In future, I expect this to include members of devolved administrations.

Teenage Pregnancies

Ms Bridget Prentice: To ask the Prime Minister when he expects to publish the Social Exclusion Unit's report on teenage pregnancies; and if he will make a statement. [87096]

The Prime Minister: Last summer, I asked the Social Exclusion Unit to develop an integrated strategy to cut rates of teenage parenthood, particularly under-aged parenthood, towards the European average and propose better solutions to combat the risk of social exclusion for vulnerable teenagers and their children. I am publishing its report today. Copies have been placed in the Libraries of both Houses.

The UK has the highest rate of teenage births in Western Europe. Teenage parenthood is a problem that affects every part of the country, but it is far worse in the poorest areas and among the most vulnerable young people whose expectations and aspirations are low. The health and social outcomes for teenage parents and for their children are stark and worrying.

The Social Exclusion Unit has undertaken a rigorous review of the evidence both nationally and internationally. It has found that three key factors contribute to our internationally high rates of teenage conceptions: low expectations of the future among many young people; ignorance about contraception and the reality of life as a parent, and mixed messages from adults about sex and relationships.

The report sets out a national programme with two specific goals: to halve the rate of conceptions among under 18 year olds in England by 2010 and to lessen the risks of young parents suffering the consequences of social exclusion by getting more teenage parents back into education, training or employment. A £60 million package has been put together within existing departmental resources to support the programme for the period of this spending review, and further funding will be considered in the next spending review.

At a national level, a new task force of Ministers, led by the Minister for Public Health, will be responsible for co-ordinating the policy across Government supported by an implementation unit in the Department of Health. There will also be a National Advisory Group to advise Government and monitor the success of the strategy. Locally, every Health Authority and Local Authority will be tasked to work together in preventing pregnancy and in supporting pregnant and parenting teenagers, setting local benchmarks for progress. Areas with high rates will be eligible for resources from a local implementation fund of £26 million.

There will be a national publicity campaign to reinforce the report's key messages. New guidance will be issued to improve sex and relationships education in school with an emphasis on enabling teenagers to resist pressure to have sex too early. There will be better inspection of sex and relationships education and better training for teachers. Parents will be consulted and informed more fully about sex education in schools and given more support in talking to their children about sex and relationships. Special action will be targeted on prevention for the most vulnerable groups including children looked after by a local authority, those excluded from school and young offenders.

The NHS will improve access to contraceptive and sexual health services for teenagers, including young men. New guidelines will set out the counselling that should accompany contraceptive treatment for under 16 year olds and there will be publicity to tell young people that they can talk to health professionals about sex and contraception in confidence.

For those teenagers who do become pregnant we will pilot a new approach to support and childcare—'SureStart Plus' pilots based in areas covered by both SureStart and Health Action Zones. In addition, five pilots outside SureStart will test other ways of providing child care for 16–17 year olds to enable them to return to education or training.

Under 16 year old mothers will be required to return to education. 16 and 17 year olds will be included in the ONE pilots (formerly Single Work Focus Gateways) and will have a personal adviser to look at their options, with the emphasis on a return to education. 16 and 17 year old parents will be able to take part in the Education Maintenance Allowance pilots from September 1999. By 2003 all 16 and 17 year old mothers who cannot live with their parents or a partner will be offered supervised semi-independent housing with support, not a tenancy of their own.

The right to be a parent carries with it the responsibilities of parenthood. The Child Support Agency will vigorously pursue the non-resident parents of children born to teenagers to reinforce the message that, regardless of age, they are financially responsible for their children.

The target the Government have set to reduce teenage pregnancy is ambitious, but it is the least that we should set ourselves if we are to tackle a problem that has been neglected for too long.

Council of Europe/WEU

Mr. Terry Davis: To ask the Prime Minister if he will place in the Library the latest Information Bulletin on the activities of the United Kingdom delegation to the Parliamentary Assembly of the Council of Europe and the Assembly of Western European Union covering the period October 1998 to April. [87100]

The Prime Minister: I have done so today.

Correspondence

Mr. Gerald Howarth: To ask the Prime Minister when he expects to send a substantive reply to the letter dated

11 May from the hon. Member for Aldershot concerning former members of the 1 Battalion, The Parachute Regiment. [86685]

The Prime Minister: I have done so today.

AGRICULTURE, FISHERIES AND FOOD

Fisheries Council

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Fisheries Council held in Luxembourg on 10 June; and if he will make a statement. [87099]

Mr. Morley: The Fisheries Council met in Luxembourg on 10 June. I represented the UK together with my noble Friend, Lord Sewel, Parliamentary Under-Secretary at the Scottish Office.

The Council adopted proposals introducing and allocating in 1999 two new Total Allowable Catches (TACs) for North Sea spurdog and Northern prawn. It also allocated for 1999 two existing TACs for blue whiting fished in Western waters and the Bay of Biscay. The UK secured an 81 per cent. share of the Spurdog TAC and 27 per cent. of the Northern Prawn TAC. On blue whiting we negotiated an increase of 5,000 tonnes in the proposed UK allocation. A further 7,000 tonnes was allocated to the UK under the Bay of Biscay TAC with the option of taking this in Western waters as a linked stock. This makes an effective total allocation of over 42,000 tonnes and gives the UK a 24 per cent. share of the two TACs, the highest of any Member State. The introduction and allocation of these TACs will enhance the conservation of stocks in the North Sea and Western waters.

I drew the attention of the Council to the significance of forthcoming scientific advice sought by the Commission from the International Council from the Exploration of the SEA (ICES) on the need for precautionary restrictions on fishing activity to protect vulnerable seabird populations which depend on sandeels. The Commission promised to work quickly on appropriate measures once the ICES advice was available.

The Commission introduced its second annual report on progress in the EU in following up on the Recommendations of the 1997 Bergen Intermediate Ministerial Conference on the integration of environmental concerns in fisheries management in the North Sea. This report was remitted for further study.

The Commission made an interim report on the cost benefit study it is undertaking of the EU's Third Country Fisheries Agreements and the Council adopted Conclusions urging the Commission to pursue talks with Morocco on co-operation in the fisheries sector following the expiry in November of the present EU-Morocco Fisheries Agreement.

After lengthy discussion, a Presidency compromise on the reform of the structural funds in the fisheries sector failed to secure a Qualified Majority. This issue will fall for further consideration by the Council in October.

Departmental Expenditure

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food what *(a)* reviews, *(b)* task forces and *(c)* advisory groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71518]

Mr. Morley: The following tables set out the details of Reviews, Task Forces and Advisory Groups established by my Department since 1 May 1997, the costs they have incurred to date and the reports they have published.

Review	*Costs incurred to date (£000)*	*Report published*	*Date report published*
Review of the Milk Development Council	Nil	No formal report published. Announcement made on 29 October 1997	n/a
Review of Bovine Tuberculosis in Cattle and Badgers	289	Bovine Tuberculosis in Cattle and Badgers Report to the right hon. Dr. Cunningham MP	16 December 1997
Review of the Rates and Structure of Aid to Farmers under the Organic Aid Scheme	Nil	Review of the Organic Aid Scheme. A Report by Agriculture Departments	2 April 1998
Review of the Home-Grown Cereals Authority	Nil	Final Report	12 May 1998
Review of the Future Funding of Regulatory Arrangements for Pesticides	Nil	No formal report published. Outcome notified to all interested parties on 1 September 1998	n/a
Review of the Current Rules of Quarantine on Imported Pet Animals	355	Final Report	23 September 1998
Review of Food From Britain	Nil	Food From Britain Efficiency and Effectiveness Review	1 October 1998
Review of Public Analyst Arrangements in England and Wales	5	Final Report	28 October 1998
Review of Raw Cows' Drinking Milk Policy	Nil	No formal report published. Announcement made on 20 January 1999	n/a
Review of Arrangements for Enforcing the Rules on the Welfare of Animals Exported Live to the Continent	Nil	No formal published report. Final outcome of review reported in News Release on 27 September 1997	n/a

Review	*Costs incurred to date (£000)*	*Report published*	*Date report published*
Review of the UK Legislation Controlling the Disposal of Animal Waste	Nil	No formal published report. Consultation paper on the review of the animal by-products legislation issued on 6 October 1997. Consultation paper on a proposed Animal by-Products Order issued on 12 November 1998. Animal By-products Order 1999 Came into force on 1 April 1999.	n/a
Review of the Sugar Beet Research and Education Council	Nil	No formal report published. Consultation document issued on 29 January 1998. Outcome of consultation notified in MAFF News Release 492/98 on 18 December 1998	n/a
Review of Fishing Vessel Licensing	Nil	Review of the Licensing of UK Registered Fishing Vessels: Report of a Joint Departmental/Industry Working Group	March 1999
Review of the Hill Livestock Compensatory Allowances Scheme	Nil	No formal report published. Consultation document on the new Hill Livestock Compensatory Allowances Scheme issued on 23 April 1999.	n/a
Review of Funding Mechanisms for Flood and Costal Defence	Nil	Non-Review ongoing	n/a
Review of the Hill Farming Advisory Committee for England, Wales and Northern Ireland	Nil	Non-Review ongoing	n/a
Review of the Meat Hygiene Appeal Tribunal	Nil	Non-Review ongoing	n/a
Salmon and Freshwater Fisheries Review Group	57	Non-Review ongoing	n/a
Review of the Access provisions Under the Agri-Environment Schemes	Nil	Non-Review ongoing	n/a
Review of Nitrate Sensitive Areas Scheme	Nil	None-Currently being prepared for publication	n/a
Review of Environmentally Sensitive areas, Stage IV	Nil	None-Currently being prepared for publication	n/a

	Costs incurred (£000)	*Report published*	*Date report published*
Advisory Group			
The Independent Scientific Group on Cattle Tuberculosis	134	Interim Report—Towards a sustainable policy to control TB in Cattle—A Scientific Initiative	17 August 1998
Ministers Agricultural Advisory Group		Europe's Agriculture. A Case for Change	18 January 1999
Task Force			
Official Group on Organophosphates	Nil	Official Group on OPs—Report to Ministers	25 June 1998

Meat Hygiene Service (Charges)

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with abattoirs and their representatives to review the current regime for charging. [85133]

Mr. Rooker *[holding answer 25 May 1999]:* Since the beginning of this year, my right hon. Friend and I have separately met representatives of the Federation of Fresh Meat Wholesalers (now the British Meat Federation) and jointly met a delegation of small plant operators led by an all party group of hon. Members. I have also had meetings with a representative of turkey producers, the National Farmers Union, Dr. Richard North, and most recently a further meeting with representatives of the all party Parliamentary group. These meetings included discussions on charging, but they were not set up specifically to review the current regime.

In addition all Ministers in the Department have had issues of charging raised with them when attending functions around the country.

Fishing

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if his decision to discontinue safety grants for fishing vessels applies in Scotland; and what consultations he has held on this with his Scottish counterpart. [85908]

Mr. Morley: The MAFF funded Fishing Vessels (Safety Improvements) (Grants) Scheme 1995 enabled payments to be made in all parts of the United Kingdom. The closure of the scheme to new applications on 21 May 1999 also applies to Scotland. The EU funded Financial Instrument for Fisheries Guidance (FIFG), which also provided fishing vessel safety grants, was effectively

closed in Scotland on 9 April when the Scottish Fisheries Minister announced the final round of awards to the Scottish industry. These EU awards fully committed the balance of FIFG funds available for Scottish projects.

The decisions relating to MAFF expenditure were taken in the context of the Government's Comprehensive Spending Review (CSR) which examined the most effective use of public money across and within all Departments.

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food what arrangements he is making for the English fishing industry to be consulted on proposals for the Scottish Executive to develop distinctive management measures for Scottish waters. [85907]

Mr. Morley: Issues relating to consultation will be covered in the concordat between the Scottish Executive and MAFF. It will be for the Scottish Executive, in the first instance, to ensure that it consults all interests likely to be affected by proposals for local fisheries conservation measures to be applied in the Scottish zone of British Fishery Limits.

National Minimum Wage

Mr. Rowlands: To ask the Minister of Agriculture, Fisheries and Food how many people in his Department and its associated bodies and agencies have benefited from the introduction of a national minimum wage. [86095]

Mr. Morley: The introduction of a national minimum wage on 1 April 1999, benefited 569 permanent and 263 casual staff in clerical, typing and support grades in my Department. I have asked Chief Executives of my Department's agencies to reply separately with information on their staff.

Letter from Dr. J. M. Rutter to Mr. Ted Rowlands, dated 14 June 1999:

The Minister has asked me to reply to your question asking how many people employed in the Veterinary Medicines Directorate (VMD) have benefited from the introduction of the national minimum wage.

All staff at the VMD were paid above the national minimum wage on 1 April 1999 and its introduction had no effect.

Letter from Professor P. I. Stanley to Mr. Ted Rowlands, dated 14 June 1999:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Central Science Laboratory, to your question concerning the number of staff within the Agency who benefited from the introduction of the national minimum wage on 1 April 1999.

I can confirm that one member of staff in CSL benefited from the introduction of the national minimum wage.

Letter from Johnston McNeill to Mr. Ted Rowlands, dated 14 June 1999:

As Chief Executive of the Meat Hygiene Service (MHS) your question to the Minister of Agriculture, Fisheries and Food requesting information on the number of people who benefited from the introduction of a national minimum wage has been passed to me for reply as regards this Executive Agency.

All MHS staff were on salaries above the national minimum wage prior to its introduction on 1 April 1999. No MHS staff therefore benefited from its introduction.

Letter from P. W. Greig-Smith to Mr. Ted Rowlands, dated 14 June 1999:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question on the benefits to staff of the introduction of the national minimum wage. I am replying on behalf of the Centre for Environment, Fisheries & Aquaculture Science (CEFAS).

I can advise you that seven Administrative Assistants benefited from the national minimum wage introduction.

Letter from T. W. A. Little to Mr. Ted Rowlands, dated 14 June 1999:

The Minister has asked me to respond to your question about how many people in the Ministry of Agriculture, Fisheries and Food and its associated bodies and agencies have benefited from the introduction of a national minimum wage.

All staff in the Veterinary Laboratories Agency (VLA) were in receipt of a full-time equivalent salary higher than the National Minimum Wage (NMW) before it was introduced. There were, therefore, no staff who benefited from the introduction of NMW at VLA.

Letter from Sarah Nason to Mr. Ted Rowlands, dated 14 June 1999:

The Minister has asked me to respond, in respect of the Farming and Rural Conservation Agency (FRCA), to your question about the number of people in his Department and its associated bodies and agencies who have benefited from the introduction of a national minimum wage.

The introduction of a national minimum wage on 1 April 1999 benefited one member of staff (a sandwich course student) in FRCA.

Letter from G. K. Bruce to Mr. Ted Rowlands, dated 14 June 1999:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Pesticides Safety Directorate (PSD), to your question concerning the number of staff within the Agency who benefited from the introduction of the National Minimum Wage on 1 April 1999.

I can confirm that 22 staff in PSD benefited from the introduction of the National Minimum Wage.

Cattle Movement Service

Mr. Sawford: To ask the Minister of Agriculture, Fisheries and Food what were the total costs of the introduction of the British Cattle Movement Service. [85771]

Mr. Rooker: The cost of setting up the BCMS is provisionally estimated at £21.4 million. The total set up costs have been offset by receipts in EC aid and VAT recovery of around £4.2 million.

Cattle (Ear Tagging)

Mr. Woolas: To ask the Minister of Agriculture, Fisheries and Food what plans he has to propose changes to EU Regulation 820/97 regarding ear tagging of cattle. [85777]

Mr. Rooker: It would be for the European Commission, not the UK, to make formal proposals to change the European legislation on cattle identification (Council Regulation 820/97). I am aware that some—but not all—farmers are suffering high loss rates of plastic cattle eartags. My Department is looking into why this is the case. Such plastic eartags, although relatively new for the UK, have been in use for some time in other European countries.

Genetically Modified Foods

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what tests have been conducted in the UK on genetically modified *(a)* soya, *(b)* maize and *(c)* tomatoes; when they were held; by whom were they conducted; where they were held, if any were carried out on mammals; and in which scientific journal the results were published. [86422]

Mr. Rooker: Genetically modified (GM) soya, maize and tomatoes were rigorously assessed for safety by the Advisory Committee on Novel Foods and Processes (ACNFP) under a voluntary scheme, which was in operation prior to the introduction of the Novel Food Regulations in May 1997. The safety assessment for GM soya was conducted in 1994; GM maize was assessed in 1995, 1996 and 1997; and GM tomatoes in 1994, 1995 and 1997. Equivalent bodies in other member states have also assessed these foods.

All the data used in these assessments have been deposited in the British Library and the relevant information to enable this to be consulted together with details of the safety assessments are contained in the respective ACNFP annual reports, copies of which can be found in the Library of the House. In addition, details of the regime operating at that time are contained in the ACNFP Annual Report for 1994. We have no information concerning other places where the data may also be found.

The ACNFP conducts the safety assessment of all novel foods on a case-by-case basis. The Committee require mammalian tests where it judges this is necessary to establish the safety of a particular food. In this context, tests on mammals were reviewed by the ACNFP as part of the safety assessment for GM maize and soya.

Since May 1997, all novel food assessments have been carried out by the ACNFP in accordance with guidance produced by the European Commission's Scientific Committee on Food, which applies to all member states. A copy of this guidance, which does not differ in any significant way from the regime operated under the voluntary scheme, may also be found in the Library of the House.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that all members of the EU are constrained by the same rules and regulations as those in the UK with regard to testing of genetically modified foods. [86423]

Mr. Rooker: All member states are subject to the EC Novel Foods Regulation and are required to conduct safety assessments of all novel, including genetically modified, foods in accordance with the guidance produced by the European Commission's Scientific Committee for Food that supplements this regulation.

Milk (Health Effects)

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will set up an inquiry into the possible link between the growth factor IGF-1 in milk and breast cancer and prostate and colon cancer; and if he will make a statement. [86424]

Mr. Rooker: A Working Group of the Veterinary Products Committee (VPC) has considered human and animal safety aspects of the use of recombinant bovine somatotropin in dairy cows, including the effects of IGF-1. The Group has completed its task and is reporting its findings to the VPC. The VPC will advise Ministers when it has considered the report and it is our intention to publish the VPC's advice.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what research his Department has conducted into the effects on human health of using genetically engineered growth hormones to stimulate the production of milk. [86484]

Mr. Rooker: An applicant wishing to obtain authorisation to market such a product must satisfy statutory criteria of safety, quality and efficacy under veterinary medicines legislation. It is for the applicant to provide the necessary research data to meet these requirements. There is a moratorium in the European Union on the use of recombinant bovine somatotropin (BST), which is to be reconsidered by the end of this year. The moratorium allows member states to carry out limited practical tests to obtain any further scientific data that might be taken into account by the Council of Ministers when taking a final decision. No such tests have been conducted in the UK.

TREASURY

Motorists (Taxation)

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer how much was collected in taxation in respect of *(a)* private motorists and *(b)* commercial vehicles in the most recent year for which figures are available. [86673]

Ms Hewitt *[holding answer 11 June 1999]:* The breakdown of taxation into private motorists and commercial vehicles is not possible.

The estimated amount of tax collected in respect of cars, light vans and motorcycles for 1997–98 was £30 billion, and that for other vehicles was £5 billion.

These figures include all excise duties, VAT, Insurance Premium Tax, Vehicle Excise Duty, and Inland Revenue taxes (including National Insurance Contributions).

Housing Finance

Mr. Flynn: To ask the Chancellor of the Exchequer (1) if he will make a statement on the extent of pension mortgage mis-selling; [86936]

(2) what assessment he has made of the number of people in Britain who have *(a)* endowment mortgages, *(b)* pension mortgages, *(c)* ISA mortgages and *(d)* interest-only mortgages without any repayment vehicle; and if he will make a statement. [86937]

Ms Hewitt: The Treasury does not compile statistics on housing finance. However, the Council of Mortgage Lenders' quarterly economics journal No 42 of May 1999 includes the following information on the percentage number of loans granted in 1998 by repayment method type of advance.

	Percentage
Repayment	43
Interest only	56
of which	
Endowment	34
PEP	3
Pension	1
Other	19
Other	1

FSA has reported no systematic evidence of mis-selling of pension mortgages.

Vocational Training Relief

Dr. Harris: To ask the Chancellor of the Exchequer what consultations took place with the UK training industry prior to the decision to remove Vocational Training Relief from April 2000. [86284]

Mr. Milburn: Vocational Training Relief will be abolished in 2000. The incentives announced for Individual Learning Accounts will provide a better means of targeting support from public funds, so that in future more help will go to those who have the greatest need to improve their skills and qualifications.

The Department for Education and Employment has been discussing the details of Individual Learning Accounts with interested parties, including training providers for many months.

Dr. Harris: To ask the Chancellor of the Exchequer what assessment he has made of the suitability of individual learning accounts as a replacement for Vocational Training Relief. [86285]

Mr. Milburn: Individual Learning Accounts will promote lifelong learning and encourage individuals to take responsibility for their own training and development. The incentives announced for Individual Learning Accounts provide a better means of targeting support from public funds than Vocational Training Relief. In future more help will go to those who have the greatest need to improve their skills and qualifications, rather than subsidising expensive activities which, though they may be vocational for a few, are for the most part undertaken as hobbies.

EU Taxation

Mr. Bercow: To ask the Chancellor of the Exchequer what representations he has made on the repayment by the Italian Government of the tassa per L'Europa; and what assessment he has made of the legality of the tax within the Maastricht framework. [86727]

Ms Hewitt: EUROSTAT decided that the tassa per L'Europa was a new tax and, as such, it was recorded as a receipt reducing the deficit. The Chancellor of the Exchequer has made no representations on the partial repayment of this tax.

Personnel Services Companies

Dr. Cable: To ask the Chancellor of the Exchequer (1) what steps the Inland Revenue will take to inform recruitment consultancies and clients of personnel services companies if they default on commitments in relation to tax and national insurance; [86462]

(2) what procedures the Inland Revenue and Contributions Agency will follow when a certified personnel service company enters voluntary liquidation or arranges an S.852 dissolution, with particular reference to the informing of agencies and other potential clients; [86463]

(3) if non-certified agencies supplying personnel services will be required by the Inland Revenue to install new software for assessment purposes. [86464]

Dawn Primarolo: I refer the hon. Member to the answer I gave him on 8 June 1999, *Official Report*, columns *286–87*.

BCCI

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will *(a)* make a statement on the publication on the website of the Association of Accountancy and Business Affairs of the Sandstorm report by Price Waterhouse on BCCI and *(b)* place a copy of the report in the Library. [86322]

Ms Hewitt: No.

Customs and Excise Staff (Northern Ireland)

Mr. Pollard: To ask the Chancellor of the Exchequer how many staff, by post and grade, of HM Customs and Excise have been made redundant in Northern Ireland in 1999. [86709]

Dawn Primarolo: No members of HM Customs and Excise in Northern Ireland have been made redundant in 1999.

Petroleum Product Smuggling (Northern Ireland)

Mr. Pollard: To ask the Chancellor of the Exchequer who is responsible for preventing the smuggling of petroleum products into Northern Ireland; and if she will make a statement. [86715]

Ms Hewitt: HM Customs and Excise are responsible for preventing the smuggling of petroleum products into Northern Ireland.

Both the Government and Customs are aware of this problem and recognise that it is serious in revenue terms and, just as importantly, disadvantages legitimate traders. Customs are deploying resources and actively mounting investigations against those involved to counter the threat posed to the revenue and to the Northern Ireland business community.

Climate Change Levy

Mr. Beggs: To ask the Chancellor of the Exchequer if he will exempt Northern Ireland from the climate change levy or energy tax until such time as electricity costs are comparable to average electricity costs in Great Britain. [85896]

Ms Hewitt: The Government are aware of the nature of, and the prices prevailing in the energy market in Northern Ireland. These issues were considered, alongside a number of other factors, in determining the scope and design of the climate change levy.

The introduction of the climate change levy will entail no increase in overall burden of tax on business as a whole, as the revenues from the levy will be fully recycled to business via a 0.5 per cent. reduction in the main rate of employers' National Insurance Contributions. Business will also benefit from an additional £50 million for schemes aimed at promoting energy efficiency and support for renewable sources of energy, such as solar and wind power.

Landfill

Mr. Colman: To ask the Chancellor of the Exchequer under the landfill tax credit scheme, which landfill operators have contributed to environmental bodies; and if he will list those environmental bodies, including contact details, which have received support from landfill operators. [86148]

Ms Hewitt: Information obtained by Customs and Excise from landfill operators about contributions made to environmental bodies under the landfill tax credit scheme is confidential. I regret, therefore, that I cannot disclose such information.

The information requested about which environmental bodies have received contributions is best provided by the Regulator for the environmental bodies credit scheme, ENTRUST Ltd. I have asked ENTRUST to write to my hon. Friend.

Women's National Insurance Entitlements

Mr. Woolas: To ask the Chancellor of the Exchequer what conclusions he reached about the quality of information supplied with regard to women who continued to pay reduced National Insurance contributions after 1977 about national insurance entitlements; and what plans he has to assist those affected. [86195]

Dawn Primarolo: There have been two major publicity campaigns about the married women's option; one in the late 1970s and another in the late 1980s. Leaflets CA09 and CA13 were made available at the time from the Benefits Agency locally. I am currently considering whether a further information campaign is necessary.

Public Libraries Act 1850

Ms Lawrence: To ask the Chancellor of the Exchequer what plans Her Majesty's Government have to issue a coin to commemorate the forthcoming 150 anniversary of the Public Libraries Act of 1850. [87113]

Mr. Gordon Brown: Her Majesty The Queen has been graciously pleased to approve my recommendation that next year a special design should be adopted for the reverse of the fifty pence in order to mark the 150th anniversary of the Public Libraries Act, 1850. Collector versions of the coin will be available from the beginning of the year and the coin will also be available, later in the year, at face value from banks and post offices.

Pension Transfers

Ms Lawrence: To ask the Chancellor of the Exchequer what plans he has concerning the treatment of the pensions of public servants transferring to private sector employers. [87160]

Mr. Milburn: The key principles are that staff transferring to private sector employers under PFI and other PPP deals should continue to have access after the transfer to a good quality occupational pension scheme, under which they can continue to earn pension benefits through future service on a basis which overall is materially at least as good as they had in the public sector; and that they should have the option of transferring their accrued pension benefits to the new employer's pension scheme on terms which give them a full credit for their past service.

I am issuing new guidance to Departments and Agencies today which reinforces these principles and ensures that they will be applied consistently and openly to all transfers of Government staff.

The new guidance will be adopted immediately by Government Departments and Agencies. I hope that other employers in the public sector will also apply its principles to contracting arrangements where staff transfer to the private sector, and the Government will encourage and facilitate that outcome. This does not affect arrangements being made in respect of PFI and other PPPs which are already underway.

Copies of the new guidance, and the associated Statement of Practice by the Government Actuary, have been placed in the Library of the House.

Delayed Operations

Mr. Steen: To ask the Chancellor of the Exchequer what research his Department has carried out on the cost to his Department of delays to operations in the NHS, with particular reference to the consequent continued payment of benefits. [86427]

Mr. Milburn: None.

Business Taxation

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will list the UK tax measures currently under examination by the EU Code of Conduct Group (Business Taxation). [84913]

Dawn Primarolo *[holding answer 21 May 1999]:* The work of the Code of Conduct Group is directed at the examination of potentially unfair tax practices across Europe. Such practices can distort competition and artificially attract investment and jobs away from member states such as the UK which have more neutral tax systems. The Code should help British businesses to compete on more even terms, protect UK employment and encourage investment here.

The UK measures which were on the Group's initial list are: International Headquarters Companies; special measures for the film industry; enterprise zones; 100 per cent. first year capital allowances for SMEs in Northern Ireland and roll-over relief for balancing charges arising on the disposal of ships. The current list also includes a measure relating to Independent Investment Managers, which applies to non-residents who carry on a trade of dealing in investments in the UK through an independent agent; 100 per cent. capital allowances for expenditure on Scientific Research and 40 per cent. first year allowances for SMEs.

The Government are clear that none of the measures is harmful and is robustly making that case in the Code Group.

Financial Advice (VAT)

Mr. Flynn: To ask the Chancellor of the Exchequer if he will remove VAT on fee-based financial advice. [86935]

Ms Hewitt: No. VAT liability depends upon what service is provided and whether it is paid for. Financial advice for which a charge is made is liable to VAT at the standard rate. This is a requirement of European law.

ECOFIN

Mr. Maclean: To ask the Chancellor of the Exchequer if he will publish the latest agenda of the ECOFIN meeting of 14 June, prior to the meeting. [86832]

Ms Hewitt: There is no meeting of Ecofin today. The next meeting is scheduled for 12 July. The agenda will be made available to the Scrutiny Committees when determined by Coreper, approximately one week before the meeting. Copies of the agenda will be placed in the Libraries of both Houses.

CULTURE, MEDIA AND SPORT

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport what was the purpose and location of his meeting with William Kennard of the United States Federal Communications Commission on 16 September 1998. [86287]

Mr. Chris Smith: I met Commissioner Susan Ness and Commissioner Michael Powell of the Federal Communications Commission, not William Kennard. The meeting took place on 17 September at the FCC offices in Washington and discussions centred around the programme for the introduction of digital television and the proposals for the switch off of the analogue system in the United States. Censorship and the V-chip were also discussed.

FOREIGN AND COMMONWEALTH AFFAIRS

Panel 2000

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those recommendations from Panel 2000 upon which he is planning to implement; and if he will list the costs accrued to date by Panel 2000. [86456]

Mr. Hoon: The Panel makes recommendations aimed at better co-ordination between all organisations whose work affects perceptions of Britain overseas. In terms of Government practice they entail further improvements in the way Departments and official bodies work together in this area, and enhanced co-operation with the private and voluntary sectors. A number of detailed steps have been taken and others are being considered. Panel members receive no remuneration. Panel costs consist of reimbursement of travel costs incurred by members in their Panel duties. These total approximately £2,280.

Modernisation Group

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the five working groups of the Modernisation Group; and if he will deposit copies of their *(a)* mailings and *(b)* recommendations in the Library. [84505]

Mr. Robin Cook: The Modernisation Group is an informal group of staff set up at my instigation, to offer an additional perspective on modernisation of the Foreign Office.

SOCIAL SECURITY

Disablement Benefit (Backdating)

Mr. Caton: To ask the Secretary of State for Social Security what plans he has to remove the three month limit for backdating payments under successful posthumous applications for disablement benefit introduced in the Social Security (Miscellaneous Amendments) (No. 2) Regulations 1997. [85302]

Mr. Bayley: There are no plans to remove the three month backdating limit for posthumous claims to Industrial Injuries Disablement Benefit. We will, however, review the backdating rules to this benefit as part of our ongoing commitment to modernise and reform the welfare state.

Year of the Elderly

Mr. Cox: To ask the Secretary of State for Social Security what plans his Department has to be involved in the United Nations 1999 Year of the Elderly; and if he will make a statement. [86191]

Mr. Timms: The UN Year provides a valuable opportunity to raise awareness and change perceptions about issues surrounding older people. It also provides a vehicle to consult older people themselves. This Department is a member of the UN Year reference group of voluntary organisations and government departments who have planned the UK programme, and a DSS official chairs the supporting facilitation group on Citizenship. I am taking a keen interest in the International Year, and will take part in a number of the events being organised.

As part of the programme, this Department has taken a leading role with Cabinet Office and the UK Secretariat of the International Year of Older Persons to develop a series of ten "listening to older people" events between May and November. The events will be hosted by non-governmental organisations supporting the year, with Ministers from the Ministerial Group for Older People, which I chair, taking part.

These events will provide the Government with valuable information and feedback which will help decide priorities and shape the policies to meet them. I launched the programme at a website "virtual" event organised by Age Resource on 25 May and will be attending the first physical event in Belfast tomorrow.

Payment Cards

Mr. Field: To ask the Secretary of State for Social Security what forms of technology he is evaluating as a replacement to the magnetic strip of the benefit payment card, and what the projected savings are. [85862]

Angela Eagle: We will begin replacing the existing paper-based methods of payment with a more modern, efficient and secure method of paying benefits using the existing automated credit transfer system in 2003. In addition to an increase, compared with the benefit payment card, of potential savings from the elimination of fraud associated with paper instruments of payment, this move is expected to provide a significant increase in administration savings.

It is the Post Office's intention to automate its network by the end of 2001 and to enter into commercial arrangements with a number of high street banks so that those people who wish to receive their benefits at post offices should continue to be able do so.

Mr. Rendel: To ask the Secretary of State for Social Security (1) what savings were achieved due to the operation of the benefit swipecard in the 250 post offices where it was operating prior to renegotiation of the BA-Pocl Horizon contract; [86926]

(2) what plans he has to continue operation of the benefit swipecard in the post offices where the system is currently operational. [86927]

Angela Eagle: In the 204 post offices automated as part of the system trial savings from the payment card to April 1999 amounted to £97,000. Over the same period and in the same post offices the Order Book Control Service, which uses bar coded order books to tackle benefit fraud, achieved savings of £1.7 million.

We have decided that the project to automate post offices and benefits payments will no longer include the introduction of the benefit payment card. The vast majority of benefit customers will be unaffected, and those currently using the benefit payment card as part of the system trial, around 30,000 people, will see no interruption of their payments. The cards presently in use will be discontinued and we will be contacting customers to help them change to one of the alternative methods of payment.

Mr. Rendel: To ask the Secretary of State for Social Security (1) what percentage of benefit payments are currently made through Automated Credited Transfer into bank accounts; [86924]

(2) what income was generated for post offices as a result of benefit payment transactions in the last year for which figures are available; [86925]

(3) what proportion of benefit claimants do not have a bank account. [86928]

Angela Eagle: As at May 1999, 16 per cent. of benefit payments were made through Automated Credit Transfer into bank accounts.

The transaction fees payable by this Department to the various agents who supply benefit payment services are commercial in confidence and cannot be disclosed.

Estimates of the number of benefit claimants who do not have a bank account vary widely. The various sources of information available suggest the figure to be in the region of 10–20 per cent.

Jobseeker's Allowance

Mr. Healey: To ask the Secretary of State for Social Security what is the effect on the benefit of a Jobseeker's Allowance claimant who is participating on a European Social Fund course of training, if the course provider makes payments directly to *(a)* a childminder and *(b)* a person providing accommodation in circumstances where the child care or accommodation needs are directly related to participation on the course. [85751]

Angela Eagle: In these circumstances the Jobseeker's Allowance regulations allow for such payments to be ignored.

European Social Fund (Training)

Mr. Healey: To ask the Secretary of State for Social Security if recipients of *(a)* Incapacity Benefit and *(b)* Severe Disablement Allowance can participate on a European Social Fund course of training without loss of benefits. [85756]

Mr. Bayley: People undergoing certain Government training courses for which they receive a training allowance cannot also receive Incapacity Benefit or Severe Disablement Allowance. People who participate in training funded out of the European Social Fund do not receive a training allowance and may therefore continue to receive Incapacity Benefit and Severe Disablement Allowance provided they continue to satisfy the other conditions of entitlement.

However, young people under age 19 cannot get Severe Disablement Allowance if they are undergoing non-advanced education for 21 or more hours a week, not including time spent on a course specifically designed for disabled students.

Pension Legislation

Mr. Flight: To ask the Secretary of State for Social Security what plans he has for reform of the legislation which prevents transfers of protected rights from a contracted-out money purchase pension scheme; and if he will make a statement. [86308]

Mr. Timms: There is no general prohibition on transfers of protected rights from contracted-out money purchase pension schemes. The conditions under which transfers of protected rights may be made are contained in SI 1996/1461 the Protected Rights (Transfer Payment) Regulations 1996.

We have received a number of representations about these rules and will consider whether any changes are needed to this legislation.

Disability Living Allowance

Mr. Pound: To ask the Secretary of State for Social Security what progress is being made with the introduction of the system of periodic inquiry into entitlement to Disability Living Allowance; and if he will make a statement. [87144]

Mr. Bayley: The new system of periodic inquiry into entitlement to Disability Living Allowance is being developed in close and continuing consultation with organisations of and for disabled people. These discussions have taken particular account of issues such as the appropriateness of the literature to be used, and the treatment of very sensitive cases, where special attention is required to ensure that the process meets the needs of the individual contacted. The consultation has been constructive and I can announce that inquiry action is now starting, with the first inquiries being issued today. Cases involving people with mental health problems and cases made on behalf of children will not be included in the inquiry process until special arrangements have been discussed with relevant organisations and appropriate training delivered to staff. The inquiry process will be closely monitored and initial evaluation will commence after six months of operation, in January 2000.

National Insurance

Mr. Pound: To ask the Secretary of State for Social Security what measures he is taking relating to benefit decisions which depend upon national insurance contribution issues; and if he will make a statement. [87145]

Mr. Timms: Two key initiatives are behind the changes we introduce today. The Department's reform of decision making and appeals is the first stage of our modernisation programme, intended to provide real improvements in the service we provide to Social Security and Child Support clients. Similarly the transfer of the Contributions Agency to Inland Revenue is part of extensive work to align the tax and benefits systems more closely.

I am laying regulations to support a flexible and effective dialogue between the Department and the Inland Revenue for the purposes of Social Security decision-making, helping to bring the two organisations closer together in their day-to-day operations. The regulations ensure that where a contribution issue arises in connection with a benefit decision, dispute or appeal, that issue will be decided by Inland Revenue. The provisions protect a client's rights of appeal and ensure we continue to take decisions in the most efficient and effective manner.

Benefit Entitlement

Mr. Pound: To ask the Secretary of State for Social Security what plans he has to deal with changes in a person's medical condition which effect benefit entitlement; and if he will make a statement. [87146]

Mr. Bayley: An important part of our programme of welfare reform is the need to ensure the amount of benefit paid to claimants is correct and remains correct, and that changes which could affect benefit entitlement are properly taken into account. This means having a system of review which is fair, appropriate and sensitive to the needs of individual claimants.

We have recently made changes to the Social Security (Adjudication) Regulations which, from 1 June, introduced a common test of reasonableness for both misrepresentation of, and failure to disclose information about disability-related changes. These changes applied to Disability Living Allowance, Attendance Allowance and benefits for people incapable of work and are intended to protect vulnerable, disabled people from an unfairness in the application of the overpayment recovery rules. They recognise that it is often very difficult for claimants to understand that gradual improvements in their medical condition, or response to new treatment which helps alleviate their problems, might have an effect on benefit. Unless it is considered that the claimant could reasonably have been expected to be aware of a fact or to have reported a change in circumstances, any resultant change in entitlement which has the effect of removing or reducing benefit will not be applied retrospectively.

Today I am laying regulations to ensure that the same provisions to benefit sick and disabled people are carried into the new system for decision making and appeals. In addition they will be extended to cover people claiming Industrial Injuries Disablement Benefit and Severe Disablement Allowance.

The regulations also deal with the circumstances in which a decision based on a determination about incapacity for work can be reconsidered. They make it clear that when deciding whether a person continues to be entitled to a benefit awarded on basis that they are still incapable of work, the decision maker may use the findings from carrying out a further All Work Test as grounds to make a new decision. The regulations provide that where the decision maker has clear information from a new medical report provided by the Department's examining doctor, that the person no longer satisfies the conditions for entitlement, the award of benefit can be changed.

This approach is in line with past practice which was called into question by a decision of the Social Security Commissioners. It is not expected that there will be any impact in the outcome of decisions in individual cases.

Habitual Residence Test

Ms Oona King: To ask the Secretary of State for Social Security if he will make a statement on the future of the habitual residence test. [87147]

Angela Eagle: We have now concluded the review of the habitual residence test and have identified a package of measures to produce a fairer and more efficient test. The test was introduced by the previous Government to tackle the perceived phenomenon of 'benefit tourism'. However, to date the majority of people adversely affected have been UK nationals.

It is right that our Social Security system should be safeguarded from abuse by people with little or no connection to the UK and we will continue to do this. Clearly though it is also important to ensure that income-related benefits are available to UK nationals and other nationals who have strong and legitimate links to this country.

We believe that the package will address these two concerns. We have accepted a recent judgment of the European Court of Justice which has made it clear that people returning to the UK from an EU member state and re-establishing their ties here should be treated as habitually resident immediately upon their return.

However we believe it would be wrong to limit this important principle to people returning from a member state of the EU and have issued guidance to staff administering the test advising them to extend the effect of the judgment to people returning from any country overseas and re-establishing their ties here.

We also propose to legislate to add to the categories of people who are to be treated as habitually resident those people who are brought here from an area of civil unrest or who are deported to the UK. Otherwise, subject to any guidance which may be given by the House of Lords in Nessa v The Chief Adjudication Officer (1) The Secretary of State for Social Security (2), a decision on which is awaited, the habitual residence test will continue to apply to seek to prevent abuse by those who do not have the appropriate ties to this country.

We intend also to reduce the period when habitual residence inquiries are made from five years to two years and to introduce administrative improvements.

We will trial a standard proforma, with a view to national implementation, to facilitate a more consistent approach to information gathering and decision making on cases requiring habitual residence action. We will also monitor the effects of how the test now operates.

Taken together we believe these measures will result in fairer access to income-related benefits and will streamline the administrative process, while ensuring security against possible abuse of the benefits system by those with no real links to the UK.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Road Accidents

Mr. Peter Bradley: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of *(a)* road accidents and *(b)* road accidents involving fatalities occur on country lanes; and in how many such accidents speed was identified as a major contributor factor [86057]

Ms Glenda Jackson: The national reporting system for injury road accidents does not specifically record whether an accident took place on a "country lane". However, in 1997, the most recent year for which figures are available, 5 per cent. of injury road accidents occurred on minor[1], single-carriageway roads with a speed limit greater than 40 mph. Seven per cent. of fatal road accidents occurred on these roads.

Around 1 per cent. of all injury accidents and of fatal road accidents occurred on minor, single-track roads (single-lane with two-way flow) with a speed limit greater than 40 mph.

The contribution of speed to these accidents is not comprehensively recorded. However, it is estimated that speed is a contributory factor in one-third of all road accidents on all roads.

No information is available for damage-only accidents.

[1] For the purposes of this answer minor roads are defined as C roads and unclassified roads.

Driving Tests

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what steps will be taken to ensure satisfactory levels of public service in areas where driving test centres have been closed. [86262]

Ms Glenda Jackson: The Driving Standards Agency will monitor local test waiting times and seek to ensure that service standards are delivered.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions by what means the Driving Standards Agency deals with complaints from *(a)* the general public, *(b)* approved driving instructors and *(c)* hon. Members; and for what reasons records are not kept of the nature and numbers of check test complaints from driving instructors. [86256]

Ms Glenda Jackson: The Driving Standards Agency has a service standard that 97 per cent. of written complaints receive a reply within 10 days and the remainder within 15 days. The Agency does not record the number of complaints about ADI check tests such as to indicate individual cases. The overall number of such complaints is small and the Agency has not felt it necessary to keep a consolidated analysis. However, in view of increasing concerns, the Agency plans to review the way complaints about check tests from individual instructors are recorded and monitored.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to re-open previously closed driving test centres. [86248]

Ms Glenda Jackson: There are no plans to re-open any previously closed driving test centre. The re-opening of a centre in the same locality could be considered if the need arose.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what forecasts the Driving Standards Agency has made of future demand levels. [86246]

Ms Glenda Jackson: Forecast demands for driving tests are published in the Driving Standards Agency's Business Plan. This forecasts nearly 1.4 million applications for practical driving tests and just over 1 million applications for theory tests in the financial year 1999–2000.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions on the basis of what factors or criteria the Driving Standards Agency will decide to re-open a previously closed test centre. [86258]

Ms Glenda Jackson: Re-opening a previously closed test centre would be most unlikely, unless it was a temporary closure for operational reasons. In the majority of situations the property would have been re-used by the landlord. The re-opening of a centre in the same locality could be considered if the need arose.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions on what criteria the guidelines for the maximum distance which a test candidate should have to travel to a test centre are set. [86251]

Ms Glenda Jackson: The guideline distances were based on information from customer surveys and drew on the experience of establishing the theory test centre network.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what opportunities exist for local communities to participate in the consultation process prior to a driving test centre closure. [86259]

Ms Glenda Jackson: There are several opportunities for participation as public consultation about a proposed test centre closure involves the local authority, local driving instructors, and the local Member of Parliament. The Driving Standards Agency usually holds a public meeting and notifies the local media when a closure is proposed.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions by what means the Driving Standards Agency intends to improve and expand its consultation processes to ensure information and proposals reach approved driving instructors who do not belong to any of the national associations. [86266]

Ms Glenda Jackson: The Driving Standards Agency publishes a quarterly magazine and sends a copy to all approved driving instructors. This provides briefing on a wide range of matters relating to driver training and testing. Driving instructors have the opportunity to give their views via regular customer satisfaction tracking surveys. Local consultative meetings are held regularly with instructors, and driving examiners responsible for conducting check tests hold weekly surgeries with instructors. The Agency sends copies of relevant consultative documents to local driving instructor associations. Since July 1998, the Driving Standards Agency has posted copies of its consultation papers on a Departmental Internet website, and the Agency plans to open its own website soon.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reform the consultation process for driving test centre closures. [86264]

Ms Glenda Jackson: The Driving Standards Agency has recently improved its procedures to enhance the consultation arrangements. We have no further current plans to change the consultation process, but we are open to suggestions for improvement. We shall continue to try to maximise the amount of time given to interested parties for them to comment.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect of the closure of driving test centres on demand. [86221]

Ms Glenda Jackson: Following the closure of a driving test centre, the Driving Standards Agency monitors demand at neighbouring centres. Should waiting times give cause for concern, additional examiners are allocated to maintain customer service standards.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what steps he intends to take to ensure the establishment of a formal appeals procedure against the result awarded on a check test. [86250]

Ms Glenda Jackson: An appeals process already exists against a decision to remove an instructor's name from the Register of Approved Driving Instructors. The current arrangements contain safeguards for the instructor, who is not normally removed from the Register unless he or she has failed three successive check tests, the final one being conducted by an Assistant Chief Driving Examiner. After that, the Registrar's decision to remove an instructor from the Register is subject to the appeals process. Appeals are considered by an independent panel. There are no immediate plans to introduce separate arrangements to appeal against the professional judgment of an examiner conducting a check test.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Driving Standards Agency has to *(a)* change the criteria for check tests, *(b)* limit their frequency and *(c)* ensure examiner consistency. [86265]

Ms Glenda Jackson: A two-year research project is underway, considering the way car driving instructors are trained and tested. This will report next year, and we shall consider the criteria used for check tests thereafter. Organisations representing driving instructors are kept informed of the emerging results and there is ample opportunity for them to have input to the research. The Driving Standards Agency changed the frequency for Grade 4 instructors to be check tested from one year to two years from 1 October 1998. Consistency of assessment in the conduct of check tests is provided by training and supervision of the examiners conducting the tests.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the introduction of the theory test on the numbers of people learning to drive. [86255]

Ms Glenda Jackson: The introduction of the separate theory test added a step to the process of learning to drive, but we have no information whether or how it has affected the numbers of people wishing to learn to drive.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the opinion of driving instructors of the check testing regime. [86267]

Ms Glenda Jackson: The Driving Standards Agency regularly surveys driving instructors to assess their satisfaction with the services provided by the Agency. In the most recent surveys during 1997–98, over 85 per cent. of those instructors who responded said they were satisfied with the way their check test was handled.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Driving Standards Agency takes to provide a local service when it decides temporarily to close a local test centre. [86260]

Ms Glenda Jackson: The Driving Standards Agency would provide a local testing service during a temporary closure if there was not a neighbouring test centre that could ensure customer service standards were maintained, and providing there was sufficient time to arrange a temporary centre. Planning consent and time factors are critical in considering the viability of making alternative arrangements.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what further steps the Driving Standards Agency intends to take to ensure that all those who pass the theory test apply for the practical test. [86254]

Ms Glenda Jackson: Since August 1998, theory test pass certificates have been printed showing the expiry date. Also, in April 1998, the Driving Standards Agency wrote to candidates holding theory test pass certificates who had not passed a practical test after 14 months reminding them that their theory test certificate had a two-year life. The Agency is considering a further mailshot to candidates who have held a theory test pass for a significant period and who may let it lapse by mistake.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions for what reason no consultation is undertaken when a driving test centre is closed temporarily for operational reasons. [86220]

Ms Glenda Jackson: The Driving Standards Agency consults interested parties about test centre closures when time allows. Temporary closures for operational reasons are generally caused by events outside the control of the Agency, such as roadworks or road closures or health and safety issues affecting the property. Prior consultation in these circumstances is not always possible.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what level of qualification and experience is required before an examiner may check test an approved driving instructor. [86249]

Ms Glenda Jackson: Examiners who conduct check tests are especially selected from the existing examiner workforce for the purpose. They have to successfully complete a six-week training course covering the theory and practice of driving instruction. After qualification, their professional development is supported by supervision by senior staff to ensure consistency and fairness.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what impact current trends in demand are having on the Driving Standards Agency's cashflow; and what plans the Agency has to respond to the impact of these trends. [86243]

Ms Glenda Jackson: Demand for driving tests is stable and the Driving Standards Agency's cashflow is satisfactory. The Agency is controlling costs in line with forecast demand, and in accordance with the rules for Government bodies operating with Trading Funds.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what alternatives are considered to closures of driving test centres. [86222]

Ms Glenda Jackson: Driving test centre closures are proposed when a centre is no longer needed or no longer viable. If a centre is needed to meet demand, but a particular property has become unsuitable or unavailable, other properties are sought. A relevant consideration is the availability of local alternative facilities in line with customer service standards.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect of the issuing of reminders to those who have failed to apply for their practical driving test. [86253]

Ms Glenda Jackson: We have not sought to distinguish between those who specifically responded to the reminder and those who would have applied for a practical test anyway.

Road Transport System Costs

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the total costs of the road transport system in the UK in the most recent year for which figures are available, broken down by *(a)* road building and maintenance, *(b)* traffic law enforcement, *(c)* pollution and *(d)* congestion; and if he will make a statement. [86111]

Ms Glenda Jackson: The latest estimate of expenditure in England on road building and maintenance are set out in the table. Costs incurred in Scotland, Wales and Northern Ireland are the responsibility of the respective devolved authorities.

Expenditure in 1998–99

£ million

	Road building	*Road maintenance*
Trunk roads in England	580	652
Local Authority roads in England	162	1,938

The deployment of police resources to different functions are operational matters for individual chief constables, and information on expenditure on traffic law enforcement is not collected centrally. Even at a local level it can be difficult to make such assessments, since traffic officers spend a good deal of their time dealing with ordinary crime and crime prevention, while officers assigned to general beat duties act against breaches of road traffic law.

Estimates of the levels of pollution caused by road traffic are published on a regular basis. The latest estimate of CO_2 emissions from road transport in the UK in 1997 is 32 million tonnes of carbon, some 21 per cent. of total UK CO_2 emissions[1]. We do not currently attempt to place an economic value on these.

As part of the Department's work on revisions to the 1997 pre White Paper National Road Traffic Forecasts, alternative ways in which congestion costs could be estimated are being explored. As yet, however, there is no agreed basis for such calculations. A number of external estimates have been made, these include an estimate of

£15 billion in 1989 by the CBI (increased to £20 billion in 1996); and £7 billion in 1996 by National Economic Research Associates.

[1] *Source:*

UK Greenhouse Gas Emissions Inventory estimates of emissions at source.

Railway Rolling Stock

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what advice he has received on the future of mark 1 rolling stock from the HSE; and if he will make a statement. [86190]

Ms Glenda Jackson: The Deputy Prime Minister has received advice from the Chairman of the HSC recommending that all mark 1 rolling stock on the network should be modified by 2003 and replaced by 2007. Ministers are considering the recommendations, and an announcement will be made shortly.

Genetically Modified Crops

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions who will be participating on the scientific steering group overseeing the farm-scale trials of genetically modified crops; and when they plan to meet. [85949]

Mr. Meacher *[holding answer 8 June 1999]:* Membership of the scientific steering committee overseeing the ecological studies which are part of the farm-scale evaluations of genetically modified crops was announced on 25 May and is as follows:

Professor Christopher Pollock, Research Director of the Institute of Environmental and Grassland Research (Chair);

Professor Mick Crawley, Imperial College, London;

Dr. David Gibbons, Head of Conservation Science at the Royal Society for the Protection of Birds;

Dr. Nick Sotherton, Director of Research for the Game Conservancy Trust;

Dr. Nicholas Aebischer, Director of Biometrics at the Game Conservancy Trust;

Dr. Alistair Burn, English Nature; and

Jim Orson, Director of the Morley Research Centre.

Dr. Brian Johnson, of English Nature, representing Statutory Nature Conservation Agencies, will also be participating on the group. The Secretariat will be provided by officials from my Department. Officials representing the research contractors, the Departments funding the ecological studies and SCIMAC (Supply Chain Initiative on Modified Agricultural Crops), who are funding the growing and management of the crops, will also attend meetings; not as advising members of the steering group, but to provide information to the members on progress with the ecological studies and the farm scale evaluations and listen to their advice.

The first meeting of the steering committee is to take place on 14 June 1999.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions if all aspects of the scientific design of the field-scale evaluations of the ecological effects of genetically modified crops will be subject to the scrutiny of members of the Scientific Steering Group. [86176]

Mr. Meacher: Yes.

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that genetically modified crops will be tested in EU countries only once the timetable, rules and regulations with regard to conducting those trials have been agreed by the Council of Ministers. [86415]

Mr. Meacher: All consents for the deliberate release into the environment of Genetically Modified Organisms (GMOs) are issued on the basis of the procedures laid down in Council Directive 90/220/EEC, which are now being reviewed in the context of the revision of this Directive. Part B of the Directive sets out the procedures for the deliberate release of GMOs for research and development purposes.

Deer (West Sussex)

Mr. Soames: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to conduct a deer count in West Sussex. [85774]

Mr. Meacher *[holding answer 8 June 1999]:* Visual censuses have been conducted in the West Sussex area for a number of years by the local Deer Management Group. However, this method of census is notoriously inaccurate and the Forestry Commission have been investigating alternative methods. As part of these trials the study area in West Sussex between Eatham and Buriton was surveyed at night during April 1999 using thermal imaging equipment. The results are currently being analysed and will be available shortly.

Petrol (Methyl Tertiary Butyl Ether)

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions when the use of methyl tertiary butyl ether in petrol was authorised in the United Kingdom. [85869]

Ms Glenda Jackson: Methyl tertiary butyl ether (MTBE) has been used in petrol in the United Kingdom as an octane enhancer at very low levels for many years. Directive 85/536/EEC, which came into effect in domestic legislation on 24 April 1989, stipulates that member states may not prevent, restrict or discourage the production, marketing and free movement of blended petrol which contains 10 per cent. or less MTBE by volume. Directive 98/70/EC sets a maximum limit of 15 per cent. MTBE by volume applicable from 1 January 2000. Not all petrol sold in the UK contains MTBE; where it is used the concentration typically averages less than 1 per cent.

Household Projections

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the data to substantiate the recently revised household projections. [86357]

Mr. Caborn: The technical volume giving the main results and methodology for the 1996 based household projections is due to be published later this summer.

Transport Council

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the latest agenda of the Transport Council of 17 to 18 June, prior to the meeting. [86829]

Mrs. Liddell: The proposed agenda for the 17 June Transport Council comprises the following items:

1. Adoption of the agenda
2. Approval of "A" points

Maritime transport

3. Shore waste reception facilities

Air transport

4. Delays in air transport in Europe

Measures concerning all modes of transport

5. Year 2000 computer problem
6. Revision of Trans-European Network guidelines
7. Satellite navigation systems ("Galileo")

Land transport

8. Working time in road transport
9. Railway policy
10. Other business.

Roads and Transport Expenditure

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions how much was spent on *(a)* roads and *(b)* public transport by the Government in the most recent year for which figures are available. [86672]

Ms Glenda Jackson *[holding answer 11 June 1999]:* The most recent breakdown of the expenditure for the Department of Environment Transport and the Regions and its associated departments is given on page 15 of the Department's Annual Report 1999 [Cm 4204]. An analysis of the estimated outturn for 1998–99 on Main Programmes shows that:

(a) the estimated amount spent on roads is £1.8 billion; and

(b) the estimated amount spent on public transport is £2.6 billion.

These amounts are for programme spend only, and exclude any apportionment of Departmental running costs.

Right to Roam

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what economic assessment he has carried out of the impact of the right-to-roam proposals on hill farmers; and if he will make a statement. [86418]

Mr. Meacher: My Department commissioned independent consultants, Entec UK Ltd., to undertake an assessment of different approaches for securing greater public access to open countryside. The study included an assessment of the effects on landowners and occupiers including agricultural enterprises such as sheep and cattle farms. Copies of the report, "Appraisal of Options on Access to the Open Countryside," have been placed in the Libraries of both Houses.

Countryside (Access)

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to fund any increased costs of dealing with wider access to the countryside *(a)* by increasing resources to and *(b)* from existing budgets of (i) the Countryside Agency, (ii) English Nature and (iii) English Heritage. [86419]

Mr. Meacher: The Government's proposals for giving people greater access to the countryside are set out in our "Framework for Action" which my Department published on 8 March this year. We do not expect them to have major financial consequences but we have made clear that, where appropriate, resources will be made available to the relevant statutory agencies to cover costs arising from the new legislation.

Rights of Way

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend the law governing rights of way; and if he will make a statement. [86420]

Mr. Meacher: My Department expects to publish a consultation paper on rights of way shortly.

Vehicle Lights

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the safety impact of compulsory use of vehicle lights during daylight hours; and if he will make a statement. [86938]

Ms Glenda Jackson: Research into the effectiveness of daytime conspicuity lights on vehicles has been conducted for the Department by the Transport Research Laboratory. This work indicated that conspicuity lights could be of benefit in certain weather conditions, however, in clear weather, no obvious safety benefits were apparent.

The European Commission is presently considering the possible costs and benefits of the use of vehicle lights during daylight hours. The negative environmental impact of the use of vehicle lights in daytime is being considered as part of this work. No formal proposals to regulate in this area have yet been put forward but the UK continues to play its part in discussions with the European Commission and other member states.

New Household Projections

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish the report on the New Household Projections to 2021. [86425]

Mr. Caborn: The technical volume giving the main results and methodology for the 1996 based household projections is due to be published later this summer.

Workplace Violence and Bullying

Mr. Touhig: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce measures to tackle workplace violence and bullying. [85590]

Mr. Meacher: I strongly condemn workplace bullying. It has no place in a decent society. The Government have already in place measures to protect workers. Some instances of workplace bullying may well constitute an offence under the Protection from Harassment Act 1997. Where workplace bullying presents a risk to a worker's health, health and safety inspectors could in principal use powers under the Health and Safety at Work etc Act 1974 to require an employer to take action to protect the employee's health. No further legislative measures are planned.

I am very concerned about workplace violence. I have therefore asked the Health and Safety Commission (HSC) to consider options for further action that would make a significant impact on preventing assaults, verbal threats and abuse in the workplace. Any plans I make to introduce measures will be based on HSC's advice.

River Tweed

Mr. Moore: To ask the Secretary of State for the Environment, Transport and the Regions what advice he has received from English Nature concerning the notification of the River Tweed as a candidate special area of conservation under the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora; and if he intends to proceed to notification. [86868]

Mr. Macdonald: I have been asked to reply.

The Government have no plans to propose the River Tweed to the European Commission as a candidate Special Area of Conservation.

From 1 July 1999 the selection of Special Areas of Conservation in Scotland will be a matter for the Scottish Parliament.

INTERNATIONAL DEVELOPMENT

Kosovo (Refugees)

Mr. Streeter: To ask the Secretary of State for International Development what plans she has made for the co-ordination of refugee return to Kosovo. [86480]

Clare Short: The UNHCR has been given the lead responsibility for co-ordinating the arrangement for the return of the refugees to Kosovo. We are trying to assist them to strengthen this capacity to carry out their role as efficiently as possible.

The refugees will be provided with information about the conditions in Kosovo when the details become available, including the presence of mines, booby traps and unexploded ordnance. Arrangements for orderly return are being discussed with refugee leaders.

Kosovo (Land Mines)

Mr. Streeter: To ask the Secretary of State for International Development what money she has allocated for the process of de-mining in Kosovo. [86481]

Clare Short: To date £250,000 has been allocated for de-mining, including a mine awareness programme, in Kosovo. We expect to allocate more once the needs are clearer. Education, about the danger and location of mines, and unexploded ordnance, for refugees inside and outside of Kosovo, will be a priority.

Death Penalty (Caribbean)

Mr. Kaufman: To ask the Secretary of State for International Development if she will itemise and state the value of (i) aid and (ii) trade preferences provided, respectively by the United Kingdom and the European Union, for *(a)* Trinidad and Tobago, *(b)* Jamaica and *(c)* each of the other Caribbean Commonwealth countries which have the penalty of capital punishment. [86408]

Clare Short: Net figures for official development assistance (oda) provided in 1997 (the latest year for which full figures are available) to those Commonwealth Caribbean Countries which retain statutory provision for capital punishment are as follows:

£ million

	UK	*EC*
Antigua and Barbuda	0.3	0.8
Barbados	0.3	3.5
Belize	1.0	2.7
Dominica	5.2	−0.4
Guyana	91.9	4.0
Jamaica	−2.9	45.6
St. Kitts and Nevis	0.2	0.8
St. Lucia	1.4	6.9
St. Vincent and the Grenadines	0.2	0.1
Trinidad and Tobago	0.4	20.4

Note:
Negative figures are the result of repayments on past oda loans. The UK oda figure for Guyana is particularly high because of a large debt relief payment made in 1997.

As with other non-EU members of the Lomé Convention, the Caribbean benefits from Lomé trade preferences including those relating to commodities. It would not be possible to quantify the value of these preferences to the countries in question without disproportionate cost.

Balkans (Reconstruction)

Mr. Streeter: To ask the Secretary of State for International Development what assessment she has made of the resources required for refugee return and longer-term reconstruction of Kosovo and the Balkan region. [86482]

Clare Short: Most of the refugees are likely to return if their long-term security is guaranteed by an international security presence in Kosovo with NATO at its core. This is one of the conditions that has now been accepted. Arrangements for the withdrawal of all Yugoslav security forces, and the early entry of the international security force into Kosovo are currently being finalised. The immediate tasks are de-mining, and the provision of emergency relief for those who had remained in Kosovo and those returning (shelter, food, medicine, emergency rehabilitation of infrastructure).

In co-ordination with the lead agency, the UNHCR, we are preparing for the reception of refugees when they return to Kosovo. We have a team positioned in Skopje ready to provide a rapid assessment of the resources required to begin the process of planning provision of

humanitarian relief repairs and rehabilitation. As I have stated previously, our objective remains as it has always been to assist as many refugees to return to Kosovo as quickly as possible.

Recent donor meetings have assessed the impact of the Kosovo crisis on neighbouring countries and highlighted action needed to deal with the consequences. We continue to work closely with the International Community to help these countries.

Mr. Streeter: To ask the Secretary of State for International Development how much money is allocated by her Department for the return of Kosovan refugees and the longer-term reconstruction costs in the Balkans. [86479]

Clare Short: Since 24 March 1999, the Government have committed £40 million for humanitarian assistance to the region. We are working with the EU member states, IMF, the World Bank and regional banks to determine the resources required for the return of the refugees and the longer-term reconstruction in the Balkans. We expect to make an appropriate contribution to the reconstruction effort.

World Bank Loans

Mr. Chaytor: To ask the Secretary of State for International Development what negotiations her Department has had with the World Bank about protecting the poor from the effects of financial crises; and if she will press for an external evaluation of the effectiveness of the protection measures which are supported with World Bank loans to be conducted and to be published. [86941]

Clare Short: We are working closely with the World bank to ensure its programmes pay particular attention to protecting poor and vulnerable groups from the effects of financial crises. We have been working to try to ensure that the bank and the IMF work more closely together on emergency adjustment programmes to ensure that the needs of the poor are taken fully into account. At the 1998 Annual Meetings of the Bank and Fund, the Chancellor of the Exchequer also called for a development of a Code of Good Practice on Social Policy to help guide countries in dealing with the social consequences of global economic problems. Work on this is underway, and the Bank will report on progress at the 1999 Annual Meetings in late September.

NORTHERN IRELAND

Occupational Therapists

Mr. Beggs: To ask the Secretary of State for Northern Ireland what estimate she has made of the number of occupational therapists required in Northern Ireland to reduce the waiting time for assessment of need to *(a)* six months and *(b)* three months. [85874]

Mr. McFall: No estimate has been made of the number of occupational therapists required to reduce the waiting times for housing adaptation assessments.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many *(a)* full-time and *(b)* part-time occupational therapists are employed in Northern Ireland. [85875]

Mr. McFall: At 31 December 1998 the number of qualified occupational therapists employed in the Northern Ireland Health and Personal Social Services, across the full range of hospital and community services, was as follows:

(a) Full-time—339

(b) Part-time—127.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what steps she is taking to recruit and train extra occupational therapists in Northern Ireland. [85887]

Mr. McFall: Training of occupational therapists in Northern Ireland is carried out in the University of Ulster. At the request of the Department of Health and Social Services the University has since 1992 increased the annual student intake level from 36 to the current level of 50. Recruitment of occupational therapists is a matter for individual Health and Social Services Trusts.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what is the average waiting time for a home visit and assessment by an occupational therapist in Northern Ireland. [85873]

Mr. McFall: Information is not available in the form asked. The table shows the number of assessments commenced during the quarter ended 31 March 1999 and in each case the time waiting from referral.

Priority cases	*Number*
Less than 2 weeks	2,833
2 weeks to under one month	698
One month and over	645
Total assessments commenced	4,176

Other cases	*Number*
Less than 3 months	2,735
3 to 6 months	1,424
6 months and over	1,407
Total assessments commenced	5,566

Note:
Figures do not include Newry and Mourne Health and Social Services Trust due to a computer problem

Greenhouse Gas Emissions

Mrs. Brinton: To ask the Secretary of State for Northern Ireland if she will estimate the total reduction in greenhouse gas emissions if hospitals and other NHS facilities in Northern Ireland used not-in-kind refrigerants. [86170]

Mr. McFall: Responsibility for the subject in question has been delegated to the Health Estates Agency under its chief executive, Mr. Ronnie Browne. I have asked him to arrange for a reply to be given.

Letter from R. H. Browne to Mrs. Helen Brinton, dated 11 June 1999:

I have been asked to reply to your Parliamentary Question regarding the total reduction in greenhouse gas emissions if hospitals and other NHS facilities in Northern Ireland used not-in-kind refrigerants.

Data is not readily available on the use of refrigerants in hospitals and other Health and Personal Social Services (HPSS) facilities in Northern Ireland, and information in the form requested could only be obtained at disproportionate cost.

The Department of Health and Social Services (Northern Ireland) is fully supportive of the Government's commitment to running and operating its estate in accordance with best environmental practice as an integral part of its contribution to the UK sustainable development strategy. All HSS Trusts are in the process of implementing GREENCODE, an environmental management system designed specifically for the Health Service.

The HPSS has made significant progress in reduction of greenhouse gas emissions and up to March 1998 achieved a reduction in CO_2 emissions of 22.21 per cent. against the base year of 1990/91. This exceeds the Government's target of 20 per cent. reduction by year 2010 against the same base year.

I hope you find this information helpful.

Fort Whiterock

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland which organisations are represented on the Whiterock Steering Group to examine development proposals for the former Fort Whiterock army base on Springfield Road, Belfast. [86152]

Mr. Ingram: The members of the Whiterock Steering Group represent the Industrial Development Board (IDB), Making Belfast Work (MBW), the Local Enterprise Development Unit (LEDU), the West Belfast Partnership Board, the Upper Springfield Development Trust and the local MP.

Glencree Reconciliation Centre

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland under what authority the Government fund the Glencree Reconciliation Centre in Co. Wicklow, Republic of Ireland. [86150]

Mr. McFall: The Glencree Reconciliation Centre receives project funding from a global grant body in the Republic, under the Cross-Border Community Reconciliation Measure of the EU Special Support Programme for Peace and Reconciliation. The project involves school children in the Border Counties and in Northern Ireland. The measure is jointly administered by the global grant body and the Northern Ireland Voluntary Trust. The latter contributes to the funding of this project, given its cross-border nature, and the EU funding element attracts a matching contribution from Government.

SCOTLAND

Greenhouse Gas Emissions

Mrs. Brinton: To ask the Secretary of State for Scotland if he will estimate the total reduction in greenhouse gas emissions if hospitals and other NHS facilities in Scotland used not-in-kind refrigerants. [86169]

Mr. Macdonald: The specific information required to estimate the total reduction in greenhouse gas emissions if NHS in Scotland (NHSiS) bodies used not-in-kind refrigerants is not collected centrally.

The NHSiS already has operational mechanisms in place to ensure that no ozone depleting substances are vented into the atmosphere by refrigeration appliances and plant. This is achieved via the specification of suitable alternatives to products which contain such substances, by regular servicing and ensuring that they are recovered for recycling or destruction in accordance with all current statutes and codes of practice.

Additionally, against the wider Government obligation to reduce greenhouse gas emissions by 12.5 per cent. below 1990 levels by 2008–12 and their domestic target of a 20 per cent. carbon dioxide reduction by 2010, the NHSiS has reduced carbon dioxide emissions by 30 per cent. in the eight years from 1989–90 to 1997–98. Carbon dioxide is recognised as the principal contributor towards the "greenhouse effect".

From 1 July 1999, this will be a matter for the Scottish Parliament.

Buchanan Centre, Glasgow

Mr. Davidson: To ask the Secretary of State for Scotland what is the total rateable value of the new Buchanan Centre in Glasgow; how much would have been paid in rates by the centre during the current financial year had all units been open and occupied at the start of the financial year and occupied throughout the year; and how much and what percentage of the total raised would be made available to Glasgow City Council. [86396]

Mr. Macdonald: This information is not available. The local Assessor is responsible for determining rateable values and no entries have as yet been made in the valuation roll for this new property.

Homeopathy

Mr. Tredinnick: To ask the Secretary of State for Scotland (1) what steps are being taken to recognise at consultant level those practitioners with extensive experience in homeopathic medicine gained before 1 January 1997; [86325]

(2) what provision there is for the training of orthodox physicians in their conventional path of accreditation in homeopathy and complementary medicine. [86328]

Mr. Macdonald *[holding answer 11 June 1999]*: There is currently no statutory training path for doctors in homeopathy in the UK, although consultants in homeopathy have been appointed in the NHS. Since 1 January 1997 it has been a requirement to be on the GMC's Specialist Register in order to be eligible for appointment as a substantive or honorary NHS consultant. Doctors holding substantive NHS consultant appointments in homeopathy before 31 December 1998 were able to apply for inclusion in the Register under transitional provisions in the European Specialist Medical Qualifications Order 1995 (as amended). New consultants in homeopathy would ordinarily expect to be trained in another medical specialty recognised for the purposes of specialist registration, as well as in the non-statutory requirements for homeopathy.

The requirements for specialist medical education are governed by European Directive 93/16/EEC. The practice of homeopathy varies greatly across the EEA, and there is no provision within the Directive to recognise homeopathy for the purposes of medical training. The Faculty of Homeopathy has previously indicated its intention to develop a nationally recognised training programme in homeopathy. In order to do so, the Faculty

would need to satisfy the Specialist Training Authority of the Medical Royal Colleges (STA) that the training programme met the requirements of Directive 93/16/EEC. It would then be for the STA to apply to the Secretary of State for Health for inclusion of the specialty in the European Specialist Medical Qualifications Order 1995 (as amended).

In Scotland trainees are able to undertake sessions in homeopathy at the Homeopathic Hospital in Glasgow during their training in General Medicine, provided that they fully comply with the Joint Committee on Higher Medical Training curriculum in General Medicine. At present the North Glasgow Acute Trust, of which the Homeopathic Hospital forms part, has two consultant physicians with an interest in homeopathy. It also has one higher medical trainee who is undertaking sessions in homeopathy. Two general professional trainees (Senior House Officers) are also based at the Homeopathic Hospital. In the west of Scotland registrars in general practice are funded to attend courses in homeopathy if they wish, but numbers who request it at that stage are small. Once they are in independent practice, however, demand increases and homeopathy courses are accredited for reimbursement by the NHS through the Postgraduate Education Allowance for GPs.

Mr. Tredinnick: To ask the Secretary of State for Scotland how many patients are currently on the waiting list of the Glasgow Homeopathic Hospital. [86324]

Mr. Macdonald *[holding answer 11 June 1999]:* On 31 March 1999 the number of patients waiting for inpatient/day treatment at the Glasgow Homeopathic Hospital was 37.

From 1 July 1999, this will be a matter for the Scottish Parliament.

LORD CHANCELLOR'S DEPARTMENT

Ministerial Meetings (US)

Mr. Matthew Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department how many times (i) the Lord Chancellor and (ii) the Minister of State in the Lord Chancellor's Department have met members or officials in the United States Government since 1 June 1998; and if he will list the dates and locations of each meeting, the US departments involved on each occasion, and the names of the US members and officials at each meeting. [86294]

Mr. Vaz: Neither the Lord Chancellor nor the Minister of State have had any official meetings with members or officials in the United States Government since 1 June 1998.

Legal Aid (Northern Ireland)

Mr. Watts: To ask the Parliamentary Secretary, Lord Chancellor's Department when it is intended to publish a consultation paper on legal aid reform in Northern Ireland. [87141]

Mr. Vaz: A consultation paper on legal aid reform in Northern Ireland has been published today. Copies of the consultation paper have been placed in the Libraries of both Houses.

HOME DEPARTMENT

Annual Report

18. **Mr. Jack:** To ask the Secretary of State for the Home Department if he will make a statement on the method by which the contents of his Department's Annual report are determined. [85582]

Mr. Straw: The Home Office Annual Report conformed to the requirements and followed guidance laid down by Her Majesty's Treasury for all Departmental reports. It describes the aims and objectives of the Department, its policies and programmes, and details of the Department's expenditure plans.

Jury Trial

19. **Mr. Hammond:** To ask the Secretary of State for the Home Department what representations he has received regarding proposed curtailment of the right to trial by jury. [85583]

23. **Mr. Simon Hughes:** To ask the Secretary of State for the Home Department what representation he has received concerning his plans to restrict the right to trial by jury. [85587]

Mr. Boateng: The recommendation of the Royal Commission on Criminal Justice 1993 and the Narey Review of Delay in 1997 was subject to a public consultation exercise last year. 133 responses covering a range of views were received during the consultation exercise. Consultation has not, in our view, weakened the case for abolishing the ability to elect for trial in either way cases.

27. **Mr. Garnier:** To ask the Secretary of State for the Home Department when he will publish the bill to restrict the right to trial by jury in criminal cases. [R] [85592]

Mr. Boateng: A bill to remove the defendant's ability to elect for Crown Court trial in either way cases will be published and introduced when Parliamentary time allows.

Drug Dealers (Seized Assets)

20. **Mr. Ronnie Campbell:** To ask the Secretary of State for the Home Department what was the value of assets seized from drug dealers in the last year for which figures are available. [85584]

Mr. George Howarth: In 1997–98, courts in England and Wales made 1,510 confiscation orders for drug proceeds totalling just over £15 million. During that period, assets totalling £5 million were realised by the enforcement of drug trafficking confiscation orders.

We are considering proposals for strengthening confiscation legislation, including wider civil forfeiture powers and a National Confiscation Agency, on which we recently consulted.

Fire Cover

21. **Mr. John Cryer:** To ask the Secretary of State for the Home Department what progress his Department's review of fire cover has made; and if he will make a statement. [85585]

Mr. George Howarth: It was agreed last year to trial in a number of brigades new fire cover arrangements based on proper risk assessment and flexibility of response. We expect the trials will be completed by the end of next year.

Probation Service

22. **Mr. Cousins:** To ask the Secretary of State for the Home Department what steps he is taking to review the work and case load of probation service staff. [85586]

Mr. George Howarth: The work of the probation service was reviewed last year as part of the Comprehensive Spending Review, which resulted in an extra £127 million current grant being made available to the service over the three years 1999–2000 to 2001–02. It is a matter for probation services and the probation committees that employ them to decide how to make the best use of the resources available, including distribution of work and how staff should tackle that work.

Fines (Enforcement)

24. **Mr. Peter Bradley:** To ask the Secretary of State for the Home Department what plans he has to improve the enforcement of fines. [85588]

Mr. Boateng: The Government are committed to the better enforcement of financial penalties imposed by the courts. The Access to Justice Bill, currently before this House, contains provisions which will give civilian enforcement officers and approved enforcement agencies employed by the courts wider and clearer powers to execute warrants issued against fine defaulters and those who have breached community penalties. This will enable responsibility for such work to be transferred from the police to the magistrates' courts, allowing the police to concentrate on fighting crime.

Also, the Government's Crime Reduction Programme includes a project which will fund work to extend successful fine enforcement techniques and encourage courts to make greater use of fines.

The courts will be expected to give a high priority to the prompt and efficient enforcement of the penalties they impose. As a result, more money—including compensation for the victims of crime—will be collected.

Police Overtime (Millennium Public Holidays)

25. **Miss McIntosh:** To ask the Secretary of State for the Home Department what plans he has to review police overtime pay for the millennium public holidays. [85589]

Mr. Boateng: I have no plans to review police overtime pay as police regulations already provide for public holiday working.

Social Exclusion

26. **Mr. Plaskitt:** To ask the Secretary of State for the Home Department what representations he has received on the role of the voluntary sector in tackling social exclusion. [85591]

Mr. Boateng: The voluntary and community sector has a key role to play in tackling social exclusion. The Government recognise that many voluntary and community organisations have particular skills and knowledge across a range of subject areas and service provision. That is why the Government have entered into a new spirit of partnership with the sector and the Policy Action Teams established to take forward the work on social exclusion issues include representatives from a range of voluntary organisations.

Police Custody Officers

29. **Mr. Corbett:** To ask the Secretary of State for the Home Department what steps he will take to ensure that all police custody officers are fully trained before being allocated their custody duties. [85594]

Kate Hoey: National Police Training (NPT) has developed a two-week training course for Custody Officers for delivery by forces. The course is subject to regular updating and was revised last year in the light of the recommendations of the report by the Police Complaints Authority. It is due to be revised again this summer to take account of emerging good practice and the findings of the recently published report of Her Majesty's Inspectorate of Constabulary's thematic inspection of police training, "Managing Learning".

It is for Chief Officers to decide on the nature and timing of the training to be undergone by their officers. The Association of Chief Police Officers (ACPO) recognise the value and importance of the Custody Officer training package, and continue to work with NPT in strongly promoting the use of this course by all police forces. My right hon. Friend would encourage any initiative to ensure that training is provided prior to taking up Custody Officer duties.

Disclosure Rules (Rape and Domestic Violence)

30. **Mrs. Brinton:** To ask the Secretary of State for the Home Department what plans he has to amend the disclosure rules in cases of *(a)* rape and *(b)* domestic violence. [85595]

Mr. Boateng: The aim of the disclosure provisions, which apply to all offences, is to ensure that all relevant unused prosecution material is disclosed to the defence. In response to concerns about their operation, the Director of Public Prosecutions has initiated a programme of work, focusing on the essential principles of disclosure, with a special emphasis on the duty of the prosecution to ensure a fair trial. In the light of this work Home Officials have been asked to consider what further needs to be done.

Changes to the Crown Court procedures for obtaining material from third parties came into force on 1 April 1999 with the aim of focusing applications on requests for relevant material. In addition the law on disclosure of a defendant's previous convictions is under review by the Law Commission.

Crime and Disorder Partnerships

31. **Ms Oona King:** To ask the Secretary of State for the Home Department what assessment the Government have made of the role of voluntary organisations as partners in combating crime and disorder. [85596]

Mr. Boateng: Voluntary organisations have an important crime prevention and reduction role. That is why the Crime and Disorder Act 1998 requires a wide range of voluntary bodies to be invited to participate in the work of the crime and disorder reduction partnerships.

36. **Mr. Burgon:** To ask the Secretary of State for the Home Department what discussions he has had with his counterparts in the Department for Education and Employment to ensure that schools are fully involved in local partnerships to combat crime and disorder. [85601]

Mr. Boateng: Following agreement with Ministers in the Department for Education and Employment, we have designated schools as bodies with which local authorities and police forces must co-operate in partnership to develop and implement crime and disorder reduction strategies.

Police Manpower

32. **Mr. Amess:** To ask the Secretary of State for the Home Department when he last met the Association of Police Authorities to discuss police manpower. [85597]

Mr. Straw: My hon. Friend and I meet the Association of Police Authorities regularly both at the Home Office and at police events when a range of issues are discussed, including police resources.

The Association is fully aware that, under legislation passed by the previous Government, the number of police officers in each force is a matter for local determination.

Immigration and Nationality Directorate

33. **Mr. Pike:** To ask the Secretary of State for the Home Department what progress has been made in resolving the problems arising from the move of the Immigration and Nationality Directorate. [85598]

Mr. Mike O'Brien: We have established a project team, working to tight deadlines, to plan and deliver urgent measures to ensure the Directorate improves its quality of service.

Animal Experimentation

34. **Angela Smith:** To ask the Secretary of State for the Home Department when he last met members of the Animal Procedures Committee; and what discussions took place on licences. [85599]

Mr. George Howarth: I last met members of the Committee when I attended its meeting on 9 December 1998. I also met their Chairman, Professor Michael Banner, on 10 November. I had very worthwhile discussions on both occasions, although these did not specifically touch on the issue of licences, or on particular applications for licences, under the Animals (Scientific Procedures) Act 1986.

The Government greatly value the Committee's advice. I keep in touch with the Committee on a regular basis and expect to meet members again soon.

Metropolitan Police Force (Ethnic Minorities)

35. **Siobhain McDonagh:** To ask the Secretary of State for the Home Department what steps he is taking to enhance the recruitment, retention and promotion of Black and Asian police officers in the Metropolitan police force. [85600]

Kate Hoey: I refer my hon. Friend to the reply given to a Question from the hon. Member for Epping Forest (Mrs. Laing) on 26 April 1999, *Official Report*, column 69.

Sex Offences Review

37. **Mr. Blizzard:** To ask the Secretary of State for the Home Department when he expects to conclude his review of sex offences. [85602]

Mr. Boateng: The review of sex offences is aiming to produce recommendations at the end of the year.

Dangerous Driving Deaths

38. **Mr. Sheerman:** To ask the Secretary of State for the Home Department what plans he has to review the law relating to the causing of death by dangerous driving. [85603]

Mr. Boateng: The Government have no current plans to review the law relating to causing death by dangerous driving. We believe that the courts have adequate powers to punish those who are convicted of this offence.

Criminal Records Bureau

Mr. Breed: To ask the Secretary of State for the Home Department if he will review his policy on charging individuals for checks made by the Criminal Records Bureau. [85566]

Mr. Boateng: We have no plans to review the policy. We considered very carefully whether it would be possible for the Criminal Records Bureau to provide free checks for volunteers but concluded that this would be unfair to other deserving groups such as school leavers, the unemployed and disabled people seeking work, for whom the level of fees payable would be increased as a result of the need for the Bureau's income to meet its costs.

Scottish Prisoners (Deportation Orders)

Dr. Godman: To ask the Secretary of State for the Home Department how many persons awaiting deportation in 1998 were detained in Scottish prisons; and what was the average length of such detentions. [85567]

Mr. Mike O'Brien: The average number of people detained at any one time in Scottish prisons solely under Immigration Act powers last year was in the range of 20 to 25. Consolidated records are not kept, neither do our records distinguish between detainees who are liable to deportation and those liable to removal as illegal entrants or having been refused entry at a port. This information, together with the average length of detention, could be established only by reference to each individual case record.

Macpherson Report

Mr. Beith: To ask the Secretary of State for the Home Department if all the persons within Government who had sight of the Macpherson report before its publication were required to account for their movements during the period within which a copy was shown to a journalist and whether any checks were made of their account. [86115]

Mr. Straw: The conduct of the inquiry into the leaking of parts of the Macpherson report was a matter for the independent investigator. Establishing who would have been in a position to leak the material is an integral part of investigations of this kind.

Home Detention Curfews

Mr. Clappison: To ask the Secretary of State for the Home Department, pursuant to his answers of 27 April 1999, *Official Report*, column *110*, 18 May 1999, *Official Report*, column *295* and 26 May 1999, *Official Report*, column *149*, on home detention curfews, what powers he has to revoke the licences of the 14 curfewees who were charged with an offence during the period of curfew and who remained on home detention curfew. [86058]

Mr. George Howarth: The Secretary of State's powers to revoke the licence of any person subject to home detention curfew are set out in section 38A(1) of the Criminal Justice Act 1991, which provides that:

"If it appears to the Secretary of State, as regards a person released on licence under section 34A(3) above—

(a) that he has failed to comply with the curfew condition;

(b) that his whereabouts can no longer be electronically monitored at the place for the time being specified in that condition; or

(c) that it is necessary to do so in order to protect the public from serious harm from him,

the Secretary of State may, if the curfew condition is still in force, revoke the licence and recall the person to prison."

In addition, on 1 January 1999, the Government implemented section 103 of the Crime and Disorder Act 1998. This means that a curfewee whose original offence was committed on or after 1 January 1999 and who is charged with a new offence committed during the home detention curfew period will be liable to have his licence revoked by the Secretary of State under section 39 of the Criminal Justice Act 1991.

The 14 curfewees referred to in the question are not liable to have their licences revoked by the Secretary of State under section 39 of the 1991 Act, as their original offences were committed prior to 1 January 1999, and there are no grounds for recall under section 38A(1) of the 1991 Act. However, breaches of licence conditions not covered by these provisions may be dealt with by the courts under section 38 of the 1991 Act and may result in a fine and/or recall to prison.

Inside Out Charity

Jane Griffiths: To ask the Secretary of State for the Home Department if he will make a statement on the work of the Inside Out charity in prisons. [86203]

Mr. George Howarth: The Inside Out Trust has been involved in the provision of work to prisons since 1994. All the work is charity based. Activities include Braille transcribing, repair of wheelchairs and artificial limbs, sewing and a wide range of arts and crafts work. The Trust supplies materials and arranges for transport of goods to and from prisons. The Prison Service supplies staff, accommodation and equipment.

The Trust has also set up a Charity link scheme, which has been operating since 1996, which aims to link each prison with organisations which can make the best use of the facilities prisons offer, such as making badges for flag days or re-labelling collection boxes.

Prisoners, particularly those involved in bookbinding and Braille transcribing, are also given the opportunity to qualify for proficiency exams.

The Trust makes a valuable contribution to work for prisoners who might otherwise be unoccupied. Prisoners are enabled to help other disadvantaged groups through work for charities including Oxfam, Barnardos, the Royal National Institute for the Blind and Victim Support.

Judicial and Police Co-operation

Mr. Mitchell: To ask the Secretary of State for the Home Department what documents have been published relating to the activities, financing and powers of Europol; what agreements need to be made prior to the commencement of operations of mixed national police teams, under its supervision within national states; and if he will state the name of the replacement committee concerning all matters of police and judicial co-operation in Title VI of the Treaty on European Union, the frequency of planned meetings and the nature and number of the representatives of the European Commission on that committee. [86226]

Kate Hoey: Europol produces an annual report that outlines the activities undertaken during the reporting period and includes a section on finance. A copy of the report for 1998 will be placed in both Libraries of the House shortly. A copy will also be sent to the European Parliament. The powers of Europol are outlined in the Europol Convention.

The principal role of Europol will be to support competent authorities of member states in their action against crime. Any decision to set up "mixed national police teams" would be for the member state principally concerned.

The senior level official committee concerned with Justice and Home Affairs issues has no formal title, but is known informally as the "Article 36 Committee". The Presidency of the day will decide how frequently it should meet. It has met once since the Treaty of Amsterdam came into effect and eight meetings are currently planned under the Finnish Presidency. The European Commission is represented at official level on the Committee; the nature and number of their representatives are matters for the Commission.

Crimes of Violence (Armed Forces)

Mr. Mullin: To ask the Secretary of State for the Home Department what research his Department has *(a)* commissioned and *(b)* evaluated into the number of former members of the armed forces in Her Majesty's prisons and into the possibility of a relationship between crimes of violence and active service; and if he will make a statement. [85663]

Mr. George Howarth: The information requested is not available. There has been no research into the number of prisoners who have served in the armed forces and the possibility of a relationship between crimes of violence and active service.

Prisoner N18072

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department when prisoner N18072 will be

subject to parole review; how long he has been custody; when he was reduced to category C status; when F75 reports were completed on him; if the Director General has responded to the request for information on the prisoner from the Chief Inspector; if the report writers at HMP Kingston recommend open conditions; and how many letters from the Worthing outside probation officer to his Department are unanswered. [86353]

Mr. George Howarth: Prisoner number N18072 is due to have a Parole Board review in October 2000. He has been in custody since 13 October 1983 and was convicted of murder on 28 January 1985. He was reduced to category C status on 12 April 1996 and his most recent F75 reports were completed in December 1996. None of the report writers at Kingston prison recommended a move to open conditions.

The Director General of the Prison Service wrote to the prisoner on 30 May 1999 in response to a request for information from Her Majesty's Chief Inspector of Prisons.

The Prison Service lifer management and lifer review units have no indication that any letters from the Worthing outside probation officer remain unanswered, nor is Kingston prison aware of any such letters.

Firearms (Amendment) Acts

Mr. McCabe: To ask the Secretary of State for the Home Department if he will list the procedures adopted by the police in dealing with handguns and ancillary equipment handed in under the Firearms (Amendment) Acts; and what proportion of the equipment is *(a)* destroyed and *(b)* resold. [86452]

Mr. Boateng: It is a matter for individual chief officers of police to decide on the procedures necessary to deal with surrendered handguns, ammunition and ancillary equipment taking account of operational factors and local circumstances. Information on the procedures adopted by individual police forces was not collated centrally.

Surrendered equipment which qualifies for compensation is destroyed by the police when the associated compensation claims are resolved. No equipment is resold. Any items of equipment surrendered to the police but subsequently found not to qualify for compensation may be returned to their owners.

Fire Safety

Mr. Swayne: To ask the Secretary of State for the Home Department what plans he has to introduce a bill to modernise fire safety provision; and if he will make a statement. [86387]

Mr. George Howarth: I refer the hon. Gentleman to the reply I gave my hon. Friend the Member for Coventry, South (Mr. Cunningham), on 17 May 1999, *Official Report*, column *264*. We intend to bring forward general legislation to consolidate and rationalise fire safety law along the lines proposed in our consultation document "Fire Safety Legislation for the Future", when Parliamentary time permits.

National Coroner Service

Mr. David Atkinson: To ask the Secretary of State for the Home Department what plans he has to introduce a national coroner service; and if he will make a statement. [86386]

Mr. George Howarth: The coroner service is at present provided for the community by the relevant local authority. We have no plans to put the service on a national basis for England and Wales.

Managerial Suspensions

Mr. Boswell: To ask the Secretary of State for the Home Department how many police officers of chief constable rank and their deputies are currently suspended on full pay; and what this figure is as a percentage of the total number of such officers. [86879]

Mr. Boateng: There are currently two deputies who are suspended on full pay which is 2.2 per cent. of the total of 92 chief constables and deputies, including the Commissioners of the Metropolitan Police Service and the City of London Police and the Assistant Commissioners and the Deputy Commissioners of the Metropolitan Police Service.

High Security Hospitals

Helen Jones: To ask the Secretary of State for the Home Department how many convicted offenders were transferred from prison to high security hospitals in the last *(a)* six months and *(b)* three months of their sentences in each of the past five years. [86432]

Mr. George Howarth: The available relevant information has been extracted from centrally held statistics and relates to the number of convicted prisoners who were transferred in the years 1995, 1996 and 1997.

Convicted offenders recorded as being transferred from Prison Service establishments to high security[1] hospitals as restricted patients, by period before release date

	1995	1996	1997
Within 3 months of release date	1	8	8
Within 6 months of release date	4	11	8
Determinate sentence with date of release not recorded	0	2	2
Total transferred from Prison to high security hospitals	47	55	44

[1] Ashworth, Broadmoor and Rampton

The figures relate to transfers, by order of the Secretary of State, of prisoners serving a sentence in a Prison Service Establishment made under sections 47 and 49 of the Mental Health Act 1983. The imposition of a restriction under section 49 has the effect of requiring the Secretary of State's consent on all matters relating to leave of absence, transfer or discharge.

Soar, Devon (Sale)

Mr. Steen: To ask the Secretary of State for the Home Department if he will invite bids for the redundant building and land formerly the Home Office Regional Government Headquarters at Soar, Malborough, Kingsbridge, Devon; and if he will make a statement as to the timetable for such a sale. [86430]

Mr. George Howarth: We have instructed our agents to arrange for the early sale of this land and building by tender on the open market. Our current expectation is that the sale will be completed by the end of September. This timetable is subject to the resolution of some outstanding issues with the owners of adjourning land.

EDUCATION AND EMPLOYMENT

Universities (Suspensions)

Mr. Boswell: To ask the Secretary of State for Education and Employment how many vice-chancellors and their deputies in British universities are currently suspended on full pay; and what this figure is as a percentage of the total number of such persons. [86876]

Mr. Mudie: The Department does not hold this information. However, we have made inquiries and understand that no vice-chancellors or their deputies are currently suspended.

Further Education Colleges (Suspensions)

Mr. Boswell: To ask the Secretary of State for Education and Employment how many chief executives and their deputies in further education colleges are currently suspended on full pay; and what this figure is as a percentage of the total number of such persons. [86877]

Mr. Mudie: The Department does not keep this information. However, we have made inquiries and understand that one chief executive and no deputies of the 435 further education colleges in England are suspended currently.

Water Charges

Mr. Luff: To ask the Secretary of State for Education and Employment if he will investigate the impact on school budgets in Worcestershire of the proposed increase in water charges. [86871]

Ms Estelle Morris: Under schedule three of the Financing of Maintained Schools Regulations 1999, local education authorities (LEAs) are free to determine factors—based on either actual or estimated costs—for the delegation of funds to schools for charges for water and sewage via budget shares. It is therefore a matter for Worcestershire LEA to devise such factors within its formula.

School Transport

Mr. Tyler: To ask the Secretary of State for Education and Employment what steps he proposes to take to ensure that the rate support grant for rural local education authorities takes into account the cost of home to school transport with particular reference to Cornwall. [86680]

Ms Estelle Morris: The sparsity factor in the Standard Spending Assessment methodology delivers more funding to local education authorities in rural areas such as Cornwall, to help meet the extra costs of home to school transport. The Government will be reviewing the details of the formula over the next few years.

Standards Fund

Mr. Tyler: To ask the Secretary of State for Education and Employment what steps he intends to take to prevent adverse effects on core school budgets as a result of pressure on local education authorities to find the matching funding necessary for the Standards Fund. [86681]

Ms Estelle Morris: The requirement for Local Education Authorities to contribute to the Standards Fund was allowed for in the 5.7 per cent. increase in the Education Standard Spending Assessment for 1999–2000 announced in December. Cornwall County Council's own Education Standard Spending Assessment increased by 6.2 per cent. Local Education Authorities have accepted over 99 per cent. of the Standards Fund allocations offered to them, with Cornwall accepting 100 per cent. Around two-thirds of the Standards Fund must be devolved to school level, contributing to the funds available to schools.

Written Answers to Questions

Tuesday 15 June 1999

DEFENCE

Kosovo

Mr. Baker: To ask the Secretary of State for Defence what has been the total cost to public funds of the operation in Kosovo since the beginning of military action. [86744]

Mr. George Robertson: As at the end of May, some £43 million of additional expenditure has fallen to my Department as a direct consequence of the UK's military response to the Kosovo crisis. This figure does not include the costs of replenishing stocks of expended ordnance.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many times Ministers in his Department have met members and officials of the United States Government since 1 March; and if he will list the dates and locations of each meeting, the Ministers involved on each occasion, and the names of the members and officials of the United States Government at each meeting. [86286]

Mr. George Robertson: Since 1 March 1999, MOD Ministers have had scheduled bilateral meetings with our US counterparts, who are normally accompanied by officials, on the following occasions:

Minister	*Team led by*	*Date*	*Location*
Minister (Armed Forces)	John Hamre	1 March 1999	Washington
Secretary of State	William Cohen	7 April 1999	Brussels
Secretary of State	William Cohen	17 April 1999	Freeport, Maine
Minister (Defence Procurement)	John Hamre	17 May 1999	London

Full records of the US officials present at these meetings are not kept.

As well as these scheduled bilateral meetings, we have had exchanges and contacts at other meetings and conferences, including at the NATO Washington Summit.

Defence Estates

Lorna Fitzsimons: To ask the Secretary of State for Defence what key targets have been set for Defence Estates for 1999–2000. [87252]

Mr. Spellar: The following key targets have been set for Defence Estates 1999–2000:

Key Target 1:

To demonstrate an improvement of 10 per cent. in terms of the satisfaction of customer requirements.

Key Target 2:

To achieve net disposal receipts of £235 million.

Key Target 3:

To let three pilot Prime construction procurement Contracts.

Key Target 4:

To publish a strategy for the management of the Defence Estate.

Airborne Stand-off Radar

Mr. Touhig: To ask the Secretary of State for Defence what progress has been made in determining the outcome of the competition for the Airborne Stand-off Radar. [87314]

Mr. George Robertson: A consortium led by Raytheon Systems Ltd. has been chosen as the preferred bidder for the development, production and in-service support of ASTOR, the Airborne Stand-Off Radar system. The consortium includes Short Brothers, Motorola UK Ltd, GEC Marconi Avionics and Marshall SV.

ASTOR is a joint Army and RAF requirement for a ground-surveillance radar, expected to enter service in 2005. It will provide a substantial enhancement of military capability, using highly effective new radar systems installed on five fixed-wing aircraft to provide a high degree of resolution over a wide area of coverage. It can be used to monitor areas of interest from a stand-off position, in peace and in crisis, and could be deployed at short notice in support of United Kingdom, NATO or United Nations operations. The ASTOR Main Operating Base will be located at RAF Waddington.

ASTOR will provide UK industry with valuable, high-technology work. The project management team will be located in the United Kingdom, and the prime contractor will place work representing 100 per cent. of the contract value with UK firms. The project will be managed by the Defence Procurement Agency under Smart Procurement principles, with an Integrated Project Team involving representatives from industry and the Services. The likely value of the contract is about £800 million.

NORTHERN IRELAND

National Minimum Wage

Mr. Rowlands: To ask the Secretary of State for Northern Ireland how many people in his Department and its associated bodies and agencies have benefited from the introduction of a national minimum wage. [86089]

Mr. Paul Murphy: No one in the Northern Ireland Civil Service and the Northern Ireland Office, and their associated bodies and agencies, has benefited from the introduction of the national minimum wage.

All staff in the Northern Ireland Civil Service and the Northern Ireland Office and their associated bodies and agencies, who are covered by the terms of the National Minimum Wage Act 1998 have been paid more than £3.60 per hour since 1 April 1998.

Reconciliation (Funding)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what steps she has taken to examine the case for enhanced financial assistance for the work of reconciliation as agreed in the Belfast Agreement; what consultations have been undertaken with the Irish Government; and if she will make a statement. [86149]

Mr. McFall: Financial allocations for all areas of public expenditure were considered in the context of the Comprehensive Spending Review. The acknowledgement of work to develop reconciliation and mutual understanding in the Good Friday Agreement was instrumental in maintaining the community relations budget at the present level of over £9 million per annum. This was not identified in the Good Friday Agreement as a potential area for enhanced North/South co-operation and implementation, and there have been no consultations with the Irish Government consequent on the Agreement. There are existing mechanisms for funding reconciliation work on a cross-border basis under the European Union Special Support Programme for Peace and Reconciliation and International Fund for Ireland programmes.

School Enrolments

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what was the enrolment at Saintfield High School in each of the three most recent years; how many applicants for admission in each of these years were refused; and what proposals there are for increasing the provision of secondary education in Saintfield. [86313]

Mr. McFall: The enrolment at Saintfield High School has been 326, 339 and 341 respectively in the 1996–97, 1997–98 and 1998–99 schools years. The number of pupils refused admission to Year 8 in each of these years was 2, 6 and 55 respectively. It is a matter for the South-Eastern Education and Library Board in the first instance to ensure that there are sufficient school places in its area.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what was the enrolment of pupils in each of the three most recent years at *(a)* Killinchy Primary School, *(b)* Killyleagh Primary School, *(c)* Derryboy Primary School and *(d)* the primary school in Saintfield. [86314]

Mr. McFall: The information requested is given in the following table. There are three primary schools in the general Saintfield area, and all three are shown.

	1996–97	*1997–98*	*1998–99*
Killinchy Primary School	235	215	213
Killyleagh Primary School	136	127	111
Derryboy Primary School	81	77	73
Academy Primary School	329	325	336
Ballycloughan Primary School	84	79	67
St. Mary's Primary School	60	65	63

School Applications

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many pupils at Killyleagh Primary School in their transfer procedures 1999 expressed a preference for Down High School; how many of these pupils have been accepted into Down High School; what were the grades of those pupils who were refused places in Down High School; and if she will make a statement. [86311]

Mr. McFall: In this year's transfer cohort, 6 pupils from Killyleagh primary School expressed a preference for Down High School and 5 obtained places. The unsuccessful applicant obtained a Grade C2.

The Department of Education approved an additional 18 places for September 1999 admissions to Down High School. The number of pupils to be admitted to a school is necessarily limited by the school's physical capacity and no grade guarantees a place at any school.

These points are made clear to the parents of pupils transferring from primary schools.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many pupils at Derryboy Primary School in their transfer procedures 1999 expressed a preference for Saintfield High School; how many of these pupils have been accepted into Saintfield High School; what were the grades of those applicants who were refused places in Saintfield High School; and if she will make a statement. [86310]

Mr. McFall: In this year's transfer cohort, 16 pupils from Derryboy Primary School expressed a preference for Saintfield High School and 7 obtained places. Of the remaining 9, 4 did not reach Saintfield High School because they obtained a place in their first preference schools. Non-grammar secondary schools cannot consider the Transfer Procedure Test Grade of applicants in deciding admissions.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many pupils at Killinchy Primary School in their transfer procedures 1999 expressed a preference for *(a)* Down High School and *(b)* Down Academy; how many of these pupils were accepted into each of these schools; what were the grades of those applicants who were refused places at each of these schools; and if she will make a statement. [86309]

Mr. McFall: In this year's transfer cohort:

(a) 15 pupils from Killinchy Primary School expressed a preference for Down High School and 7 obtained places. Of the remaining 8, 4 were Grade B1 and 2 were Grade B2 and 2 preferences were not received by Down High School, because the pupils obtained places in their first preference schools.

(b) 13 pupils expressed a preference for Down Academy and 5 obtained places. Of the remaining 8, 5 did not reach Down Academy because they obtained places in their first preference schools. Transfer Procedure tests grades may not be taken into account in admissions decisions for non-grammar secondary schools.

The Department of Education approved an additional 18 places for September 1999 admissions to Down High School. The number of pupils to be admitted to a school is necessarily limited by the school's physical capacity and no grade guarantees a place at any schools.

These points are made clear to parents of pupils transferring from primary schools.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland how many times Ministers in her Department held meetings with Ministers and officials of the US Government between 1 January and 1 June 1998, indicating the dates and locations of each meeting, the Ministers involved at each meeting, and the US representatives at each meeting. [86289]

Marjorie Mowlam: The following meetings with members and officials of the US Administration took place during the period 1 January to 1 June 1998:

Dates	*Location*	*Minister*	*US Representative*
16 March 1998	Washington	Dr. Mowlam	Mr. J. Lyons Special Adviser to President Clinton and Secretary of State for Economic Initiatives in Ireland
			The hon. S. Berger Special Assistant to President for National Affairs, Mr. J. Steinberg, Deputy National Security Adviser, Mr. L. Butler, Director for European Affairs and Mr. D. Bandler, Senior Director European and Canadian Affairs
			Ms M. Albright, US Secretary of State, State Department, the hon. T. Pickering, Under-Secretary of State for Political Affairs, Ms E. Shocas, Deputy Assistant Secretary for European Affairs, Mr. J. Gadsden, Deputy Assistant Secretary for European Affairs and Canadian Affairs, Mr. J. O'Brien, Special Adviser to Secretary of State and Ambassador W. Sherman
17 March 1999			President Clinton and The First lady

Water Service

Mr. McNulty: To ask the Secretary of State for Northern Ireland what key performance targets have been set for the Water Service in 1999–2000. [87247]

Mr. Paul Murphy: For 1999–2000, the following key performance targets have been set for the Water Service:

1. To achieve 98.2 per cent. compliance with drinking water standards set in the Water Quality Regulations (Northern Ireland) 1994.
2. To achieve 75 per cent. compliance with the wastewater treatment works discharge standards set by the Environment and Heritage Service.
3. To ensure that fewer than 0.8 per cent. of properties experience unplanned interruptions to water supplies lasting greater than 12 hours.
4. To issue substantive replies to 90 per cent. of written complaints within 15 working days of receipt.
5. To deliver water at a unit cost of 67 pence per cubic metre.
6. To treat wastewater at a unit cost of 60 pence per cubic metre.
7. To maintain expenditure within cash limits and to approved budget plans.
8. To achieve efficiency gains of 3 per cent. on running costs expenditure.

The targets are included in the Water Service's 1999–2000 Business Plan, a copy of which will be placed in the Library.

These targets are subject to endorsement or amendment by local Ministers in the event of the Northern Ireland Assembly being established.

Training and Employment Agency

Mr. Gardiner: To ask the Secretary of State for Northern Ireland what targets have been set for the Training and Employment Agency for Northern Ireland for the period 1999–2000. [87249]

Mr. McFall: The following targets have been set for the Agency:

1. To ensure that those who began Jobskills training in 1997–98 will achieve at least a 65 per cent. qualification success rate at NVQ Level 2 or above.
2. To have at least 50 per cent. of trainees who commenced a Jobskills traineeship in 1997–98 progressing to employment on leaving the programme.
3. To pilot an Individual Learning Accounts system and contribute to the creation of 500 accounts, by March 2000.
4. CDP projects to achieve 80 per cent. of their agreed productivity targets.
5. To assist 3,000 16–24 New Deal participants to find work.
6. To contract with suitable organisations for the delivery of the new Worktrack programme by 31 May 1999.
7. To increase the number of NI organisations achieving Investors in People (IiP) standard from 171 to 230.
8. 50 per cent. of unemployed people placed into jobs to be from TSN areas.
9. To achieve a score in the range of 350–400 points against the Business Excellence Model in an entry for the Northern Ireland Quality Awards in September 1999.

These Key Targets will be subject to consideration and possible amendment by the relevant Assembly Minister when the Assembly is established.

Probation Services

Charlotte Atkins: To ask the Secretary of State for Northern Ireland if she has reviewed the arrangements for the delivery of probation services in Northern Ireland. [87250]

Marjorie Mowlam: My Department has completed a quinquennial review of the Probation Board for Northern Ireland (PBNI), including a prior options study of all its functions. I have accepted the main recommendation from the report of the study that PBNI should continue as a non-departmental public body (NDPB). A Management Statement has been prepared for PBNI which will operate

from 1 April 1999. I have, therefore, confirmed NDPB arrangements for PBNI for a period of three years from that date, subject to the findings and outcome of the Criminal Justice Review.

PRESIDENT OF THE COUNCIL

Millennium Bug

Helen Jones: To ask the President of the Council, pursuant to her answer of 18 May 1999, *Official Report*, column *285*, when she will publish the latest results of the market research tracking public perception of the millennium bug. [87248]

Mrs. Beckett: I have today placed copies of the Executive Summaries of the April and May tracking research in the Libraries of the House. The results are broadly consistent with those for March, showing that concern among the public on this issue is still low.

Mr. Chope: To ask the President of the Council how many copies of the public information booklet, "The Millennium Bug-Facts not Fiction", have been produced; and at what cost. [87111]

Mrs. Beckett: 31 million copies of the booklet have been produced so far; at a cost of just over £1.87 million.

PRIME MINISTER

Correspondence

Mr. Letwin: To ask the Prime Minister if he will make it his policy to require Government Departments and agencies to discontinue the practice of referring to date as postmark and to date their correspondence. [86873]

The Prime Minister *[holding answer 14 June 1999]:* All correspondence from Government Departments and agencies should be clearly dated. The Cabinet Office will be issuing revised guidance on correspondence handling later this year to reinforce this message.

INTERNATIONAL DEVELOPMENT

Kosovo (Refugees)

Dr. Tonge: To ask the Secretary of State for International Development what preparations her Department has made for winter accommodation for Kosovar refugees; and what discussions it has held with the refugees on this matter. [86193]

Clare Short: We have urged the UN High Commissioner for Refugees, as the lead humanitarian agency in the region, to co-ordinate the development of a comprehensive approach for Kosovars during the winter. The strategy for shelter provision will include a combination of methods—hard shelter, winterised tents and repair and rehabilitation of existing structures.

In a number of well-established camps and collective centres, elected refugee representatives are feeding information to camp managers, and in turn to agencies, international organisations and donors, about the problems and needs of the refugee population. Planning for winter is among the topics of discussion between these parties.

Genetically Modified Organisms

Mr. Baker: To ask the Secretary of State for International Development what progress her Department has made in reviewing the implications of genetically modified organisms for poorer farmers in developing countries since her answer of 11 November 1998, *Official Report*, columns *206–07*. [86774]

Clare Short: The findings of this initial review are summarised in the "Background Briefing: Genetically Modified Organisms (GMOs) and developing countries", which we published in May 1999. The paper sets out our approach to GMOs and developing countries and identifies further actions which we are undertaking. I will send a copy to the hon. Member and place copies in the Library of the House.

Departmental Expenditure

Mr. Cohen: To ask the Secretary of State for International Development what proposals there are to amend her Department's departmental expenditure limits for 1999–2000. [87245]

Clare Short: Subject to Parliamentary approval of the necessary Supplementary Estimate for Class VIII, Vote 1, Department for International Development: International Development, the Department expenditure limit for 1999–2000 will be increased by £10,000,000 from £1,794,764,000 to £1,804,764,000. The increase is the net effect of additional humanitarian assistance to Kosovo.

The increase will be a charge on the DEL reserve and will not therefore add to the planned total of public expenditure.

WALES

A40 (Dualling)

Ms Lawrence: To ask the Secretary of State for Wales if he will publish the results of the study which he undertook on dualling the A40 to St. Clears; and if he will place a copy of the study in the Library. [85661]

Mr. Hain *[holding answer 8 June 1999]:* Copies of the report have been placed in the Library of the House.

The results of the study indicate that although there would be significant benefits to be gained from investments in public transport options, there would still remain the need to provide good road infrastructure.

It will now be for the Assembly to decide what resources to devote to new trunk road schemes and to what standards they should be built.

Poll Tax Debts

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the level of poll tax debts which remain unpaid; and if he will make a statement. [86346]

Mr. Jon Owen Jones: The information provided on local authority returns indicate that around £6.5 million of community charge arrears were still outstanding at 31 March 1999.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Coal Mines

Mr. Barry Jones: To ask the Secretary of State for Wales how many coal mines there are in Wales; and if he will make a statement. [86339]

Mr. Hain: There are currently 11 underground and eight opencast licensed coal mines in Wales.

Social Inclusion

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he has put in place to enhance social inclusion; and if he will make a statement. [86338]

Mr. Hain: I refer my hon. Friend to the answer given to my hon. Friend the Member for Cardiff, North (Ms Morgan) by my right hon. Friend the Secretary of State, 31 March 1999, *Official Report*, column *727–29*.

Copies of the document "Building an Inclusive Wales: Tackling the Social Exclusion Agenda" were placed in the Libraries of the House.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Medium Secure Units

Mrs. Betty Williams: To ask the Secretary of State for Wales if he will list the medium secure units in operation in Wales and the date when each was commissioned. [87043]

Mr. Jon Owen Jones: There are currently three medium secure units in operation in Wales. These are Ty Llywellyn in Llanfairfechan completed in 1998, Caswell Clinic in Bridgend completed in 1992 and the privately run Llanarth Court in Raglan also completed in 1992.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Mrs. Betty Williams: To ask the Secretary of State for Wales on how many occasions patients have absconded from medium secure units in Wales in the last three years, and from which units; and on how many of those occasions *(a)* it was assessed that there was a risk to the public and *(b)* members of the public were assaulted or threatened. [87040]

Mr. Jon Owen Jones: There are three medium secure facilities in Wales. Figures for escapes from the hospital grounds over the last three years are as follows:

	Number of escapes
Ty Llywellyn, North Wales	1
Caswell Clinic, Bridgend	3
Llanarth Court, Raglan	0

At no time were any of the patients assessed as a danger to the public nor were any members of the public assaulted or threatened. In addition to these escapes, Caswell had 15 patients who breached parole arrangements over the same period and Llanarth Court had 26.

Following the transfer of functions, these issues will be a matter for the National Assembly.

HOUSE OF COMMONS

Mileage Claims

Mr. Steen: To ask the President of the Council if she will estimate the number of additional hours per month required to complete the newly designed C1, C2, C3, C4 and C5 forms; how many additional staff are employed by the Fees Office to handle these claims; and if she will estimate the average number of hours *(a)* hon. Members will spend annually, recording and completing motor mileage claims and *(b)* the Fees Office takes to check this information. [86884]

Mrs. Beckett: I am afraid that it is not possible for me to estimate the hours required by Members to complete the Fees Office claim forms and their motor mileage claims. As I am sure the hon. Member will understand, Members have differing claim and travel patterns and, therefore, will take different amounts of time to complete the relevant forms. The new claim forms were designed to make completion easier for Members. I understand that the Fees Office has had a number of favourable comments about them from Members.

No additional staff were engaged to handle the revised claim forms. Staff employed by the Fees Office in checking motor mileage claims also have other duties and it is not possible accurately to apportion the time spent on each specific area of work.

Line of Route

Mr. Tyler: To ask the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), representing the House of Commons Commission, what has been the cost to date of the consultants' study of the proposal to re-open the line of route during the summer adjournment; and whether their contract has been re-negotiated. [86683]

Mr. Kirkwood *[holding answer 14 June 1999]:* The costs of the study to date have been shared between both Houses. The original contract up to April 1999 was suspended in the light of the decision to defer the summer opening until 2000. A new contract was re-negotiated to cover the period up to October 1999, but this is being reviewed as a result of the House's decision on 26 May that other options should be examined. I have asked the Serjeant at Arms to write to the hon. Member with details.

Debate Extracts

Mr. Webb: To ask the Chairman of Broadcasting Committee if his Committee will investigate the feasibility of allowing hon. Members to obtain audio or video clips from debates in a digital format. [86399]

Mr. Eric Clarke: The Parliamentary Recording Unit supplies sound and video tapes to hon. Members. Audio tapes can be supplied in DAT, or digital format if requested. However, video tapes are not yet available in digital format since all recordings are still analogue. The

first digital signals will originate from the Committee Rooms in Portcullis House and, from autumn 2000, digital and analogue video tapes will be available on request.

TREASURY

Financial Advice (VAT)

Mr. Flynn: To ask the Chancellor of the Exchequer if he will remove VAT on fee-based financial advice. [86935]

Ms Hewitt: No. VAT liability depends upon what service is provided and whether it is paid for. Financial advice for which a charge is made is liable to VAT at the standard rate. This is a requirement of European law.

ECOFIN

Mr. Maclean: To ask the Chancellor of the Exchequer if he will publish the latest agenda of the ECOFIN meeting of 14 June, prior to the meeting. [86832]

Ms Hewitt: There is no meeting of ECOFIN today. The next meeting is scheduled for 12 July. The agenda will be made available to the Scrutiny Committees when determined by Coreper, approximately one week before the meeting. Copies of the agenda will be placed in the Libraries of both Houses.

Offshore Oil and Gas

Mr. Blizzard: To ask the Chancellor of the Exchequer how much capital gains tax relating to the sale of exploration licences was paid by the offshore oil and gas industry in each of the last three years; and what is the forecast figure for the current financial year. [86858]

Mrs. Roche: The corporation tax liability of oil and gas companies arising from their capital gains on the sale of exploration and production licences averaged £25 million a year in the period 1995–96 to 1997–98 and is expected to be about £15 million for the current year.

Charities (Tax Concessions)

Mr. Spring: To ask the Chancellor of the Exchequer what is the estimated annual cost to his Department of all tax concessions to charities *(a)* as a total and *(b)* as a percentage of the total registered turnover of the charitable sector. [86689]

Ms Hewitt: *(a)* The annual cost of all tax reliefs for charities is estimated at over £2 billion. This comprises around £1.2 billion of relief from direct tax, about £0.2 billion in VAT reliefs and £0.6 billion in business rate relief.

(b) The total turnover of the charitable sector is not known. The Charity Commission's Register showed at the end of March 1999 that the total annual income of all registered charities in England and Wales was about £21 billion. This does not cover charities in Scotland and Northern Ireland, nor does it include non-registered charities.

Centre for European Reform

Mr. Bercow: To ask the Chancellor of the Exchequer what were the total funds available from the European Community in (i) 1998 and (ii) 1999 to date to the Centre for European Reform. [86644]

Ms Quin: I have been asked to reply.

We are not aware of any funds being made available from the European Community to the Centre for European Reform in 1998 or 1999. The relevant budget lines—established by the Council and the European Parliament—are administered by the Commission headquarters in Brussels.

"Britain in Europe"

Mr. Bercow: To ask the Chancellor of the Exchequer what European Communities moneys have been provided to the "Britain in Europe" organisation in each of the last three years. [86453]

Ms Quin: I have been asked to reply.

We are not aware of any funds being made available from the European Community to the "Britain in Europe" organisation in the last three years. The relevant budget lines—established by the Council and the European Parliament—are administered by the Commission headquarters in Brussels.

European Movement

Mr. Bercow: To ask the Chancellor of the Exchequer what funds were made available from the European Communities in (i) 1998 and (ii) 1999 to date to the European Movement; and for what purposes. [86455]

Ms Quin: I have been asked to reply.

We are not aware of any funds being made available from the European Community to the European Movement in 1998 or 1999. The relevant budget lines—established by the Council and the European Parliament—are administered by the Commission headquarters in Brussels.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Departmental Accommodation

14. **Mr. Leigh:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the advantages which the new offices of his Department have over those in Marsham Street. [85792]

Mr. Meale: I never had the joy of working in 2 Marsham Street. Staff now have the advantage of a modern working environment and better team working as a result.

National Rail Summit

18. **Mr. John Cryer:** To ask the Secretary of State for the Environment, Transport and the Regions when he plans to convene a further National Rail Summit. [85796]

Mrs. Liddell: The next National Rail Summit will be held in Spring 2000. The Summit will be used to review progress and maintain the momentum created by the Summit on 25 February.

Ethical Standards (Local Government)

19. **Helen Jones:** To ask the Secretary of State for the Environment, Transport and the Regions when he intends to introduce proposals to implement new ethical standards in local government. [85797]

Ms Armstrong: We have recently consulted on draft legislation, the Local Government (Organisation and Standards) Bill, putting in place a new ethical framework for local government. The draft Bill is also being considered by a Joint Committee that is due to report before the summer recess. We will be considering any issues raised during this scrutiny process with the aim of introducing new legislation as soon as parliamentary time allows.

Rural Train Services

20. **Jackie Ballard:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to safeguard rural train services. [85798]

Mrs. Liddell: Train operators are required to provide the minimum service level set out in the Passenger Service Requirement. Where services are heavily dependent on subsidy, for example in rural areas, PSRs reflect closely the level of services operated by British Rail at the time of franchising.

Proportional Representation (Local Government)

21. **Mr. Garnier:** To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the benefits of introducing proportional representation for local government elections in England. [85800]

Ms Armstrong: Other than our proposals in the paper, "Local leadership, local choice" (Cm 4298, March 1999) for the introduction of the Supplementary Vote system for the election of directly elected mayors, we do not intend now to make any assessment of local government voting systems for England.

Household Projection Figures (Gloucestershire)

22. **Mr. Laurence Robertson:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the new sub-regional household projection figures for Gloucestershire, with particular reference to the figure contained in the county's structure plan. [85801]

Mr. Caborn: The Secretary of State has made the 1996-based household projections available to the regional planning bodies to assist them with the preparation of regional planning guidance. The House would not expect me to comment on the Gloucestershire Structure Plan because of the Secretary of State's quasi-judicial role in planning matters.

Regional Airports

23. **Mr. Stringer:** To ask the Secretary of State for the Environment, Transport and the Regions what actions he intends to take in order to improve the competitiveness of regional airports. [85802]

Mrs. Liddell: We have freed four major regional airports from borrowing controls; we have liberalised international access to regional airports; and we are conducting a series of studies of the opportunities for the development of the regional airports.

Local Government Settlement (Southend)

24. **Mr. Amess:** To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received on the current local government settlement for Southend. [85803]

Ms Armstrong: Following approval by this House of the Local Government Finance Settlement for 1999–2000, we have received three letters about the settlement for Southend on Sea Borough Council.

A14 Traffic Flow Projections

25. **Mr. Sawford:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the revised traffic flow projections on the A14 (A1-M1 link road) for the years 1999 to 2007. [85804]

Ms Glenda Jackson: Traffic flow projections for the A14 (A1-M1 link road) were produced during the 1980's planning stages of the road. Whilst those original forecasts would not normally be revised as a matter of course, our planned multi-modal study for London-South midlands, due to start next year, will include this section of the A14 and consider projected traffic flows on it.

Passenger Services (Freight Network)

26. **Mr. John Smith:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to encourage rail operators to provide new passenger services on under-utilised sections of the freight network. [85805]

Mrs. Liddell: The Director of Rail Passenger Franchising recently published Bidding Guidance for the Rail Passenger Partnership scheme announced in the Government's Integrated Transport White Paper. The scheme will encourage innovative new rail passenger services at the local and regional level.

Local Government Finance

27. **Dr. Naysmith:** To ask the Secretary of State for the Environment, Transport and the Regions if he will list the bodies with which he has held consultations on the review of local government finance; and if he will make a statement. [85806]

Ms Armstrong: The Local Government Association, including representatives from the various Treasurers' societies, and the Association of London Government have both been closely involved in discussions on the review of revenue grant distribution since the review began earlier this year.

Radioactive Material Transport

28. **Mr. Chaytor:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the survey of radioactive material transport packages which he commissioned from Nukem Nuclear Ltd. [85807]

Ms Glenda Jackson: The survey commissioned by my right hon. Friend the former Minister for Transport (Dr. Reid), has been completed and the report has been made freely available. The survey indicates that, while low levels of contamination exists on the surface of fuel flasks, there is no evidence of the high levels of contamination found elsewhere in Europe and there is no significant hazard presented to public safety by the levels of contamination found. Copies of the report will be placed in the Commons Library.

North-west Development Agency

29. **Mr. Campbell-Savours:** To ask the Secretary of State for the Environment, Transport and the Regions when he next intends to meet members of the North-west development agency to discuss their use of public money. [85808]

Mr. Caborn: Neither my right hon. Friend the Secretary of State, nor I have any plans at present to meet members of the North-west Development Agency. However, I hold regular meetings with the chairmen of the regional development agencies to discuss matters of mutual interest.

Standard Spending Assessments

30. **Charlotte Atkins:** To ask the Secretary of State for the Environment, Transport and the Regions what are the principles and objectives underlying the review of standard spending assessments; and if he will make a statement. [85809]

Ms Armstrong: The objectives of the current review of revenue grant distribution are to investigate thoroughly whether there is a better way of determining the distribution of revenue support grant which is simpler, more stable, more robust and fairer than the present arrangements for SSAs. These objectives were set out in last year's White Paper, "Modern Local Government—In Touch with the People".

Fishing Vessel Accidents

31. **Dr. Godman:** To ask the Secretary of State for the Environment, Transport and the Regions pursuant to his answer of 9 February 1999, *Official Report*, column *148*, on the consultation document "Fishing Vessel Accidents and the Recovery of Those Lost at Sea", when he expects to publish his response to the consultation exercise. [85810]

Ms Glenda Jackson: Good progress is being made on many of the issues raised in the consultation paper. The analysis of responses was discussed by the Fishing Industry Safety Group on 22 April. Members of the Group were invited to submit comments by 31 May and the Government will issue their response soon.

Greenhouse Gas Emissions

32. **Mrs. Gorman:** To ask the Secretary of State for the Environment, Transport and the Regions what factors underlie the use of tonnes of carbon as a measure for greenhouse gas emissions from motor vehicles. [85811]

Ms Glenda Jackson: Under international guidelines, greenhouse gas emissions are measured in terms of their global warming potential. Conversion to a common unit of measurement (whether in tonnes of CO_2 equivalent or tonnes of carbon equivalent) allows comparisons to be made between countries, between various policies and measures and between different greenhouse gases.

Road Taxes (London)

33. **Mr. Gray:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the impact of the proposed road taxes for London on the use of private cars; and if he will make a statement. [85813]

Ms Glenda Jackson: Research undertaken by my Department and other organisations has shown that new charges could help to tackle London's congestion problems and generate a revenue stream for transport improvements. A further study is currently looking at how the new charging powers contained in the Greater London Authority Bill could be used in London. It will be for London's Mayor and boroughs to decide whether to introduce any charging scheme in London.

Integrated Transport Strategy

34. **Ms Stuart:** To ask the Secretary of State for the Environment, Transport and the Regions how he will ensure that local transport plans meet the quality standards set out in the integrated transport strategy. [85814]

Mrs. Liddell: We have produced comprehensive guidance for local authorities, setting down the criteria by which we will judge local transport plans. Officials, particularly in the Government Offices, are working closely with local authorities to help them deliver the best quality local transport plans that they can.

Council Tax (Shropshire)

35. **Mr. Gill:** To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with Shropshire county council regarding council tax. [85815]

Ms Armstrong: The Secretary of State received representations from Shropshire county council as part of the 1999–2000 local government finance settlement consultation process. Shropshire county council is also one of the 12 authorities with the largest increases in budget and council tax which we have called in to discuss their increases and put on warning for next year. I shall be meeting them on 24 June.

London Underground

36. **Mr. Wilkinson:** To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the income to be derived by London Transport

from the Public-Private Partnership leases on London Underground's infrastructure in (i) 2000–01, (ii) 2001–02 and (iii) 2002–03. [85816]

Mrs. Liddell: It is not the intention of the Public/Private Partnership to derive income for London Transport through leasing charges. The leasing of the infrastructure to the private sector is the legal mechanism necessary to allow private sector partners to undertake and finance the necessary maintenance, renewal and upgrade works to the system.

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with Railtrack plc on the possibility of granting them a public–private partnership of the whole London Underground system; and if he will make a statement. [86640]

Mr. Prescott: I announced to the House earlier this afternoon, *Official Report*, columns 155–67, that I have agreed with London Transport that they should not hold a PPP competition for London Underground's sub-surface lines at present. This is to allow London Transport to explore with Railtrack whether there is a way of linking the national rail network to the sub-surface lines in a PPP, under which Railtrack would undertake and finance the maintenance and upgrading of the subsurface lines for London Underground, under contract to London Underground, and Railtrack would build links between the Underground and the national rail network, to allow new services for passengers running into the heart of London.

I also announced that London Transport is today inviting companies to pre-qualify as bidders to invest in the Underground through the Underground's two deep-tube infrastructure contracts. Railtrack have themselves confirmed that they will not be seeking to pre-qualify for the two deep-tube PPP competitions.

I met Gerald Corbett, Chief Executive of Railtrack, this morning, to discuss the work involved. Prior to this, my officials held a number of working level meetings with Railtrack.

Energy Reduction Plans

37. **Mr. Connarty:** To ask the Secretary of State for the Environment, Transport and the Regions what time scale he set for agreeing energy reduction plans with major energy user industries; and if he will make a statement. [85817]

Mr. Meale: The Chancellor has asked energy intensive sectors of industry to make proposals for targets to improve efficiency and reduce emissions by October. DETR is leading the negotiations with the sectors concerned.

Rail Services

38. **Mr. Burstow:** To ask the Secretary of State for the Environment, Transport and the Regions what recent steps he has taken to secure an improvement in rail services. [85818]

Mrs. Liddell: The National Rail Summit on 25 February produced a package of measures to tackle medium to long-term problems, including the creation of the shadow Strategic Rail Authority under the Chairmanship of Sir Alastair Morton. The Deputy Prime Minister has also recently appointed a new Franchising Director and a new Rail Regulator.

Scheduled Flights (Journey Times)

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the increase in *(a)* fuel burn and *(b)* emissions as a result of the increased times taken on scheduled flights to Scotland. [85872]

Mrs. Liddell: We have not assessed whether the slight increases in some scheduled journey times reflect delays on the ground or in the air. That information could be obtained only at disproportionate cost. Without it, no estimate of any increase in fuel burn or emissions could be made.

Ministerial Meetings

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions how many times Ministers in his Department have met their counterparts in the United States Government since 30 January 1999; and if he will list the dates and locations of each meeting, the Ministers involved on each occasion, and the name of the US counterpart at each meeting. [86292]

Mr. Prescott: The information for DETR is as follows:

1999	*Location*	*DETR Minister*	*US Counterpart*
30 January	London	John Prescott	Al Gore, US Vice President
26 March	London	John Prescott John Reid	Rodney Slater, Secretary of Transportation
26–28 March	Schwerin, Germany	John Prescott Michael Meacher	Carol Browner, Administrator, Environment Protection Agency
20 April	Washington	John Prescott	Carol Browner, Administrator, Environment Protection Agency Andrew Cuomo, Secretary Department of Housing and Urban Development Rodney Slater, Secretary of Transportation
22 April	New York	Michael Meacher	Frank Loy, US State Department
14 June	London	John Prescott Michael Meacher	Frank Loy, US State Department

Carbon Dioxide Emissions

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the level of UK carbon dioxide emissions in each year from 1990 to date. [86663]

Mr. Meale: The following table gives estimates of carbon dioxide emissions for each year from 1990 to 1998 from the UK's greenhouse gas emissions inventory. The 1998 data are provisional. Emissions in 1998 are provisionally estimated to be 7 per cent. lower than in 1990, due mainly to the switch from coal to gas in electricity generation, and increased efficiency of nuclear power stations.

Year	*Emissions (million tonnes of carbon)*
1990	168
1991	169
1992	165
1993	161
1994	159
1995	157
1996	162
1997	155
1998	[1]156

[1] Provisional

Council Tax

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it a criminal offence to claim falsely the single person's discount for the council tax; and if he will make a statement. [86381]

Mr. Meale: A 25 per cent. discount applies where a dwelling is the sole or main residence of one person, or where all but one resident is disregarded for the purpose of a discount. We do not have any plans to make it a criminal offence to make an invalid claim for the 25 per cent. discount. However, local authorities already have powers to impose a penalty of £50, without having to go to the Courts, if a person receiving a discount fails to notify the authority that he is no longer (or never was) eligible for it.

Brownfield Sites

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish statistics on the proportion of new development on brownfield sites; and if he will make a statement. [86356]

Mr. Caborn: Estimates of the proportion of new development on previously developed land are published annually in the statistical Bulletin series "Land Use Change in England". The latest results were published in December 1998 in issue no 13, a copy of which is in the House of Commons Library. The next edition should be published in September 1999.

Abandoned Vehicles

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the trend in the number of abandoned vehicles over the last two years; and if he will make a statement; [86865]

(2) what plans he has to help local authorities deal with an increase in abandoned vehicles resulting from the fall in the price of scrap metal. [86866]

Ms Glenda Jackson: My Department does not monitor the number of abandoned vehicles collected from the public highway by local authorities. There is no requirement for local authorities or the police to provide the Secretary of State with information in respect of the abandoned vehicles which they have dealt with.

The number of abandoned vehicles was not an issue raised with this Department by the Local Government Association during discussions on the Comprehensive Spending Review (CSR), which provided substantial additional provision for local authorities over the three year period covered by the CSR.

Nuisance Hedges

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make an announcement on plans to introduce legislation to control *(a)* leylandii and *(b)* other trees and bushes on private property which cause nuisance; and if he will make a statement. [86922]

Mr. Meale: I refer my hon. Friend to my reply to the hon. Member for Colchester (Mr. Russell) on 17 November 1998, *Official Report*, column *473*.

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the report of the Departmental Working Group on nuisance caused by hedges; and if he will make a statement. [86777]

Mr. Meale: The voluntary code of practice on the information to be provided on the sale of hedging plants, drawn up the Leylandii Working Group, is being launched to the horticultural and landscape industry today. Copies have been placed in the Library; otherwise, the position remains as set out in my reply to the hon. Member on 19 March 1999, *Official Report*, column *881*.

Area Cost Adjustment

Mrs. Anne Campbell: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reform the area cost adjustment. [85812]

Mr. Meale: We shall be examining possible improvements to the area cost adjustment as part of the Review of Revenue Grant Distribution.

Road Traffic

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to set targets in respect of his proposals to reduce road traffic levels; and if he will make a statement. [86433]

Ms Glenda Jackson: The Government are already implementing policies to tackle road traffic as a vital part of our integrated transport strategy set out in last year's White Paper. We already have a number of international and national targets for protecting the environment and

promoting more sustainable transport, and will ask the Commission for Integrated Transport, which will be starting work shortly, to advise us on further targets. We remain committed to publishing our first report under the Road Traffic Reduction (National Targets) Act 1998, on the issue of whether to set a national traffic reduction target, by the end of this year.

Train Overcrowding

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has for defining overcrowding on trains. [86691]

Ms Glenda Jackson: It is not proposed to change the current definition of overcrowding. For services into London and also some commuter services into other large cities, overcrowding is defined in franchise agreements in terms of passengers in excess of capacity. Trains have a nominal capacity (the number of standard class seats for journeys of more than 20 minutes; plus, for journeys of less than 20 minutes, an allowance of 0.55 sq metres of floor space per standing passenger) which should not be exceeded by more than 3 per cent. in the morning and evening peaks combined. This is the general definition of overcrowding. It is broadly comparable with that formerly used by British Rail. The current practice of systematically controlling overcrowding only on commuter services also reflects previous British Rail practice.

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had recently with *(a)* the train operating companies, *(b)* rail users and *(c)* trade unions on the subject of overcrowded trains. [86692]

Ms Glenda Jackson: The problem of overcrowding on trains was discussed at the National Rail Summit on 25 February which was attended by train operating companies, rail users and trade unions.

Bus Service

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with bus operators on the quality of their services. [85799]

Ms Glenda Jackson: DETR Ministers and officials are in frequent contact with bus operators on a wide range of issues as the policies for improving bus services announced in last year's Transport White Paper are taken forward. Improving the quality of service is prominent among the issues considered in these discussions.

National Bus Company (Pensions)

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the position reached in respect of the pensions scheme of the former National Bus Company. [87246]

Mr. Prescott: I am pleased to be able to announce substantial progress in the settlement of the long running dispute concerning the payment to the Government in 1990 of surpluses held in the two National Bus Company pensions funds. At the first opportunity following full consideration of all the relevant legal and other issues, I instructed the Department's lawyers to open discussions with the pension trustees with a view to obtaining a just and equitable out of court settlement as soon as possible.

Those discussions have been successful. Offers have been made which the trustees have indicated they intend to recommend as acceptable. An application will be made to the Court for its approval of the proposed settlement terms as soon as possible following all proper consultation with the beneficiaries.

The proposed settlement involves payment to the trustees of £300 million in respect of the BEST scheme and of £55.77 million in respect of the NBPF scheme. I am satisfied that this is a just and reasonable settlement for all concerned.

The details of the distribution of the settlement sum to individuals will be a matter for the trustees to decide and carry forward.

Public Safety Zone Policy

Lorna Fitzsimons: To ask the Secretary of State for the Environment, Transport and the Regions what further decisions he has reached on Public Safety Zone Policy and administration since the announcement on 31 July 1998. [87251]

Ms Glenda Jackson: Since my announcement we have been developing our proposals on two fronts, relating to the definition of new Public Safety Zone boundaries and to the preparation of guidance to local planning authorities for use in considering planning applications. Work is well in hand on the redefinition of the existing Public Safety Zones. We shall notify the local planning authorities and airports concerned of the grid co-ordinates of the new Zones during the next couple of months, and we shall follow this up by providing the data to them in map form. We shall also define Public Safety Zones for Teesside and Sheffield City airports, which were mentioned in the December 1997 consultation document.

Meanwhile we are today issuing for consultation a draft of a circular to local planning authorities in Great Britain containing guidance for use in considering applications for development within Public Safety Zones. This recommends that new housing development, and most types of non-housing development, should not be approved within Public Safety Zones. Copies have been placed in the Library.

Subject to the progress of this consultation we hope to bring the new arrangements into effect later this year in relation to the airports which already have Public Safety Zones, and to Teesside and Sheffield City. At that stage the residual work of the Civil Aviation Authority in administering the Public Safety Zone policy will be transferred to the Department. We hope by next spring to have established Public Safety Zones at the other airports for which modelling work suggests that this would be justified.

Land-use Planning

Ann Keen: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on land-use planning and renewable energy in England. [87315]

Mr. Caborn: The Government's policy is set out in Planning Policy Guidance note 22, published in February 1993. This makes clear that in formulating the policies and proposals in their development plans, and in making decisions on applications for specific renewable energy developments, local planning authorities need to consider both the immediate impact on the local environment and the wider contribution to reducing emissions of greenhouse gases. They need to take account of the Government's policy for renewable energy sources along with policies for Green Belts, conservation areas and industrial and commercial development, for example.

In October 1998, the Department published a good practice guide on "Planning for Sustainable Development" and sent copies to all local planning authorities. The guide includes advice on renewable energy. It underlines the importance of renewable energy, developing a strategy at regional and local levels for the provision of renewable energy development and having clear policies and criteria in plans to help decide individual applications. The Department has held a series of seminars for local planning authorities and others to disseminate the messages of the guide.

On 30 March 1999, my right hon. Friend the Minister for Energy and Industry published a consultation document, "New and Renewable Energy: Prospects for the 21 Century". This confirmed that the Government are working towards a target of renewable energy providing 10 per cent. of UK electricity supplies as soon as possible and that they hope to achieve this by 2010. It also underlined the important role of renewables in enabling the UK to meet its legally binding target of reducing greenhouse gas emissions by 12.5 per cent. (compared to 1990) by 2008–12 and its goal of reducing emissions of carbon dioxide by 20 per cent. by 2010.

The consultation document indicated that the Government are reviewing the contribution which the planning system has to make to delivering their target for renewable energy and noted that widespread adoption of renewable of energy will not be possible unless the public is prepared to accept projects in their locality. The consultation document also acknowledged that concerns have sometimes been expressed that the current Non-Fossil Fuel Obligation (NFFO) scheme does not address, e.g. environmental aspects, sufficiently effectively and that future support mechanisms or obligations will need to deliver good quality schemes.

The planning system has an important role in helping to deliver the Government's targets and goals for renewable energy and climate change. It is clear that we need a positive strategic approach to planning for renewable energy from regional level downwards, with appropriate provision made for development in authorities' plans. There needs to be an open and constructive dialogue between prospective operators, local planning authorities and local people about identifying suitable sites with sensitivity and care. We shall build on these themes in considering what further practical steps may be needed to ensure that the planning system enables renewable energy provision to contribute to the UK's sustainable energy needs while continuing to protect the countryside.

CULTURE, MEDIA AND SPORT

BBC

Mr. Fallon: To ask the Secretary of State for Culture, Media and Sport, pursuant to the answer of 25 May 1999, *Official Report*, column *142*, on the BBC, (1) if he will set out the internal and external audit requirements for BBC Worldwide and BBC Resources Ltd; [86270]

(2) what are the agreed borrowing limits for BBC Worldwide and BBC Resources Ltd.; and what is the security for such borrowing; [86268]

(3) if the agreed borrowing limits for BBC Worldwide and BBC Resources Ltd. count as part of the public sector borrowing requirement. [86269]

Janet Anderson: BBC Worldwide and BBC Resources are audited under the BBC's group internal audit plan. Both companies are required to have an external audit because they are limited companies that exceed the threshold size for audits.

BBC Worldwide has a loan agreement with the BBC which allows maximum borrowings of £150 million, subject to the constraints of three financial covenants: net assets, free cash flow and interest cover. BBC Resources has a £70 million term loan facility and a £30 million revolving loan facility which reduce to zero by August 2005. As with BBC Worldwide, borrowing is restricted by various financial and non-financial covenants within a loan agreement with the BBC. The covenants in both cases ensure, among other things, that licence fee money is not placed at risk.

Only the BBC's external borrowings form part of the public sector borrowing requirement, so the borrowing limits for BBC Worldwide and BBC Resources would only impact on the public sector borrowing requirement if they were to lead to an increase in the BBC's own borrowing from the market.

EU Weimar Meetings

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on his contribution to the EU meetings at Weimar on cultural and audiovisual issues, in respect of (i) European identity and history, (ii) self-regulation of the media, (iii) the Culture 2000 programme and (iv) the Commission Green Paper on Convergence. [86364]

Mr. Alan Howarth: This was an informal meeting of EU Culture Ministers, with no formal agenda or conclusions. There was a wide-ranging exchange of views on these and other subjects. On the Culture 2000 programme, I indicated the UK's desire to agree a Common Position at the formal Culture/Audiovisual Council on 28 June. That Council will also consider draft conclusions on convergence and self-regulation in the media. I drew attention to a number of features which are common to both, noting in particular that self-regulation can be expected to make an important and complementary contribution to state regulation in the light of future digital media developments. The discussion on European identity and history focused on a presentation from the Spanish writer and former Minister of Culture, Jorge Semprun.

National Advisory Committee on Creative and Cultural Education

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport when he expects to publish the report of the National Advisory Committee on Creative and Cultural Education; and if he will make a statement. [86934]

Mr. Chris Smith *[holding answer 14 June 1999]*: I refer the hon. Member to the reply my right hon. Friend the Secretary of State for Education and Employment gave to my hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman) on 14 May 1999, *Official Report*, column *226*. Printed copies of the report will be available from the Department for Education and Employment's Publication Centre from 14 June 1999.

National Lottery (Good Causes)

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what is the current estimate of the amount of money to be given to the good causes under the present National Lottery licence arrangements. [86688]

Mr. Chris Smith: Our latest forecast is that the income (including interest) to good causes from the National Lottery over the seven years of the current licence will be at least £10.85 billion, £1.85 billion more than originally anticipated when the Lottery was launched in 1994.

HOME DEPARTMENT

Judicial and Police Co-operation

Mr. Mitchell: To ask the Secretary of State for the Home Department (1) what will be the name of the replacement committee dealing with matters arising from Title VI of the consolidated Treaty on European Union, Articles 29–42 concerning police and judicial co-operation on criminal matters; who will represent the UK at its meetings; and how frequently it is planned to meet; [86233]

(2) whom he plans to appoint to the co-ordinating Committee of officials established by article 31 of the Treaty on European Union, whose duty it is to prepare for deliberations of the Council of Ministers concerning judicial and police co-operation in criminal matters. [85675]

Mr. Straw: The new co-ordinating Committee established by Article 36 of the revised Treaty on European Union has no formal title but is known informally as the Article 36 Committee. The United Kingdom representative is Mr. John Warne of the Organised and International Crime Directorate in the Home Office. It is for the Presidency of the day to determine how frequently the Committee meets, but we would expect there to be meetings at approximately monthly intervals.

Millennium Compliance

Dr. Cable: To ask the Secretary of State for the Home Department (1) if he will make a statement on preparations to tackle the millennium bug problem in *(a)* police forces and *(b)* fire services; [86172]

(2) what assessment he has made of millennium bug preparations in *(a)* the police forces and emergency services of (i) Avon and Somerset, (ii) Devon and Cornwall, (iii) Cheshire, (iv) Hampshire, (v) Metropolitan London, (vi) Warwickshire and (vii) Sussex and *(b)* the National Criminal Intelligence Service. [86240]

Mr. Straw: Her Majesty's Inspectorate of Constabulary and Her Majesty's Fire Services Inspectorate have carried out independent assessments of the millennium readiness of all police forces and fire brigades in England and Wales, using the colour coding method defined by Action 2000. Her Majesty's Inspectorate of Constabulary assessment also covers the National Criminal Intelligence Service. Under this method, 'red' means there is a severe risk of material disruption, 'amber' means there is some risk of material disruption but an agreed rectification plan exists, and 'blue' means there are no identified risks of material disruption. The status of all forces and brigades, assessed according to this method, will be made public at the National Infrastructure Forum on 13 July. The aim is that by that date, no forces or brigades will be 'red', and by September, all will be 'blue'.

The NHS Executive has assessed the readiness of all NHS bodies, including NHS Ambulance Trusts, on a regular basis since June 1998. Aggregated figures are published on a quarterly basis, and the individual monitoring returns from each organisation are also published on the Internet. The latest returns at 31 March 1999 were published on 21 May. An up-to-date assessment of the status of all individual NHS organisations, including NHS Ambulance Trusts, will be made public at the National Infrastructure Forum on 13 July.

K4 Committee

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 May 1999, *Official Report*, columns *445–46*, concerning the business conducted at the final meeting of the K4 Committee in Brussels on 29 to 30 April, if he will list *(a)* the 25 agenda items there considered, *(b)* the Treaty base, terms of reference for Eurodac, and documentary reference to rules for its implementation, and any parliamentary scrutiny related thereto and *(c)* where, and by what means, the proposals of the United Kingdom for mutual recognition of criminal court decisions have been published, what consultative or scrutiny procedures have taken, or are to take, place in respect of them, and what comparable proposals have been received from other member Governments. [86235]

Mr. Straw: As regards listing, the 25 agenda items considered at the K4 Committee meeting on 29–30 April, I would refer my hon. Friend to the reply I gave to him on 8 June 1999, *Official Report*, column *259*.

The draft Eurodac Convention had as its legal base Article K3(2)(c) of the Treaty on European Union. Its purpose is to assist in determining the member state which is responsible, under the Dublin Convention, for examining an application for asylum lodged in a member state, and otherwise to facilitate the application of the Dublin Convention. The draft implementing rules were developed in the context of these proposals. The draft Convention cleared Parliamentary scrutiny in May 1998, but the draft Protocol had not cleared scrutiny when the Treaty of Amsterdam came into effect; the draft

implementing rules were not subject to the parliamentary scrutiny arrangements. The European Commission has now adopted a draft Regulation under Article 63(1)(a) of the Treaty establishing the European Community replacing the draft Eurodac Convention and Protocol, but this has not yet been communicated to member states.

The United Kingdom's discussion paper on the mutual recognition of court decisions and judgments in criminal matters was submitted to the K4 Committee on 29 March. It follows up the initiative of the United Kingdom Presidency endorsed at the Cardiff European Council, the conclusions of which called on the Council to identify the scope for greater mutual recognition of decisions of each other's courts. The paper, together with an Explanatory Memorandum, was deposited for scrutiny on 31 March and a copy of both has been placed in the Library.

France and Belgium have produced jointly an informal document described as a study proposal, in preparation for the Tampere European Council, on the need to develop criminal judicial co-operation. The document calls for a common push to deal more effectively with the key concerns of citizens on organised crime, corruption and European Community budget fraud, and suggests that this could be done by instruments on money laundering, use of offshore centres by organised crime and use of new technology for cross-border crime.

European Council

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 May 1999, *Official Report*, columns *445–46*, when, and by whom, the agenda for the additional European Council Meeting due in October at Tampere, Finland, concerning judicial and home affairs in the European Union will be published; what principal documents will be available to the public and national Parliaments prior to that meeting; and when it is planned that they will be available. [86232]

Mr. Straw: There is normally no formal agenda for European Councils. The German Presidency and the incoming Finnish Presidency have proposed that the Tampere special European Council should focus on three main issues: immigration and asylum, the fight against cross-border crime and the establishment of a European judicial area, including citizens' access to justice. A list of documents to be submitted to the European Council is unlikely to be finalised until shortly before the meeting. Appropriate documents will be made available to the public and Parliament in accordance with the normal procedures.

Fire Hydrants

Mr. Keetch: To ask the Secretary of State for the Home Department what guidance his Department gives to the Fire Service on *(a)* the location of and *(b)* distances between hydrants. [86299]

Mr. George Howarth: The Home Office issued guidance to the Fire Service on water hydrants in the "Manual of Firemanship, Book 7". The most recent edition (dated 1997) states on page 73 that

> "hydrants are normally placed at intervals of between 90 and 180 metres, except in the case of high risks and rural areas".

Further guidance on water hydrants is issued by the Department of the Environment, Transport and the Regions.

Draft Convention (Road Traffic Offences)

Mr. Bercow: To ask the Secretary of State for the Home Department what is his Department's contribution to the formulation, within the Schengen framework, of a draft Convention on Co-operation in Matters of Criminal Proceedings for Offences Against Road Traffic Regulations and the Enforcement of Fines Imposed from Such Offences. [86724]

Mr. Straw: The agreement on this subject was adopted by the Schengen Executive Committee on 28 April. The Government were not involved in drawing it up and it does not at present apply to the United Kingdom. The United Kingdom has recently applied to participate in certain parts of the Schengen acquis, but has reserved its position on whether it would wish to become a party to the agreement on road traffic offences.

Electronic Intercepts

Mr. Bercow: To ask the Secretary of State for the Home Department if legislation currently being discussed by the Council of Ministers on electronic intercepts is consistent with the 1981 Council of Europe Convention on the Protection of Individuals with Regard to Automatic Processing of Personal Data; and if he will make a statement. [86719]

Kate Hoey: The draft Convention on Mutual Legal Assistance in Criminal Matters between the member states of the European Union would, if agreed, be implemented in United Kingdom law in accordance with data protection legislation. The 1981 Council of Europe Convention was implemented in United Kingdom law by the Data Protection Act 1984.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for the Home Department what is the UK share of (i) costs and (ii) personnel for the Schengen Information System. [86446]

Mr. Straw: There are likely to be three main elements to the costs for the Schengen Information System (SIS): the cost of running and staffing the inquiry points at the United Kingdom National SIS; the cost of the national contribution to the costs of the central SIS in Strasbourg; and a one-off contribution towards the start-up costs of the system. At this stage, it is not possible to provide a precise estimate of the costs and staffing arrangements, which we are discussing with interested parties, including the police service.

Mr. Bercow: To ask the Secretary of State for the Home Department what is his estimate of the cost of current applicant countries joining the Schengen Acquis; and whether present member states intend to share those costs. [86737]

Kate Hoey: The Schengen acquis was incorporated into the European Union Treaty structures on the entry into force of the Treaty of Amsterdam on 1 May 1999. Any costs falling on to member states and associated with

accession to the Schengen acquis are, therefore, now part of the overall costs incurred in assisting candidate countries to prepare for accession to the European Union.

Police Car Response Times

Dr. Cable: To ask the Secretary of State for the Home Department what research his Department has *(a)* commissioned and *(b)* evaluated on the response time of a police car using its blue light in responding to emergency calls. [86461]

Mr. Boateng: No research on this subject has been commissioned or evaluated.

Asylum Seekers

Mr. Clappison: To ask the Secretary of State for the Home Department how many of the cases arising from asylum applications made *(a)* prior to 1 July 1993 and *(b)* between 1 July 1993 and 31 December 1995 have been dealt with under the asylum backlog procedures; and what proportion of cases so dealt with have resulted in the granting of exceptional leave to remain. [86642]

Mr. Mike O'Brien: Up to the end of April 1999, a total of 2,840 cases have been decided under the asylum backlog procedures. 94 per cent. of decisions were grants of exceptional leave to remain.

2,075 of the decisions were made on asylum applications lodged prior to July 1993 and 765 decisions were made on applications lodged between July 1993 and the end of December 1995.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department what reports he has received on the means of arrival in the UK of asylum seekers granted refugee status or indefinite leave to remain; and what assessment he has made of the effect of the measures in the Immigration and Asylum Bill on the routes they have taken. [87021]

Mr. Mike O'Brien: Asylum applications are received from persons arriving at ports, persons who seek to enter, or who have entered, clandestinely and those who have entered lawfully for other purposes. It is not always possible to establish the means of arrival of asylum seekers. The Department does not collate specific records of the routings used by those granted refugee status or indefinite leave to remain. Measures in the Immigration and Asylum Bill contain powers designed to reduce the number of clandestine entrants and inadequately documented persons arriving in the United Kingdom. It is not the object of these measures to keep out genuine refugees. We remain firmly committed to dealing with asylum seekers in a way that complies with the United Kingdom's international obligations.

Passport Agency

Mr. Kidney: To ask the Secretary of State for the Home Department how many times this year the Liverpool office of the UK Passport Agency has turned away applicants who attended in person without serving them; and how many such applicants it turned away without serving on Friday 7 May. [86352]

Mr. Mike O'Brien: Passport applicants who have attended personally have not been turned away if this would have resulted in their missing their travel date.

The Passport Agency has not kept a detailed record of the number of passport applicants attending in person at the Liverpool passport office who have been turned away. This has only happened very exceptionally where the number of applicants inside the Liverpool office have been the maximum permitted in the office. In these circumstances, the position has been explained to applicants who have been asked to call back at a later date.

The Passport Agency has no specific information available for 7 May and it is not aware of any particular problems arising from customers being turned away from the Liverpool office on that date. However, if my hon. Friend has concern about a particular case I should be grateful if he would let David Gatenby, Chief Executive of the Passport Agency know, and he will be pleased to investigate the matter and report urgently to me.

Mr. Kidney: To ask the Secretary of State for the Home Department if the passport service provided by the Passport Agency's high street partners takes priority over the Agency's standard service. [86334]

Mr. Mike O'Brien: The Passport Agency gives priority to passport applications by the applicant's declared date of travel. This applies to all applications, whether they are received via the Agency's partners or directly in the mail, or made in person. As partnership applications have been pre-checked for accuracy and completedness, and the fee has been collected, these applications can normally be processed more speedily than direct postal applications.

Mr. Kidney: To ask the Secretary of State for the Home Department what assessment he has made of the effect of the passport service provided by the Passport Agency's high street partners on the Agency's standard service. [86335]

Mr. Mike O'Brien: The service provided by the Passport Agency's high street partners since 1996 has helped the Agency to deal effectively and efficiently with high levels of demand by reducing processing times for passport applications. Partnership applications are pre-checked for accuracy and completeness, which enables them to be processed more speedily. This has had a beneficial impact on the service provided by the Passport Agency to all its customers.

Mr. Chope: To ask the Secretary of State for the Home Department what additional resources were given to the Passport Agency following introduction of the requirement that every child travelling overseas should have an individual passport. [87106]

Mr. Mike O'Brien: As part of its business planning, the Agency took account of this change in forecasting demand for passports in 1998–99, and 1999–2000, and planning the resources and budget needed to deal effectively with this forecast demand.

The Agency is on a net financing regime and is required fully to recover its costs from passport fees.

Mr. Chope: To ask the Secretary of State for the Home Department if the Passport Agency has relaxed its procedures for checking passport applications; and if he will make a statement. [87107]

Mr. Mike O'Brien: There is no relaxation of security, but to facilitate the more efficient processing of new passport applications the Passport Agency has issued guidance to its examiners to ensure they do not unnecessarily delay issuing passports by exercising discretion to approve applications where the examiner has no significant doubt about the identity of the applicant. The guidance has been agreed with the Agency trade unions as not compromising effective checks.

The Agency is often criticised for taking too narrow a view of whether a counter-signatory "is a person of similar standing" to a professionally qualified person. Passport examiners have been encouraged to give a reasonable interpretation to this requirement. In the context of the whole application and supporting documentary evidence, sensible use of discretion can ensure both quicker and proper processing of applications.

In order to clear quickly straightforward renewal applications made in person, certain existing passports are being extended for two years provided certain criteria are fulfilled. Passports valid or expired within the last five years are being exceptionally extended provided the holder's identity can be confirmed, for example, by comparing the photograph with the photograph in the old passport, or with the person who is applying in person, and provided certain other checks are satisfactorily completed.

These extended passports are properly issued passports valid for travel. Immigration authorities abroad have been made aware of this position.

Neither of the measures imply any relaxation in the Agency's security. No security checks have been suspended.

Mr. Chope: To ask the Secretary of State for the Home Department how many passport applications are currently outstanding; what is the average time taken between receipt of the application and the issue of the passport; and what were the estimated figures for June 1996, June 1997 and June 1998. [87112]

Mr. Mike O'Brien: The Passport Agency currently has 487,658 passport applications outstanding, which represents, at current output levels, about one month's work.

The current average turnround time across the Agency's six passport offices is 34 working days. The average turnround time in June 1996, June 1997 and June 1998 was 8 working days, 9.5 working days and 16 working days respectively.

Teething problems with the introduction of new computerised passport-issuing arrangements into the Liverpool and Newport Passport Offices, and high seasonal demand for passports, have caused current delays.

Mr. Flynn: To ask the Secretary of State for the Home Department what is his estimate of the time that will be taken between application to the Passport Agency and issue of a passport for *(a)* new passports and *(b)* renewal of a passport (i) one month hence and (ii) six months hence. [86980]

Mr. Mike O'Brien: It is difficult to provide an estimate of the position in one month's time as the Passport Agency is prioritising applications to meet applicants declared travel dates. With high seasonal demand for passports, this means there are delays in processing non-urgent applications. Much depends on intake, the Agency's output, and the impact of the measures the Agency is taking to reduce current delays.

The Agency is meeting travel dates in 99.99 per cent. of cases and will continue to do so throughout the summer. The Agency's aim is to reduce turnaround times to 10 days by September.

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what recent discussions he has had with the Newport Passport Office regarding *(a)* the telephone service and *(b)* the general service provided to the public; and if he will make a statement. [86944]

Mr. Mike O'Brien: I am aware from the weekly reports that I have been receiving from the Passport Agency's Chief Executive on the Agency's current operational difficulties of the teething problems that the Newport Passport Office have encountered in piloting new computerised passport issuing arrangements. Productivity has been below expectations and arrears of work have developed. In addition, along with the Agency's other five offices, Newport has been dealing with high seasonal demand for passports.

The Passport Agency is taking a number of measures to improve the position at Newport. Applications are being prioritised by customers declared travel dates, and Newport is meeting those dates for 99.99 per cent. of passports issued. Additional staff are being deployed, examination processes are being streamlined, and Newport is working extended hours.

Current delays will reduce as a result of the action being taken and the seasonal nature of the Agency's work. The aim is to reduce turnround times to 10 days by September.

Because of its arrears of work, the Newport Office has been swamped with telephone and written inquiries. Despite its best endeavours, and with its focus on the customers declared travel dates, the Newport Office has not in many cases been able to provide a satisfactory response. The Passport Agency very much regrets the present situation and is taking action to improve matters. It is looking urgently at alternative telephone answering arrangements.

I have written to all hon. Members with a more detailed explanation of the Agency's current operational position, and its plans to reduce current delays.

Trial by Jury

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department (1) if he will estimate the proportion of cases where trial by jury having been denied by the magistrates, refused by the Crown Court, and having given

rise to a subsequent conviction in the magistrates court, are then likely to be appealed to the Crown Court; and if he will estimate the total cost involved in such cases; [86762]

(2) what is his estimate of the cost of appeals to the Crown Court by defendants to whom the magistrates have refused to accede to their request for jury trial in respect of either way offences; and how such overall estimated cost has been calculated; [86760]

(3) what he estimates to be the likely annual savings to the public purse of abolishing the rights of defendants to elect jury trial for either-way offences, setting out how his estimate is calculated. [86758]

Mr. Boateng: The information requested is not currently available. Detailed estimates of the costs and savings of the proposed procedure are still under consideration.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what proportion of their eventual sentence defendants who elect jury trial and subsequently plead guilty serve while on remand. [86766]

Mr. Boateng: The available information relates to the average time spent on remand for those tried at the Crown Court. Information on a defendant's plea and the numbers electing jury trial are not available.

Provisional information for 1998 shows that the average time spent on remand for untried prisoners prior to conviction at the Crown Court was 4.1 months. This compares with an average sentence length imposed at the Crown Court of 22.1 months. This shows that, on average, around 20 per cent. of the eventual sentence was served on remand as an untried prisoner.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department if he proposes that magistrates should be entitled to deny jury trial to a defendant charged with an either-way offence who, if convicted, they consider they would be likely to commit to Crown Court for sentence. [86756]

Mr. Boateng: Among the factors magistrates are currently required to have regard to under section 19 of the Magistrates Courts Act 1980 is whether the punishment which they would have the power to inflict if the defendant is convicted would be adequate. Magistrates will continue to be expected to consider each case individually and on its own particular facts in determining the appropriate mode of trial having regard to whether their sentencing powers are sufficient.

Either-way Offences

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department if he will list all either-way offences. [86753]

Mr. Boateng: There is no readily available list of triable either-way offences. Appendix Four of the annual Command Paper "Criminal statistics England and Wales" lists just over 370 triable either-way offence codes which are used for statistical purposes. Each code may cover more than one offence and these codes cover approximately 700 offences. Other triable either-way offences are grouped together under one ad hoc code. Copies of the Command Paper are available in the Library.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department how many either-way cases were tried in the Crown Court in each of the last five years for which records are available; how many were contested; how many defendants pleaded guilty; and what proportion of those which were contested resulted in a conviction for *(a)* all offences charged and *(b)* for any offence charged. [86764]

Mr. Boateng: The information requested is not held centrally, but is being prepared. I will write to the right hon. and learned Member when this information becomes available.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what estimate he has made of the proportion of defendants electing for trial of either-way offences in the Crown Court who are persistent offenders abusing the system. [86754]

Mr. Boateng: Research conducted by the Home Office showed that nearly 90 per cent. of convicted offenders who had elected trial in 1989 had previous convictions and over a third had more than 10 previous convictions.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what proportion of defendants electing trial in the Crown Court for either-way offences have *(a)* been convicted and *(b)* received sentences greater than could have been imposed by the magistrates. [86757]

Mr. Boateng: This information is not collected centrally. Home Office research conducted showed that two-thirds of convicted defendants who had elected trial in 1989 received non-custodial sentences. Others will have received custodial sentences within the powers of magistrates.

The same research showed that those who elected trial were three times as likely to receive a custodial sentence, and sentences were on average two and a half times as long as similar defendants sentenced in magistrates courts.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what proportion of defendants electing trial in the Crown Court for either-way offences subsequently plead guilty *(a)* to all offences of which they were charged, *(b)* to the most serious offence of which they were charged and *(c)* to an offence less serious than the most serious offence with which they were charged. [86755]

Mr. Boateng: This information is not collected centrally. Home Office research conducted in 1989 showed that of convicted offenders who had elected trial, 70 per cent. finally pleaded guilty to all charges and 14 per cent. finally pleaded guilty to some charges.

Trial Costs

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what is the daily cost of a trial in a contested case before *(a)* the Crown Court in England and Wales and *(b)* the Sheriff's Court in Scotland. [86763]

Mr. Boateng: In 1997–98, the average cost of a contested trial in the Crown Court in England and Wales is estimated to be £18,100. The estimate is for the costs of a trial of average length and includes "capital costs" as well as the running costs of the Criminal Justice System for all of the different agencies.

In 1997–98, the average criminal case cost in Sheriff and jury cases in Scotland where evidence was led was £10,900. The estimate includes court, prosecution and legal aid costs—but excludes "capital costs". Daily costs are not available.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what is his estimate of the cost of trials *(a)* in the Crown Court and *(b)* in the magistrates court lasting (i) one day, (ii) two days, (iii) three days, (iv) four days and (v) five days; and how such figures are calculated. [86759]

Mr. Boateng: The average costs of a trial in England and Wales in 1997–98 are estimated to be:

£8,700 for a trial in the Crown Court (regardless of plea, all indictable offences); and

£500 for a trial in a magistrates' court (regardless of plea, all offences).

The estimates are for the costs of a trial of average length and include "capital costs", as well as the running costs of the Criminal Justice System for all of the different agencies. Separate figures are not available for trial of different lengths.

Remand Prisoners

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department if he will list the additional privileges enjoyed by a prisoner in custody on remand as compared to a prisoner serving a sentence of imprisonment or youth custody. [86765]

Mr. George Howarth: A person remanded to prison awaiting trial is entitled to a number of additional privileges when compared to a prisoner serving a sentence of imprisonment or youth custody.

Unconvicted prisoners are allowed to:

have additional books, newspapers, writing materials and other means of occupation in their possession at their own expense;

undertake business activities;

wear their own clothing;

decide not to have their hair cut if they wish;

send and receive an unlimited amount of letters;

be visited and treated by a registered medical practitioner or dentist of their choice at their own expense;

have an extra private cash allowance;

have additional smoking materials in their possession;

have unlimited visits; and

decide whether or not to work.

Unconvicted prisoners are also not required to share a cell with a convicted prisoner.

Crime (Sentences) Act 1997

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many prisoners sentenced to life imprisonment under section 2 of the Crime (Sentences) Act 1997 have received tariffs of *(a)* less than three years and *(b)* less than five years. [86323]

Mr. George Howarth: Of the 60 prisoners currently confirmed as serving life sentences under section 2 of the Crime (Sentences) Act 1997, seven have tariffs (relevant parts under section 28 of the Act) of less than three years and 29 of less than five years.

Short Tariff Prisoners

Mr. Stinchcombe: To ask the Secretary of State for the Home Department what plans he has to change *(a)* Prison Service and *(b)* Parole Board procedures to ensure that prisoners with short tariffs are not unnecessarily held beyond expiry of the tariff. [86375]

Mr. George Howarth: None. Short tariff life sentence prisoners are, with rare exceptions, those whose tariffs (relevant parts) have been set by the courts. Such prisoners are statutorily entitled to an oral hearing of their case by the Parole Board once the relevant part of the sentence has expired. The Board may direct the prisoner's release following such hearings if they are satisfied that the level of risk is acceptable. No change is, therefore, necessary to Parole Board procedures.

The Prison Service has set up an 86-bed main centre at Brixton prison to provide fast-track arrangements for life sentence prisoners with short tariffs. The aim is to provide expedited reports on such prisoners so that they may be allocated at an early stage to other prisons which can offer any necessary course work on offending behaviour. This should enable such work to be completed in time for the outcome to be reported to the Parole Board for the oral hearing on tariff expiry.

Experimental Psychiatric Research

Mr. Webb: To ask the Secretary of State for the Home Department if he will place in the Library a list of the papers which his Department holds in connection with experimental psychiatric research on delinquent youths at *(a)* the Burden Neurological Institute in Bristol, *(b)* Star Cross Hospital, Newton Abbott and *(c)* other institutions during the 1970s. [86460]

Mr. Boateng: I and my Department of Health colleagues need to find out whether there are records of any such research. We will write to the hon. Member once we have been able to establish the position.

Visas

Dr. Cable: To ask the Secretary of State for the Home Department what plans he has to change the system of handling visa applications of family members of refugees residing in the UK. [86842]

Mr. Mike O'Brien: There are no such plans.

However, in response to the crisis in Kosovo, special arrangements have been made to facilitate family reunion for Kosovans who have been evacuated from Macedonia under the United Nations High Commissioner for Refugees (UNHCR) Humanitarian Evacuation Programme. Arrangements have also been made to send a Home Office team to Macedonia to assist the UNHCR in the registration of refugees and selection for evacuation to the United Kingdom. A further Home Office team is going to Tirana to process applications from family members notified to the Red Cross by their families in the United Kingdom. This is to assist the British diplomatic post in Tirana which is not resourced to provide a full visa service.

Police Officer Dismissal

Mr. Sanders: To ask the Secretary of State for the Home Department if he will publish his reasons for

overturning the Devon and Cornwall Chief Constable's decision to dismiss police officers Wayne Burns and Andy May. [86412]

Mr. Straw *[holding answer 11 June 1999]:* Wayne Burns and Andy May appealed to me against decisions by the Chief Constable of Devon and Cornwall in January 1998 to find them guilty of disciplinary offences and dismiss them from the force. I appointed an independent tribunal to consider the appeal and to make recommendations to me. The tribunal reheard the evidence and unanimously recommended that the appeals should be allowed.

I considered all the facts of the case, the points raised in the grounds of appeal and the Chief Constable's response, together with the report of the tribunal. I decided to accept the tribunal's reasons and their recommendation to allow the appeals. The reason for my decision was that I was not satisfied that the charges had been proved to the criminal standard of proof which was the standard required at the relevant time. The standard of proof required in police discipline proceedings has now been lowered from the criminal standard to the civil standard but only in respect of alleged police misconduct occurring after 1 April 1999.

Police Custody

Mr. Gill: To ask the Secretary of State for the Home Department how many fatalities have occurred in police custody units in each of the past 10 years. [86978]

Mr. Boateng: Deaths in police custody units are included in the statistics for deaths in police custody or otherwise in the hands of the police. During the period from 1991–92 to 1994–95, such deaths were tabulated on a financial year basis for the Metropolitan Police and a calendar year basis for the rest of England and Wales, with the result that no national annual totals are available for that period. The figures for the last 10 years are as follows:

Year	*Metropolitan police*	*Year*	*Provinces*	*Total*
1989	37	1989	36	73
1990	20	1990	41	61
1991	24	1991	36	60
1991–92[1]	21	1992	33	—
1992–93	18	1993	18	—
1993–94	16	1994	36	—
1994–95	15	1995	39	—
1995–96	13	1995–96	37	50
1996–97	18	[2]	39	57
1997–98	12	1996–97	57	69
1998–99[3]	17	1997–98	49	66
		1998–99		

[1] Change to financial year basis includes some figures previously counted in 1991
[2] Change to financial year basis includes some figures previously counted in 1995
[3] Provisional figures

Mr. Gill: To ask the Secretary of State for the Home Department what level of supervision is required in police custody units. [86979]

Mr. Boateng: Section 36 of the Police and Criminal Evidence Act 1984 provides that one or more custody officers shall be appointed for each designated police station. No officer may be appointed a custody officer unless he is of at least the rank of sergeant. An officer of any rank may perform the functions of a custody officer at a designated police station if a custody officer is not readily available to perform them.

Guidance on the interpretation of "readily available" was given in the report of the Steering Group on Custody Officers which was circulated to Chief Officers and to Police Authorities in July 1993.

Mr. Gill: To ask the Secretary of State for the Home Department if he will list the statutory provisions which apply to police custody units. [86977]

Mr. Boateng: The principal statutory provisions relating to police custody units are contained in Part IV of the Police and Criminal Evidence Act 1984.

Mr. Gill: To ask the Secretary of State for the Home Department what guidance he has issued concerning the centralisation of police custody units. [86976]

Mr. Boateng: In July 1993, the Home Office circulated to Chief Officers and to Police Authorities the report of the Steering Group on Custody Officers, which included the recommendation that each chief officer who had not already done so should review the provision of designated stations with a view to rationalising custody facilities.

Kosovo Refugees

Angela Smith: To ask the Secretary of State for the Home Department if, following the changed circumstances, any more refugees from Kosovo will be evacuated from the region to the United Kingdom; and if he will make a statement. [87354]

Mr. Straw: The Government's aim, in common with that of our European Union partners, has been to ensure that the great majority of refugees are looked after in the region so that they are able to return to their homes when it is safe to do so. We have also responded to the request for help from the United Nations High Commissioner for Refugees (UNHCR) to evacuate the most vulnerable people from the area. We accordingly accepted around 4,000 refugees into the United Kingdom. The stage now reached in the military action against the Milosevic regime and the fact that the first steps have been taken to allow the refugees to return mean that significant evacuations under the Humanitarian Evacuation Programmes are no longer necessary.

We have, therefore, decided to reduce significantly the number of flights into the United Kingdom. After today, we expect to receive a further flight this week and one next week. We will, then, keep the situation under review. We will focus on people who cannot be cared for in the region and on the spouses and dependants of people who are already in the United Kingdom.

Those refugees arriving under the Programme who have been granted 12 months leave to enter will not have their stay curtailed. We will, however, actively be establishing arrangements to facilitate the return of those who want to go back to Kosovo before then.

Consideration of claims for asylum for citizens of the Federal Republic of Yugoslavia (FRY) will be suspended temporarily while the security situation in Kosovo is clarified. Consideration of applications will resume as soon as practicable. Nobody will be sent back to Kosovo until we are satisfied that it is safe for them to go. We

propose for the time being to grant 12 months leave to enter or remain to Kosovan Albanians on an exceptional basis. This will provide for the same status and access to benefits as between those FRY citizens who have arrived as part of the UNHCR's Humanitarian Evacuation Programme and those who have arrived independently once their cases are decided.

Although the evacuation flights from Macedonia to the United Kingdom are coming to an end, we will continue to apply family reunion criteria under our normal immigration policy for those in the United Kingdom who have refugee status, and we propose to continue to operate family reunion for those who have come to the United Kingdom under the Humanitarian Evacuation Programme. Anyone granted such a visa for travel to the United Kingdom will, however, be required to make their own travel and accommodation arrangements.

I would like to take this opportunity to pay a warm tribute to the hard work which local authorities and the voluntary sector have done in preparing for and receiving evacuees from Kosovo. Even those areas which have not actually received flights or accommodated evacuees have responded with generosity and enthusiasm to the need to plan for arrivals.

Handguns

Mr. Baker: To ask the Secretary of State for the Home Department how many *(a)* illegally held handguns and *(b)* legally held handguns have been handed in since 1 May 1997. [86746]

Mr. Boateng: Information on the number of illegally or legally held handguns handed in to the police on a routine basis is not kept centrally.

Following the passage of the Firearms (Amendment) Act 1997, which prohibited large and small-calibre handguns, a total of 162,198 handguns were surrendered to the police in England, Scotland and Wales.

Mr. Baker: To ask the Secretary of State for the Home Department how many incidents involving handguns have been recorded for each month since May 1997. [86745]

Mr. Boateng: The figures for notifiable offences recorded by the police in which handguns were reported to have been used in England and Wales since 1 May 1997 are set out in the table. The figures for 1998 are provisional and currently available for only the first three months of the year.

Month	*Number of offences*
1997	
May	214
June	208
July	212
August	212
September	183
October	216
November	237
December	266
1998	
January	216
February	201
March	210

Justice and Home Affairs Council

Mr. Baker: To ask the Secretary of State for the Home Department if he will make a statement on the outcome of the Justice and Home Affairs Council meeting on 27 and 28 May, in respect of the draft Convention on Mutual Legal Assistance in so far as this relates to the interception of communications, indicating what position the Government advocated. [86435]

Mr. Straw: No agreement was reached at the Justice and Home Affairs Council on 27 and 28 May on the interception of communications provisions in the draft Convention on Mutual Legal Assistance in Criminal Matters. The Council agreed that the outstanding issues should be referred to the Article 36 Committee. The Government's position remains as set out in my reply given to the right hon. Member for Penrith and The Border (Mr. Maclean) on 23 March 1999, *Official Report,* column *176.*

Royal Escort Costs

Mr. Baker: To ask the Secretary of State for the Home Department (1) how many *(a)* police and *(b)* other security officers were deployed to escort the royal party to the Chelsea Flower Show in May; and what was the cost of this operation; [86751]

(2) what his policy is in respect of security protection for members of the Royal Family other than the Queen, the Duke of Edinburgh, their offspring, and Princes Henry and William; and what was the cost of security protection for those members of the Royal Family not listed above for the last year for which figures are available. [86750]

Mr. Boateng: We seek to ensure the most effective and efficient protective arrangements for the Royal Family and other public figures in the light of the changing threat from terrorism and other continuing risks. It is our policy not to comment on the details of protection arrangements for individuals, as to do so could compromise their security.

Ministerial Visits

Mr. Baker: To ask the Secretary of State for the Home Department if the visit of the Under-Secretary of State, the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), to Shamrock Farm on 15 December 1998 was unannounced. [86885]

Mr. George Howarth: The visit was made by appointment. I do not believe it would be appropriate for me to visit establishments unannounced, but members of the Animals (Scientific Procedures) Inspectorate do make unannounced visits.

Metropolitan Police (Advertising)

Mr. Chope: To ask the Secretary of State for the Home Department what was the cost of the advertisement placed by the Metropolitan Police in the London *Evening Standard* on 9 June. [87109]

Kate Hoey: The Commissioner of the Metropolitan Police tells me that the advertisement cost £11,000.

Mr. Chope: To ask the Secretary of State for the Home Department how much the Metropolitan Police spent on *(a)* recruitment advertising and *(b)* general advertising in each of the last three years; and what is the budget for the current year. [87110]

Kate Hoey: The Commissioner of the Metropolitan Police has provided the following information:

£

Year	Other advertising	Recruitment advertising
1996–97	620,000	862,000
1997–98	659,872	859,000
1998–99	782,236	1,598,945
1999–2000	915,000	1,565,000

Access to Government Information

Mr. Chope: To ask the Secretary of State for the Home Department when he intends to publish the 1998 report on the operation of the Code of Practice on Access to Government Information. [87105]

Mr. Straw: I hope to be in a position to publish the 1998 Monitoring Report, on the operation of the Code of Practice on Access to Government Information, shortly. Publication of the Monitoring Report has been delayed due to work on the draft Freedom of Information Bill.

Prisoners (Drugs)

Mr. Flynn: To ask the Secretary of State for the Home Department what are the per capita figures for the use of neuroleptic drugs in each women's prison; and what percentage of prisoners in each women's prisons are users, at least weekly, of tranquillisers and pain killers. [86952]

Mr. George Howarth: I refer my hon. Friend to the reply I gave him on 26 October 1998, *Official Report*, columns *59–60*.

Mr. Flynn: To ask the Secretary of State for the Home Department what is his estimate of the numbers and percentage of prisoners who will be participating in drug treatment programmes in each of the next 10 years. [86956]

Mr. George Howarth: It is not possible to make any meaningful estimate at this stage. Implementation of the Prison Service drug strategy will allow projections to be made at the end of this financial year, once measurement and monitoring systems have been established.

Cannabis

Mr. Flynn: To ask the Secretary of State for the Home Department what estimate he has made of annual cost of imprisoning cannabis offenders in each of the past four years for which figures are available. [86949]

Mr. George Howarth: The cost of imprisonment for cannabis offenders is not calculated separately from other offenders. The information in the table gives an average cost per place for all prisoners. Cost per place for 1998–99 is provisional and subject to validation by prisons.

Average cost per place for prisoners

Financial year	Cost per place (£ cash terms)	Cost per place (1992–93 prices)
1995–96	24,178	22,562
1996–97	24,271	21,975
1997–98	23,940	21,152
1998–99	25,096	21,633

Mr. Flynn: To ask the Secretary of State for the Home Department when he expects the report on the experiments on the efficacy of medicinal cannabis to be published. [86945]

Mr. George Howarth: Information from G W Pharmaceuticals Ltd., the company licensed to conduct cannabis medical research, indicates that clinical trials are scheduled to start in mid-July. These are likely to continue for one or two years. Publication of results is a matter for the research community.

Prisons (Random Drug Tests)

Mr. Flynn: To ask the Secretary of State for the Home Department what assessment he has made of the effect of random drugs tests in prisons on the use of *(a)* cannabis, *(b)* cocaine and *(c)* heroin. [86958]

Mr. George Howarth: The table sets out the percentages of random mandatory drug test (MDT) samples that have tested positive in each of the last three financial years. It is not possible to attribute any changes entirely to the MDT programme. Supply reduction and treatment programmes also impact on the level of drug misuse in prisons.

Percentage of random mandatory drug tests positive for cannabis, heroin and cocaine

Drug type	1996–97	1997–98	1998–99
Cannabis	19.9	16.5	14
Opiates (including heroin)	5.4	4.2	4.4
Cocaine	0.2	0.2	0.3

Drug Use

Mr. Flynn: To ask the Secretary of State for the Home Department what forecasts he has made of the levels of use of *(a)* cannabis, *(b)* cocaine and *(c)* heroin in June 2002 relative to the figures for June 1997. [86953]

Mr. Boateng: None. The targets set recently under the drugs strategy by the United Kingdom Anti-Drugs Co-ordinator include reducing by 20 per cent. by 2002 the numbers of 11–16 year-olds who use Class A drugs.

Drug Offences

Mr. Flynn: To ask the Secretary of State for the Home Department if he will estimate the numbers of offenders who will receive prison sentences for all (i) cannabis, (ii) heroin and (iii) illegal drugs repeat offences in each of the next 10 years if *(a)* present trends continue and *(b)* the Government's current policies are successful. [86950]

Mr. Boateng: No. The United Kingdom Anti-Drugs Co-ordinator recently set all national and local agencies and departments the target of reducing levels of repeat offending among drug misusing offenders by 50 per cent.

by 2008. Systems are being put in place to monitor progress towards this target and others set under the drugs strategy.

SOCIAL SECURITY

Jobseeker's Allowance

Mr. Healey: To ask the Secretary of State for Social Security if *(a)* travelcards and passes, *(b)* luncheon vouchers, *(c)* protective clothing, *(d)* gift vouchers and *(e)* other payments in kind are disregarded for benefit purposes if received by a Jobseeker's Allowance claimant who is participating on a European Social Fund training course. [85750]

Angela Eagle: Jobseeker's Allowance regulations provide for any income in kind such as travelcards and passes; luncheon vouchers; protective clothing and gift vouchers, to be disregarded in the calculation of entitlement to benefit.

Disability Living Allowance

Mr. Steen: To ask the Secretary of State for Social Security for (1) what reasons Disability Living Allowance was removed from Brenda Oakham of Barton Close, Paignton, in April; and for what reason no explanation was given; [86428]

(2) if he will arrange to expedite the Disability Living Allowance review in relation to Brenda Oakham of Barton Close, Paignton. [86429]

Mr. Bayley: The administration of Disability Living Allowance is a matter for Mr. Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Anthony Steen, dated 14 June 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions. You asked why Disability Living Allowance (DLA) was removed from Mrs Brenda Oakham, in April, why no explanation was given, and that the DLA review in relation to Mrs Oakham's case be expedited.

It may help if I explain that entitlement to DLA does not depend on the diagnosis of a condition but on the way in which that condition affects a person on a day-to-day basis. Decisions are made by adjudication officers (AOs) who are statutory office holders. It would be improper of me to comment on, or interfere in, their decisions. I can confirm that, although an award of DLA may be given for life, an AO may reduce or revoke an entitlement decision if information is received which indicates that a person's entitlement may have changed.

Mrs Oakham's entitlement was examined as part of the work of the Benefit Integrity Project. With the help of a visiting officer Mrs Oakham completed a questionnaire on 21 October 1998 giving details of her current care and mobility needs. In addition, a report was obtained from Mrs Oakham's General Practitioner. A report was also completed by a Medical Services doctor who examined Mrs Oakham on 15 February 1999. Following a thorough consideration of all the evidence about her current needs, an AO decided on 10 March 1999 that Mrs Oakham no longer satisfied the conditions for entitlement to either component of DLA from 15 February 1999. This decision, which included an explanation of the reasons for the decision, was issued to Mrs Oakham on 28 April.

Your letter to me dated 5 May was accepted as a request for a review of that decision. On 9 June, a different AO considered all the evidence, including additional evidence submitted with your letter. The revised decision is that Mrs Oakham is entitled to the lower rate mobility component from 15 February 1999 and the highest rate care component from 31 May 1996. The decision was issued to Mrs Oakham on 11 June. This includes a full explanation of the reasons for the decision and details of her right of appeal to an independent Disability Appeal Tribunal, if she is unhappy with the outcome.

I hope you find this reply helpful.

LORD CHANCELLOR'S DEPARTMENT

Litigants Compensation Scheme

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to introduce a compensation scheme for litigants whose cases could not proceed because of failure in listing for which the court service is responsible; and if he will make a statement. [86652]

Mr. Vaz: None. When any mistake which is the fault of the Court Service, including an administrative error over listing, leads to loss for a party in a court action, the Court Service will consider making an ex gratia payment, in line with Treasury guidance.

Documents Service

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answers of 18 May 1999, *Official Report*, column *311*, if he will deposit in the Library copies of the Commission proposals referred to. [86706]

Mr. Vaz: At present, only provisional versions of the Commission proposals have been made available. Copies of the proposals will be placed in the Library in the usual way as soon as a formal proposal is made.

TRADE AND INDUSTRY

Reach-Out Fund

Gillian Merron: To ask the Secretary of State for Trade and Industry what progress has been made on the launch of the Reach-Out fund to enhance university interaction with business. [87033]

Mr. Battle: Following the Competitiveness White Paper announcement that the DTI and the DfEE would jointly create the Reach-Out fund in partnership with the HEFCE to enhance university-business interaction, the HEFCE recently led a consultation with the academic and business communities on the proposed aims and objectives of the fund. There was strong support for the creation of the fund and detailed responses have enabled us to finalise its design.

I am therefore pleased to announce that I and my noble Friend Baroness Blackstone, the Minister for Education, are today jointly launching the Higher Education Reach-Out to Business and the Community Fund at a Committee of Vice-Chancellors and Principals conference on regional competitiveness.

The Reach-Out fund, rising to around £20 million per year, is intended to initiate an important third stream of funding for universities, alongside research and teaching funds to help recognise the importance of working with

business and develop the capability in universities to respond to business needs. This in turn will help to stimulate more informed demand from business for greater innovation and competitiveness. The fund will be open to all universities in England and Northern Ireland (in partnership with the DENI), complementing measures in Scotland and Wales.

There will initially be two calls for applications—the first of which is issued today and invites applications by 15 September for the first allocations to be made early in November 1999. The second call will be announced by January 2000 and will follow a similar timetable, allowing three months for response, with allocations announced around two months from the closing date.

Copies of the Applications Guidelines have been placed in the Libraries of both Houses.

Regional Assistance Map

Mr. Redwood: To ask the Secretary of State for Trade and Industry when he plans to announce his proposed map for regional assistance. [87030]

Mr. Wills: As soon as possible.

Biotechnology

Mr. Baker: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 12 March 1999, *Official Report*, column *403*, what account he took of *(a)* the Government's information policies and *(b)* the implications for public confidence in the Government's policies on biotechnology of his decision not to reveal details of meetings held between Ministers in his Department and representatives of biotechnology companies. [86486]

Mr. Battle: Ministers and civil servants meet many people as part of the process of policy development and analysis. All such contacts are conducted in accordance with the "Ministerial Code", the "Civil Service Code", and "Guidance for Civil Servants: Contacts with Lobbyists". Some of these discussions take place on a confidential basis, and in order to preserve confidentiality it is not the normal practice of Governments to release details of specific meetings with private individuals or companies.

Non-fossil Fuel Obligation

Mr. Rammell: To ask the Secretary of State for Trade and Industry what projects in Essex have *(a)* been approved in respect of the Non-Fossil Fuel Obligation and *(b)* taken up that approval. [86436]

Mr. Battle: The Non-Fossil Fuel Obligation (NFFO) for renewables requires the Public Electricity Suppliers to secure specified generating capacity from specified renewables. Thirty-one (31) projects with an aggregate capacity of 319 Mega Watts have been contracted in Essex under the NFFO arrangements made so far. Six of these projects have been commissioned and we expect many more to do so in due course.

Libya (Sanctions)

Mr. Bercow: To ask the Secretary of State for Trade and Industry if he will make a statement on measures taken at European Communities level to remove sanctions on Libya. [86722]

Mr. Tony Lloyd: I have been asked to reply.

I refer the hon. Member to the answer given to my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson) on 20 April 1999, *Official Report*, columns *512–13*.

HEALTH

Yellow Card Scheme

Mr. Etherington: To ask the Secretary of State for Health what plans he has to review the operation of the Yellow Card Scheme. [86156]

Ms Jowell: The Yellow Card Scheme is run on a day-to-day basis by the Medicines Control Agency (MCA) on behalf of the Committee on Safety of Medicines (CSM), the expert advisory committee to the Licensing Authority, which has responsibilities under the Medicines Act 1986 for the promotion of collection and investigation of information relating to adverse reactions (ADRs).

The MCA and the CSM regularly review all aspects of Yellow Card Scheme including:

1. The number of reports received, trends in reporting, the source of reports and their quality.
2. The proportion of serious adverse drug reactions compared to non serious and by reporting group.
3. The recent extension of the Yellow Card Scheme to include hospital pharmacists as reporters and the inclusion of community pharmacists later this year.
4. The progress of special reporting initiatives such as:
   i. The HIV Adverse Drug Reaction Reporting Scheme.
   ii. Pilot schemes for extending the Yellow Card Scheme to include nurses and to investigate reporting of suspected ADRs in children.
   iii. Development of electronic Yellow Cards.
5. Feedback from focus groups investigating GPs perceptions about the Yellow Card Scheme and how it might be improved.
6. Providing feedback to reporters in regular bulletins such as "Current Problems in Pharmacovigilance".

The work of activities of the four MCA/CSM Regional Monitoring Centres in Merseyside, Northern Region, Wales and the West Midlands is reviewed at an annual meeting with the MCA.

Mr. Etherington: To ask the Secretary of State for Health how many Yellow Card Scheme reports since 1989 have been received by the Medicines Control Agency regarding adverse reaction to metrizamide/myodil; and if he will make a statement. [86158]

Ms Jowell: The total number of suspected adverse drug reaction reports for reactions to metrizamide and myodil received under the United Kingdom spontaneous reporting scheme (Yellow Card Scheme) for the period from 1 January 1989 was none and 8 respectively. It should be noted that some of these reactions have been reported retrospectively and were reported to have occurred between 1972–1989.

NHS Pay Awards

Mr. Laurence Robertson: To ask the Secretary of State for Health what was the average pay award to *(a)* nurses, *(b)* doctors, *(c)* speech therapists, *(d)* medical laboratory scientific officers and *(e)* NHS administrative

staff, in percentage terms, in the most recent round of pay negotiations; how much each of these awards cost in cash terms in (i) Gloucestershire and (ii) nationally; what percentage of the increase in the NHS budget each of these awards took up (1) in Gloucestershire and (2) nationally; and if he will make a statement. [85647]

Mr. Denham *[holding answer 8 June 1999]:* In the last complete round of pay negotiations, hospital doctors were awarded 4.2 per cent. paid from 1 December 1998, with 2 per cent. (and 0.35 per cent. in respect of the value of pensions) paid from 1 April 1998. Nurses, speech therapists, medical laboratory scientific officers and National Health Service administrative and clerical staff received 3.8 per cent. from 1 December 1998 with 2 per cent. paid from 1 April. The additional cost of pay increases for all Hospital and Community Health Service staff in 1998–99, relative to pay in 1997–98, was £440 million in England; separate information for Gloucestershire is not available. This cost was 20 per cent. of the £2,196 million increase in net NHS funding in 1998–99.

Out-of-hours Calls

Mr. Ben Chapman: To ask the Secretary of State for Health what representations he has received about GPs redirecting out-of-hours calls to the local hospital; and if he will make a statement. [86376]

Mr. Denham: We are not aware of any general representations to my right hon. Friend the Secretary of State on the redirection of general practitioners out-of-hours calls to local hospitals.

GPs may make arrangements with any organisation to provide out-of-hours primary care services on their behalf but they must satisfy themselves that the service provided is adequate and appropriate for their patients. They must ensure that any deputising arrangements which they have chosen continue to meet those standards.

Decisions on whether to refer a patient for secondary care outside surgery hours will be based on clinical need—the same as for referrals which are made after a consultation during surgery hours.

Devonshire Royal Hospital

Mr. Levitt: To ask the Secretary of State for Health what progress has been made with the sale of the Devonshire Royal Hospital in Buxton by NHS Estates. [86465]

Mr. Denham: Devonshire Royal Hospital, Buxton is contained within my right hon. Friend the Secretary of State's retained estate and has been actively marketed for five months. This follows an innovative marketing strategy developed by Capitec (part of NHS Estates) and agents to maximise awareness throughout the United Kingdom and internationally. 800 sets of information have been sent out with 170 specific inquiries received to date.

Spending (OECD Countries)

Mr. Paul Marsden: To ask the Secretary of State for Health if comparative figures for the United Kingdom and other OECD countries are collated for health spending; and if he will make a statement. [86634]

Mr. Denham: The Organisation for Economic Co-operation and Development produce figures for public and total health care spending for member countries. Two indicators of comparative public and total health care expenditure are given in the table. These are health care expenditure as a percentage of gross domestic product and health care expenditure in dollars per capita. All figures are for 1996.

Country	*Public healthcare expenditure as a percentage of GDP*	*Total healthcare expenditure as a percentage of GDP*	*Public healthcare expenditure ($ per capita)*	*Total healthcare expenditure ($ per capita)*
Australia	5.9	8.5	1,220	1,775
Austria	5.7	8.0	1,258	1,748
Belgium	6.8	7.8	1,498	1,708
Canada	6.7	9.6	1,440	2,065
Czech Republic	6.6	7.2	836	904
Denmark	5.2	8.0	1,175	1,802
Finland	5.8	7.4	1,082	1,380
France	7.8	9.7	1,599	1,983
Germany	8.2	10.5	1,783	2,278
Greece	5.2	6.8	688	888
Hungary	4.7	6.7	417	602
Iceland	6.8	8.2	1,582	1,893
Ireland	5.2	7.0	947	1,276
Italy	5.5	7.8	1,106	1,584
Japan	5.7	7.2	1,321	1,677
Korea	2.1	4.0	282	537
Luxembourg	6.2	6.8	1,980	2,139
Mexico	2.7	4.6	212	358
Netherlands	6.2	8.6	1,273	1,766
New Zealand	5.6	7.3	974	1,270
Norway	6.5	7.9	1,591	1,928
Poland	4.6	5.0	344	371
Portugal	4.9	8.3	641	1,071
Spain	5.8	7.4	878	1115
Sweden	7.2	8.6	1,389	1,675
Switzerland	7.1	10.2	1,748	2,499
Turkey	2.7	3.8	165	232
United Kingdom	5.8	6.9	1,113	1,317
United States	6.5	14.0	1,819	3,898

Source:
OECD Health Databank 1998

Secure Units

Mrs. Betty Williams: To ask the Secretary of State for Health if he will list the medium secure units in operation in England and the date when each was commissioned. [87039]

Mr. Hutton: The list shows the number of medium secure units in the National Health Service in England. The date when each was commissioned is not held centrally.

North West

Scott Clinic, Rainhill
Edenfield Centre, Salford
Langdale Unit, Preston
Calderstones, Whalley
Scott House, Rochdale
Auden Unit, Winwick
Mary Dendy Unit, Macclesfield

Northern and Yorkshire

Hutton Centre (Adult) St. Luke's Hospital, Middlesbrough
The Bamburgh Centre (Adult), Newcastle City Health NHS Trust
Newton Lodge, Wakefield
Humber Centre, Hull

Trent

Arnold Lodge, Leicester
Wathwood Unit, Rotherham

Eastern

Norvic Clinic, Norwich
The Larches, Gloucester Centre, Peterborough
Broadlands Clinic, Little Plumstead Hospital, Norwich
Runwell Hospital, Essex

London

Camlet Lodge, Enfield
John Howard, Hackney
Three Bridges, Ealing
Cane Hill, Coulsdon
Bracton Centre, Bexley
Denis Hill Unit, Beckenham
Shaftesbury Clinic and Longridge Clinic, Tooting

South East

Wallingford Clinic, Fairmile Hospital, Oxford
Marlborough House, Milton Keynes
House 4 Slade Hospital, Oxford
Hellingly Hospital, Ashen Hill, Eastbourne and County
Ravenswood, Hampshire
Maidstone Priority—Trevor Gibbens Unit, West Kent

West Midlands

Reaside Clinic, Birmingham
The Hatherton Centre, Stafford
Janet Shaw Clinic, Birmingham

South West

Butler Clinic, Dawlish
Fromeside Clinic, Bristol.

SCOTLAND

National Minimum Wage

Mr. Rowlands: To ask the Secretary of State for Scotland how many people in his Department and its associated bodies and agencies have benefited from the introduction of a national minimum wage. [86090]

Dr. Reid: In the main Scottish Office bargaining unit 181 casual members of staff received an increase in salary. One member of staff in the Scottish Fisheries Protection Agency also received an increase in salary as did 45 staff in Historic Scotland. Information about the pay of staff outwith the Scottish Office and its Agencies is not held centrally.

From 1 July 1999, the pay of staff below Senior Civil Service level in the Scottish Office and its Agencies will be a matter for the Scottish Parliament.

Tuition Fees

Mr. Swayne: To ask the Secretary of State for Scotland if he will estimate the total amount that will be paid by students in tuition fees during 1998–99. [85888]

Dr. Reid: It is estimated that Scottish students undertaking full-time undergraduate courses in further and higher education institutions in the UK and EU students studying in Scotland will contribute £18 million to their tuition fees in 1998–99.

From 1 July 1999, this will be a matter for the Scottish Parliament.

FOREIGN AND COMMONWEALTH AFFAIRS

National Minimum Wage

Mr. Rowlands: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people in his Department and its associated bodies and agencies have benefited from the introduction of a national minimum wage. [86093]

Mr. Tony Lloyd: Since at 1 April 1999, there were no staff in the Foreign and Commonwealth Office, or in the Non-Departmental Bodies for which it is responsible, who were paid less than the equivalent of £3.60 per hour. None has benefited directly from the introduction of the National Minimum Wage.

Kashmir

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the UN has taken recently to help resolve the conflict in Kashmir. [86466]

Mr. Hoon: The Secretary-General made clear to the Prime Ministers of Pakistan and India his concern over the fighting in Kashmir. Pakistan and India are also aware that the Secretary-General is willing to assist in their search for a just and lasting solution, if such involvement were acceptable to both countries.

Senator Pinochet

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the discussions held with the US Secretary of State on 21 November and 8 December 1998 concerning Senator Pinochet's arrest. [86457]

Mr. Tony Lloyd: It is not the practice of the Government to disclose the substance of their discussions with foreign authorities.

European Flag

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs which organisation holds copyright over the European 12 star flag. [86732]

Ms Quin: There is no formal copyright over the European flag.

European Integration

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the nature of the Government's input into the Council of Europe document, "Europe Under a Single Roof". [86646]

Mr. Tony Lloyd: "Europe Under a Single Roof" was the title of a book commemorating the 50th Anniversary of the Council of Europe (CoE). The Council Secretariat had full responsibility for editorial control and publication. Member States Governments' involvement, including that of the UK, was confined to approving the project in principle when it was proposed to the Council of Ministers.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will define the requirement for furthering European integration, as set out in European Communities budget lines, as a basis to be fulfilled by applicants under those budget lines and determining the value of the award; and what is his policy on the requirement. [86723]

Ms Quin: I assume the hon. Member is referring to budget line A-302 "Grants to organisations advancing the idea of Europe", which has as its particular aim to cover expenditure on the activities and operation of organisations actively working toward European integration. The European Commission's guidelines for operating this budget line set out the objective this budget line contributes to, the eligibility criteria for organisations seeking funding from it, details of the selection criteria, financial conditions and the procedure to be followed when applying for a grant. A copy has been sent to the hon. Member directly, and a copy placed in the House Library. The Government support activities which help increase public awareness of the EU.

Albania

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications of the EU project to collect and destroy weapons in the Gramsh district in Albania on the combat effectiveness of the KLA; and to what bodies EU funds will be made available. [86449]

Mr. Tony Lloyd: The United Nations Development Programme (UNDP) are the lead organisation on the pilot weapons collection project in Gramsh. The EU has allocated 500,000 euros to extend the successful project to other regions.

The Department for International Development (DFID) has funded one ammunition technical officer as part of the project and have agreed in principle to fund another. They have also agreed to fund a feasibility study on destruction of the weapons.

The aim of the project is to reduce the number of weapons in circulation among the civilian population in Albania. It is not targeted at the Kosovo Liberation Army.

Belgian Manure Decree

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards the funding of European Communities payments under the Belgian manure decree. [86447]

Ms Quin: I understand no Community money has been used to finance the Belgian manure decree, and that the Commission is currently investigating whether the decree contravenes EU state aids rules.

Internal Histories

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list his Department's Internal Histories, indicating which are not due for accelerated release. [86363]

Mr. Hoon: No comprehensive list exists of internal histories held by the FCO on an ad hoc basis for many years. Those over 30 years old, such as a 1962 study by the Historical Adviser of British Policy in the Relinquishment of Abadan in 1951, have been routinely released to the Public Record Office (FO 370/2694). As part of an open government initiative, the FCO began in 1998 to identify internal histories scattered across the FCO archive and assess them for publication and accelerated release. The first practical result of this initiative will be the publication and release early next year of the report written in 1972 by Sir Con O'Neill on the negotiations for entry into the EEC.

Titles of other internal histories remain classified until proper consideration has been given to their suitability for accelerated release or publication.

Overseas Posts (E-mail and Internet Links)

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 24 May 1999, *Official Report*, column *26*, to the hon. Member for Hendon (Mr. Dismore), if he will place a list in the Library of *(a)* Internet and *(b)* e-mail sites for his offices overseas. [86647]

Mr. Hoon: The website addresses and public e-mail addresses of FCO Missions overseas are listed on the FCO website (www.fco.gov.uk) under "British Diplomatic Missions".

Schengen

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of

17 May 1999, *Official Report*, column *239*, if the subject matter covered in the letter from the Dutch Government of 16 July 1997 on the Amsterdam Treaty negotiations has been referred to in the content of the Home Secretary's proposal to join elements of the Schengen system. [86717]

Ms Quin: No, it has not.

Commonwealth Institute

Mr. Pike: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in determining the future status of the Commonwealth Institute. [86916]

Mr. Tony Lloyd: The Foreign and Commonwealth Office and the Commonwealth Institute have not yet reached a final agreement on the financial arrangements which will underpin the plan for the Institute to become a company limited by guarantee, while remaining a charity. Both sides hope that the remaining differences can be resolved soon and are working together to that end.

ASSIST Programme

Fiona Mactaggart: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the performance of the ASSIST programme in its first year; and what changes to the programme are planned. [87285]

Mr. Tony Lloyd: As my hon. Friend will be aware from my announcement in the House on 26 March 1998, *Official Report*, columns *235–36*, the ASSIST programme was established on 1 April 1998 to replace the UK Military Training Assistance Scheme (UKMTAS), with the main purpose of re-focusing support to the Government's priority of promoting respect for human rights and good governance.

Notable results in the first year included: a course in China run together with Save the Children Fund, designed to fight child trafficking; direct human rights training for the Russian military; a workshop on conscientious objection in Novograd; and a women and children protection course in the Philippines.

The transition to new objectives made a good start in the financial year 1998–99 with 84 per cent. of spending being compatible with the new ASSIST criteria. For the next financial year, as pre-existing commitments reduce we shall be increasing this percentage and further refining the ASSIST criteria.

New objectives will include:

The addition of an objective to promote the re-establishment of appropriately structured and armed forces in post conflict situations (internal and external) and in newly democratised countries;

Promotion of the security of the Overseas Territories;

The inclusion of training for peacekeeping in accordance with UN guidance;

Co-operation with NGOs and other representatives of civil society on security sector assistance;

Increased emphasis on counter proliferation and combating small arms trafficking.

Enhancement of the professionalism of the armed forces has been withdrawn as an independent objective within the criteria.

We have set up an ASSIST Challenge Fund to be used for flagship projects. To enable greater continuity and planning, we have agreed that ASSIST will continue for at least 3 years. We are also liaising with the MOD and DFID to ensure that ASSIST's programmes complement those Departments' programmes in related areas.

A copy of the new ASSIST criteria will be placed in the Library.

AGRICULTURE, FISHERIES AND FOOD

Climate Change Levy

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of an energy tax on the UK glasshouse industry. [86106]

Mr. Rooker: The impact of the climate change levy on any one industry, firm or plant will depend on the tax rates set for different sectors. Final rates for the climate change levy will not be set until the Finance Bill 2000, so it is not possible to produce definitive figures at this stage. The Government will consider the issue of competitiveness when setting the final rates for the climate change levy.

Energy Products Directive

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the policies of European Union Agriculture Ministers in respect of the proposed energy tax on the horticultural industry; and what reports he has received of plans to exempt the industry in individual member states. [86050]

Mr. Rooker: The scope of the proposed EC Energy Products Directive, and the minimum rates of tax which might apply, are still under discussion. It is known that a number of member states have fundamental objections to certain aspects of the Energy Products Directive and there are a number of technical points on which member states are seeking further clarification. These will be discussed further at future meetings of ECOFIN.

Quarantine

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food what consultations he has had with quarantine kennel owners since he announced his proposals for reform of quarantine law relating to pets. [86278]

Mr. Rooker: Dialogue with representatives of the quarantine industry is continuing and we are pleased that they have joined the Pet Travel Scheme Advisory Group established by my Department.

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food if he will make rabies vaccines for pet dogs and cats freely available to pet owners preparing to travel abroad and return to Britain without quarantine; and if he will make a statement. [85747]

Mr. Rooker: Rabies vaccine will be made freely available in due course.

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to submit the drafts of proposed amendments to the secondary legislation on quarantine to the European Commission for inclusion in EU law. [85745]

Mr. Rooker: The European Commission have been sent a copy of the report of the Advisory Group on Quarantine. Decisions on whether to make proposals for EU law are a matter for the Commission.

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library a copy of the draft of proposed amendments to the secondary legislation on quarantine; and if he will make a statement. [85746]

Mr. Rooker: Drafting of a Statutory Instrument providing for the Pet Travel Scheme pilot arrangements is still under way. Copies of the draft will be placed in the Library of the House when work has further advanced.

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to approve rabies antibody sera-testing for pet dogs and cats; and if he will make a statement. [85748]

Mr. Rooker: The Advisory Group on Quarantine recommended that under the new arrangements it proposed for pets, laboratories should be accredited to perform serological tests according to a quality procedure specified and operated by the British authorities. Once the Government have approved a list of laboratories for serological testing under the Pet Travel Scheme (which is expected soon), a list will be placed in the Library of the House.

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food what plans he has to instruct his advisers on quarantine reform to ensure that all new implementation proposals comply with European Community law, with particular reference to Articles 30–36 of the Treaty of Rome. [85744]

Mr. Rooker: It is always the Government's intention that their proposals should comply with European Community law.

Bacillus Thuringiensis

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food (1) what discussions he has had with users of Bacillus thuringiensis in respect of its safety; and what plans he has for future discussions; [86216]

(2) what plans he has to issue guidance and regulations concerning the use of Bacillus thuringiensis spores by organic farmers and forestry workers; [86214]

(3) what representations he has received from producers of Bacillus thuringiensis bacteria concerning its safety. [86215]

Mr. Rooker: One strain of Bacillus thuringiensis, a naturally occurring bacterium, is specified as the active ingredient in a number of insecticide products approved for use on ornamental plants, vegetables, fruit crops and fruit trees in the UK. No products containing Bacillus thuringiensis have approval for use in forestry in this country.

Following recent reports of possible adverse effects from a particular strain of Bacillus thuringiensis (not approved for use in the UK), the Pesticides Safety Directorate (PSD) has demanded information from the main producer of approved products on whether those effects could arise from the use of the Bacillus thuringiensis strains approved in the UK. Their representations are awaited and will be promptly evaluated.

The Government have not yet been asked for, or sought, discussions with users of Bacillus thuringiensis, but we will consider whether this would be appropriate in the light of any information the producer provides.

Information to help users use pesticides correctly is given on each product's label—the content of which must comply with any requirements set by Government. If additional restrictions need to be placed on the use of Bacillus thuringiensis, approval holders will be required to add these to their labels.

All pesticides are regulated to provide protection for people—including pesticide users—and the environment. Detailed scientific information supplied by applicant companies is evaluated by the Government and their independent advisers; only if a pesticide can be used without unacceptable risk to people and the environment will Ministers approve it. All approved pesticides are subject to routine review and may be reviewed at any time if particular concerns arise.

Pet Transport Scheme

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what timetable he plans to follow for developing a pilot scheme for the new pet transport system; and when he expects to announce (i) the list of approved laboratories in the EU and rabies-free islands, (b) the vaccines, (iii) the identification system and (iv) the certification format. [86105]

Mr. Rooker: A pilot project will be in place as soon as possible (and in any event by next April), and the main scheme will be in place by April 2001. Announcements will be made about the arrangements for microchipping, vaccination, blood testing and health certification as these details are settled.

Cattle Movement Service

Mr. Sawford: To ask the Minister of Agriculture, Fisheries and Food how many passports for imported animals have been processed each month by the British Cattle Movement Service from September 1998 to the latest month for which figures are available. [85732]

Mr. Rooker: The number of cattle passports for imported animals processed by the British Cattle Movement Service each month from September 1998 to May 1999 is as follows:

Month	*Number of imported animal passports processed*
September 1998	0
October 1998	444
November 1998	713
December 1998	728
January 1999	684
February 1999	505

Month	Number of imported animal passports processed
March 1999	899
April 1999	2,258
May 1999	1,608
Total for period	7,839

Mr. Sawford: To ask the Minister of Agriculture, Fisheries and Food how many passports for imported animals are currently awaiting processing at the British Cattle Movement Service; and how many working days, on average, it takes to process each animal. [85733]

Mr. Rooker: There are currently 1,005 applications for passports for imported animals awaiting processing. Applications for imported animals which do not require the British Cattle Movement Service to seek further information or supporting documentation from the applicant take, on average, 7 to 10 working days to process. Applications that must be referred back to the applicant will take longer than this.

CAP (Beef)

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the Berlin summit agreement for the reform of the Common Agricultural Policy relating to beef. [86024]

Mr. Rooker: Following the conclusion of the Berlin summit on Agenda 2000, a summary of the CAP Reform agreement was sent to interested organisations on 22 April 1999. We have received representations from those involved with the beef sector, including consumer groups. These representations are in addition to regular on-going contact with representatives from the beef sector. We will be consulting on all discretionary elements of the Agenda 2000 agreement in the Summer.

Broiler Chickens

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food how many broiler chickens slaughtered in the United Kingdom were rejected as unfit for human consumption in (i) 1997 and (ii) 1998. [86208]

Mr. Rooker: The information requested is as follows:

	Total throughput	Unfit for human consumption (in whole or in part)
1997		
Great Britain	709,291,374	8,705,858
Northern Ireland	60,270,049	721,859
1998		
Great Britain	713,047,348	8,339,457
Northern Ireland	61,774,233	544,907

Note:

The total throughput figures provided for Great Britain for 1997 and 1998 are not directly comparable, owing to the method for collecting these data having changed slightly.

Genetically Modified Foods

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what arrangements are in place for monitoring the safety of feeding genetically modified feeds to animals. [86306]

Mr. Rooker: In relation to its role in considering whether to recommend release to the environment and/or marketing consent for genetically modified organisms, the Advisory Committee on Releases to the Environment (ACRE) assess and advise on aspects of use in animal feed. The Advisory Committee on Novel Foods and Processes (ACNFP) addresses any impact of the animal feed use of genetically modified plants on food for the human consumer. The Advisory Committee on Animal Feedingstuffs, due to be set up very shortly, will also have an important role, liaising as necessary with other committees.

Seed Marketing

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food what is the basis of his policy on measures set out in 1999/305/EC (OJ L118/63, of 6.5.99), on repealing restrictions on the marketing of seeds; and if he will make a statement. [86718]

Mr. Rooker: Article 15 of Council Directive 70/457, on the common catalogue of varieties of agricultural plant species, provides for member states to be granted derogations to prohibit in their territory the marketing of seed and propagating material of varieties which they consider not to be distinct, stable or sufficiently uniform (DUS).

Commission Decision 1999/305/EC repealed various such derogations which had been granted to the United Kingdom. In most cases the varieties themselves, or similar ones which had raised concerns regarding DUS, no longer appeared on the common catalogue while, for the remaining varieties, no certified seed had been produced in the UK in the previous twelve years. The UK therefore saw no reason to maintain the derogations and was content with their repeal. No genetically modified varieties are involved.

Meat Hygiene

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food (1) how the word veterinaire is being interpreted by his Department, with respect to the enforcement of EU hygiene directives; [86471]

(2) what training *(a)* environmental health officers and *(b)* meat inspectors would require to enable them to supervise meat hygiene inspections. [86472]

Mr. Rooker: EU meat hygiene rules lay down specific requirements about the level and frequency of supervision of licensed meat plants. Such functions are assigned to "official veterinarians", defined in those rules as

"the veterinarian designated by the central competent authority of the Member State".

Although the EU meat hygiene rules do not define "veterinarian", the EU Directives on the mutual recognition of veterinary qualifications and on veterinary training (78/1026/EEC and 78/1027/EEC) clearly define veterinarians in terms of named qualifications for each member state (which other member

states must recognise) and in terms of the subjects that their veterinary courses must have covered and the length of training.

Given the aim of the EU meat hygiene rules (namely, to prescribe minimum standards of health inspections in licensed meat plants) and the functions allocated to official veterinarians under those rules, my Department takes the view that references in those rules to "official veterinarian" must be construed consistently with the EU rules on veterinary qualifications. In short, an "official veterinarian" for meat hygiene purposes must be a veterinarian whose veterinary qualifications meet the terms of the relevant Directives. As such, environmental health officers and meat inspectors would be eligible to supervise meat hygiene inspections only if they were also fully qualified veterinarians.

Animal Feedstuffs

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what steps he takes to ensure that animal feedstuffs are not contaminated with additives injurious to human health. [86467]

Mr. Rooker: Only additives on an EU approved list are permitted for use in animal feedingstuffs. Where appropriate, maximum levels and other conditions apply. Additives are included in the list on the basis of an extensive assessment by experts for safety, quality and efficacy.

UK Regulations, implementing another EU measure, require the approval or registration of premises manufacturing, selling or using feed additives. This ensures that only premises that comply with detailed quality and safety standards can produce or use additives in feedingstuffs.

Independent Arbiter (English Farmers)

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will appoint an independent arbiter for English farmers in order to rule on disputes between English farmers and his Department on similar lines to the one to be set up for Scottish farmers. [86416]

Mr. Rooker *[holding answer 14 June 1999]:* My right hon. Friend the Minister is considering the possible implications for English farmers of the undertaking by the Scottish Executive to introduce an independent appeal mechanism for Scottish farmers suffering penalties in relation to their claims for subsidies under the Common Agricultural Policy (CAP). In cases where CAP subsidies are reduced or refused, farmers already have the options of seeking Judicial Review or of asking their Member of Parliament to raise the matter with the Parliamentary Commissioner for Administration.

Catering Levy

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food (1) what proposals he has for public consultation relating to proposals to introduce a levy upon those providing outside catering facilities at *(a)* amateur and *(b)* professional sporting venues; [86972]

(2) what assessment his Department has carried out of the financial consequences for the sports concerned of the imposition of a levy on those providing outside catering at *(a)* amateur and *(b)* professional sporting venues. [86973]

Mr. Rooker *[holding answer 14 June 1999]:* As announced on 11 June, the Government have decided not to proceed with their proposals for a levy on food premises.

Food Standards Select Committee

Mr. Barron: To ask the Minister of Agriculture, Fisheries and Food when he intends to respond to the report of the Food Standards Select Committee [87298]

Mr. Rooker: I have today published the Government's response to the Select Committee (Cm 4377).

I have also placed in the Library of the House a summary of other responses to the consultation on the draft Food Standards Bill.

Genetically Modified Material

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 9 March 1999, *Official Report*, column *190*, when he expects a de minimis threshold for the presence of genetically modified material in food to be established; and if he will make a statement. [86772]

Mr. Rooker: The European Commission have undertaken to provide a proposal for such a threshold as soon as possible. The Government and officials are continuing to press for this to be published at the earliest possible opportunity.

Genetically Modified Soya

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to ensure that imported foods which contain genetically modified soya have been subject to safety tests equivalent to those which would apply to such foods originating in the United Kingdom. [86748]

Mr. Rooker: Monsanto's genetically modified (GM) soya, modified to be tolerant to the herbicide glyphosate, was assessed and cleared for safety by the Advisory Committee on Novel Foods and Processes in February 1994. It is the responsibility of local authorities to ensure that foods containing only approved GM soya are imported and sold in the United Kingdom.

National List Applications

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the number of test sites needed for national list applications for maize, oilseed rape, fodder and sugar beet in each year to 2003. [86485]

Mr. Rooker: The projected numbers of test sites to be sown per year for each variety from autumn 1999 to spring 2003 are listed in the table. Different varieties of a species entered in the same year are normally tested at the same sites, although the entry of genetically modified varieties may result in separate trial sites being sown. Test site requirements are subject to review and while no major changes to the numbers given are anticipated it is not possible to forecast the outcome of such reviews.

Crop	Number of sites per variety/year
Maize	5
Winter oilseed rape	11
Spring oilseed rape	4
Fodder beet	1
Sugar beet	6

CABINET OFFICE

Ministerial Meetings

Mr. Matthew Taylor: To ask the Minister for the Cabinet Office how many times Ministers in his Department met their counterparts in the United States Government between 1 January and 1 June 1998; and if he will list the dates and locations of each meeting, the Ministers involved on each occasion, and the names of the US counterparts at each meeting. [86290]

Dr. Jack Cunningham: There were no meetings between Cabinet Office Ministers and their US counterparts between 1 January and 1 June 1998.

Mr. Matthew Taylor: To ask the Minister for the Cabinet Office, pursuant to his answer of 13 May 1999, *Official Report*, columns *201–02*, on Ministerial meetings, if he will list the Departments and names of the senior officials whom the Chancellor of the Duchy of Lancaster met in Washington between 21 and 24 June 1998. [86296]

Dr. Jack Cunningham: The programme for the visit to Washington on 21 to 24 June by my right hon. Friend then Chancellor of the Duchy included meetings with:

Morley Winograd, senior policy adviser to Vice-President Gore; Bob Stone and John Kamensky, National Partnership for Reinventing Government. Comparison of public sector reform initiatives in the USA and UK;

Bob Wenzel, Internal Revenue Service. IRS experience of electronic delivery of services;

Stan Solloway, Diane Disney, Cindy Bogner, Bill Mounts from the Department of Defense. Defence Department experience of the "Reinventing Government" initiative;

Nye Stevens, Director, Federal Workforce Management Issues, General Accounting Office. Implementation of the Government Performance and Results Act;

Congressman Steve Horn and Congresswoman Caroline Maloney. Congressional oversight of US Federal Government reform and Federal Government handling of the Year 2000 problem.

In addition, my right hon. Friend chaired a seminar "Citizens and the State: Transatlantic Approaches to Governance", organised by the European Institute, Washington. This brought together Ministers and senior policy-makers from the European Union, the USA and the OECD.

Duchy of Lancaster

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if all hon. Members representing constituencies within the County Palatine are to receive invitations to the celebrations marking the 600th anniversary of the Duchy. [86713]

Dr. Jack Cunningham: My hon. Friends the Members for Lancaster and Wyre (Mr. Dawson) and for Morecambe and Lunesdale (Miss Smith) have been invited to attend functions in their constituencies associated with The Queen's visit to Lancashire next month in connection with the 600th anniversary of the Duchy's link with the Crown.

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if he will list those thoroughfares along which he is entitled to pass in a vehicle in his capacity as Chancellor of the Duchy of Lancaster to which the general public is denied equivalent access. [86714]

Dr. Jack Cunningham: I am not aware of any such thoroughfares.

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if he will estimate the average amount of time which he devotes each week to Duchy matters. [87004]

Dr. Jack Cunningham: On average, approximately 5 per cent. of my time.

Interdepartmental Group on Genetic Modification Technology

Mr. Baker: To ask the Minister for the Cabinet Office what is the present role of the Interdepartmental Group on Genetic Modification Technology. [86887]

Dr. Jack Cunningham: The Interdepartmental Group on Genetic Modification Technology (IGGMOT) is an official level group which provides a forum for co-ordination of policy on genetic modification technology between Departments.

Drugs

Mr. Flynn: To ask the Minister for the Cabinet Office what is his estimate of the current number and percentage of under 25-year-olds who have access to *(a)* heroin and *(b)* cocaine; and if he will set targets for these figures for each of the next 10 years. [86954]

Dr. Jack Cunningham: There are no figures at this time which relate to drug use specifically among the under-25 age group. Figures from a recently published national Health Education Authority survey undertaken in 1996 show that approximately 13 per cent. of 11 to 35-year-olds claim to have been offered heroin, with approximately 1 per cent. claiming to have used it; and approximately 14 per cent. of 11 to 35-year-olds claim to have been offered cocaine, with approximately 3 per cent. claiming to have used it.

I have no plans to set annual targets for reduced access to heroin and cocaine among young people. However, in the UK Anti-Drugs Co-ordinator's first annual report and plan, I published a target to reduce substantially the proportion of people under 25 reporting use of illegal drugs in the last month and previous year, and to reduce the proportion of young people using the drugs which cause the greatest harm—heroin and cocaine—by 50 per cent. by 2008 and by 25 per cent. by 2005.

I will, however, shortly be commissioning new research to establish more robust baseline information for this year, from which I will measure our future success.

Mr. Flynn: To ask the Minister for the Cabinet Office if he will visit *(a)* the Netherlands to assess that country's claims of a reduction in heroin use and *(b)* Switzerland to assess that country's reported reduction in drug-related crime. [86946]

Dr. Jack Cunningham: I have no plans at the moment to visit either the Netherlands or Switzerland, but will continue to monitor their anti-drug strategies.

Biotechnology

Mr. Baker: To ask the Minister for the Cabinet Office, pursuant to his answer of 8 June 1999, *Official Report*, column *290*, on biotechnology, what account he took of *(a)* the Government's freedom of information policy and *(b)* the implications for public confidence in the Government's policies on biotechnology, in his decision not to provide further details in respect of questions asked about the Biodiversity Presentation Group. [86889]

Dr. Jack Cunningham: The Biotechnology Presentation Group is an internal working group. In line with the practice of successive Administrations, it is not the normal practice of Governments to release details of internal discussion, advice to Ministers, specific meetings or their content. This principle is reflected in the Code of Practice on Access to Government Information.

EDUCATION AND EMPLOYMENT

Tuition Fees

Mr. Willetts: To ask the Secretary of State for Education and Employment if he will estimate the cost of increasing the income level below which students are exempt from tuition fees by *(a)* £2,000, *(b)* £4,000, *(c)* £6,000, *(d)* £8,000 and *(e)* £10,000 for students resident in (i) Scotland, (ii) Wales, (iii) Northern Ireland and (iv) England. [84061]

Mr. Mudie *[holding answer 13 May 1999]:* The estimated costs for students ordinarily resident in England and Wales and EU students in English and Welsh institutions, and for Scottish resident students and EU students in Scottish institutions, are given in the table. Estimates are not available for Northern Ireland as suitable information on levels of contributions is not readily available.

Costs of increasing income level below which students are exempt from paying tuition fees—2000–01

£ million

Increase in income level	*England and Wales*	*Scotland*
£2,000	5	1
£4,000	20	2
£6,000	35	5
£8,000	60	11
£10,000	85	17

The costs have been estimated for the year 2001–02 by which time, under the current arrangements, virtually all students will have a liability to contribute to their tuition according to means. It has been assumed that existing contributions for all other income levels above the increased income level below which students are exempt remain the same. If the contribution scales were to be recalculated on the basis of increased income thresholds then there would be further knock-on costs, depending on how the policy is implemented, on the proportion of tuition fees paid by those not fully exempt and on other assessed elements of student support, and so the financial impact would be significantly higher.

Refrigerants

Mrs. Brinton: To ask the Secretary of State for Education and Employment if he will make it his policy to change departmental refrigeration and air-conditioning systems to operate on not-in-kind refrigerants. [86165]

Mr. Mudie: It is already the policy of both the DfEE and the Employment Service not to purchase refrigeration and air-conditioning systems containing ozone depleting substances such as CFCs and HCFCs.

Failing Colleges

Dr. Cable: To ask the Secretary of State for Education and Employment what research his Department has *(a)* commissioned and *(b)* evaluated from the schools sector on the policy of naming and shaming failing colleges. [86171]

Mr. Mudie: The Government have no specific policy of "naming and shaming" further education colleges with poor provision. We may, however, comment on adverse inspection reports or other evidence which is already in the public domain.

The Government are strongly committed to raising standards in further education. We will continue to give praise to successful colleges who are performing well and will emphasise how much we value excellence through the announcement of further Beacon Colleges. However, we will not tolerate unacceptable standards, or hesitate to intervene where colleges are failing their students and communities.

Examination Marking

Mrs. May: To ask the Secretary of State for Education and Employment what criteria will be used to determine which schools and colleges will participate in the pilot project on the return of GCSE and A-Level exam scripts. [86404]

Ms Estelle Morris *[holding answer 11 June 1999]:* A total of about 200 centres in England will pilot the four GCSE models. Centres were selected at random and their agreement sought prior to the introduction of the pilots. At A-Level, two syllabuses from each of the five Awarding Bodies were chosen. To keep the pilots manageable, syllabuses with entries of around one thousand candidates, and involving no more than one hundred centres, were selected.

Mrs. May: To ask the Secretary of State for Education and Employment what will be the timetable for the return of GCSE and A-Level exam scripts to students under the pilot project. [86403]

Ms Estelle Morris *[holding answer 11 June 1999]:* The timetable will depend upon the particular model being piloted. At A-Level, photocopied scripts will arrive on the day the results are issued—Thursday 19 August.

At GCSE, four different models will be piloted. Under three of these models, scripts will be available from Tuesday 1 September. Under the fourth, where scripts will be available only on request, scripts are not expected to arrive before Friday 4 September. The pilots will provide a framework within which centres should operate the pilots, rather than imposing rules, so timings may vary between centres.

Mrs. May: To ask the Secretary of State for Education and Employment what is the estimated cost of the pilot project to return GCSE and A-Level exam scripts to students; and what estimate his Department has made of the total cost of a general return of such exam scripts. [86405]

Ms Estelle Morris *[holding answer 11 June 1999]:* The Qualifications and Curriculum Authority (QCA) will be conducting the pilot exercises, from a budget of £250,000. One of the objectives of these pilots is to assess the costs associated with each model before any decisions on wider implementation are made.

Mrs. May: To ask the Secretary of State for Education and Employment if guidance to those marking exam scripts will be changed in those areas participating in the pilot project for the return of GCSE and A-Level scripts. [86402]

Ms Estelle Morris *[holding answer 11 June 1999]:* All GCSE and GCE Awarding Body examiners are bound by a Code of Practice, developed in consultation with the Qualifications and Curriculum Authority. The Code provides a basis for high standards in all aspects of the examining process. There are no plans to change this guidance ahead of this summer's examinations.

Investors in People

Mr. Stephen Twigg: To ask the Secretary of State for Education and Employment if he will announce the outcome of the Quinquennial Review of Investors in People UK. [87297]

Mr. Mudie: Against the background of the established practice of carrying out quinquennial policy and financial reviews of non-Departmental Public Bodies, the Department conducted a thorough review of Investors in People UK during 1998.

The first stage was a policy review of whether the functions were still needed, and also what framework was most efficient to deliver them. It was concluded that Investors in People UK should continue to carry out the functions with an NDPB framework.

Stage 2 consisted of a financial management survey of the organisation. The financial management survey, carried out for the Department by external consultants Pannell Kerr Forster, concluded that the Company achieves value for money in Grant-in-Aid terms and has achieved excellent performance against its objectives.

The combined quinquennial review is published today and a copy is being placed in the Library. Further copies can be obtained on request from: Jane Binney, Department for Education and Employment, Workplace Learning Division, Area E8b, Moorfoot, Sheffield S1 4PQ, telephone number 0114 259 4232.

Key Stage 2

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) what percentage of 11-year-old *(a)* male, *(b)* female and *(c)* male and female pupils in each local education authority attained (i) Level 3 or better, (ii) Level 4 or better and (iii) Level 5 or better, in the 1998 Key Stage 2 tests for mathematics; and what was the average level per pupil; [87016]

(2) what percentage of 11-year-old pupils in each local education authority in maintained schools were entered for the 1998 Key Stage 2 SAT tests in mathematics but were absent; [87017]

(3) what percentage of 11-year-old *(a)* male, *(b)* female and *(c)* male and female pupils, in each local education authority attained (i) Level 3 or better, (ii) Level 4 or better and (iii) Level 5 or better, in the 1998 Key Stage 2 tests in the (1) writing, (2) reading and (3) combined test for English; and what was the average level per pupil; [87019]

(4) what percentage of 11-year-old pupils in each local education authority in maintained schools were entered for the 1998 Key Stage 2 SAT tests in *(a)* writing, *(b)* reading and *(c)* both for English but were absent. [87020]

Ms Estelle Morris: The information requested is shown in tables, copies of which have been placed in the Library.

Aggregate School Budgets

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list by local authority the planned expenditure per pupil at 1998–99 prices from aggregate school budgets in *(a)* maintained primary schools and *(b)* maintained secondary schools in 1999–2000. [87015]

Ms Estelle Morris: Information for the financial year 1999–2000 is still being collected and checked by the Department. We will publish authoritative data showing the plans of the authorities, including the amounts to be held back centrally, later this month. I will write to the hon. Member when the figures he requests are available, and a copy of my letter will be placed in the Library.

Employment Service Programme Centres (Wheelchair Access)

Mrs. Betty Williams: To ask the Secretary of State for Education and Employment (1) how many Employment Service programme centres there are in Wales; and how many are accessible to disabled persons using wheelchairs; [87041]

(2) how many Employment Service programme centres there are in England; and how many are accessible to disabled persons using wheelchairs. [87042]

Mr. Andrew Smith: There are 178 Programme Centres in England and 30 in Wales, all of which are accessible to disabled people using wheelchairs or have alternative arrangements to ensure they have adequate access to all of the provision.

Sport (Coaching)

Mr. Spring: To ask the Secretary of State for Education and Employment what action he has taken to target coaching support to those schools where sporting commitment is below average. [86686]

Mr. Charles Clarke: Under the Department's Specialist Schools programme, Sports Colleges provide specialist support to local schools to help raise the standards of teaching and learning in physical education and sport. This can be in the form of in-service training for teachers or the sharing of specialist sports equipment, facilities and other resources. Sports Colleges also act as local centres of sports development and are able to disseminate good practice in their geographical area.

In addition, the Coaching for Teachers Programme, funded by Sport England and co-ordinated by the National Coaching Foundation, provides opportunities for teachers involved in the delivery of extra-curricular school sport to improve their teaching and coaching, update their knowledge by attending Governing Body courses, and obtain qualifications. Over 11,000 teachers have received training through this scheme.

The Government also fund Sport England, whose Active Schools programme ensures quality sports provision in schools through a variety of initiatives, which include coaching materials and training, such as TOP Play, BT TOP Sport, Sportsmark and Sportsmark Gold awards and the Sporting Ambassadors scheme.

Anti-drugs Education

Mr. Flynn: To ask the Secretary of State for Education and Employment if he will publish the evidence held by the Department of the efficacy of anti-drugs education programmes in reducing drug use. [86957]

Mr. Charles Clarke: The DfEE's drug education good practice guidance, published in November last year, brings together the findings of Ofsted, and the experience of health professionals and others, and outlines already published research on the effectiveness of drug education in schools. In addition, the Department has published two booklets summarising a number of innovative drug education projects supported through the Department's Grants for Education Support and Training (GEST) programme in 1995–96 and 1996–97 respectively. They offer information on the findings of a range of different drug education projects set up by local education authorities during those two years.

Sporting Provision

Mr. Spring: To ask the Secretary of State for Education and Employment what action he has taken to ensure that sporting provision is set out in schools' annual reports and prospectuses. [86687]

Mr. Charles Clarke: Sport is an essential part of young people's education, playing a key role in their physical and social development. Department for Education and Employment guidance makes it clear that prospectuses and annual reports should include references to sporting aims and provisions, so as to ensure that parents receive a complete picture of the school.

Written Answers to Questions

Wednesday 16 June 1999

FOREIGN AND COMMONWEALTH AFFAIRS

Macedonia

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs when he initiated steps to remove controls on the export to Macedonia of all-wheel drive utility vehicles, heavy duty recovery vehicles and drop-sided trucks; and what assessment he has made of the effect this ban has had on relief efforts. [86734]

Mr. Tony Lloyd: The controls set out in Group 3, Part 1, Schedule 1 of the Export of Goods (Control) Order 1994 prohibit the export of certain vehicles to the Republic of Macedonia without an export licence. These controls do not constitute a ban. We do not believe that they have had a significant effect on the current relief effort in Macedonia.

We began the process of lifting these controls in April 1999 in order to assist relief organisations working in Macedonia. Since then we have fast tracked relevant licence applications to allow the speedy export of vehicles for relief work in Macedonia.

Register of European Commissioners' Interests

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the Register of European Commissioners' Interests to be deposited in the Library. [86736]

Ms Quin: The register of European Commissioners' Interests is a public document which is regularly updated. It can be found on the Internet at the following address: http://europa.eu.int/comm/commissioners/interests-en.htm.

Nuclear Plant (Turkey)

Mr. Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning Turkey's plan to build a nuclear plant at Akkuyu Bay; what assessment his Department has made of the potential risks of this project; and if he will make a statement. [86849]

Ms Quin: We have received representations from the Greek Government on the matter of the proposed nuclear power plant in Akkuyu. They have drawn attention to their publication, "Risks Associated with the Construction of a Nuclear Power Plant in Akkuyu, Turkey".

We are aware that Turkey has been considering this project for some time as part of a wider strategy to increase energy production. Turkey is a member of the Nuclear Non-Proliferation Treaty (NPT) and has a full scope safeguards agreement with the International Atomic Energy Association (IAEA). Any nuclear power plant in Turkey would be subject to full scope safeguards by the IAEA. Turkey has also recently applied to join the Nuclear Suppliers Group (NSG) and the Zangger Committee, the international nuclear export control regimes.

We understand that the Turkish authorities are still evaluating bids for this project. We will continue to monitor its development.

EU-Japan Summit

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the latest agenda for the EU-Japan summit of 17 June, prior to the meeting. [86830]

Ms Quin: The provisional agenda for the EU-Japan Summit on 20 June 1999 is:

1. Opening remarks (including new developments in EU-Japan relations)
2. International situation
   - Kosovo
   - Russia
   - Korean Peninsula
   - Indonesia
   - East Timor
   - Macau
3. Economic, trade and co-operation issues
   - Macro-economic development in Japan, Asia and Europe
   - Bilateral economic co-operation
     - business dialogue
     - deregulation
     - Mutual Recognition Agreement
   - WTO related issues (new round, accession)
   - Peaceful use of nuclear energy

Antarctic Environmental Treaty Secretariat

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the Antarctic Environmental Treaty Secretariat to be established; how many signatory states have ratified the Treaty; and if he will make a statement. [86893]

Mr. Tony Lloyd: Issues relating to a possible Antarctic Treaty Secretariat were discussed at the recent Antarctic Treaty Consultative Meeting, held in Peru in May. Both Argentina and Australia reiterated their offer to host the Secretariat, but no consensus was reached on either bid. The UK looks forward to a resolution of the matter and will continue constructive dialogue on it with other Treaty Parties.

Forty-four countries have now ratified or acceded to the Antarctic Treaty, 27 of which have Consultative (voting) status; 37 countries have signed the Environmental Protocol to the Treaty; and 28 countries have either ratified or acceded to the Protocol.

WALES

Food Standards Agency

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the impact upon small businesses of the flat rate levy to fund the new Food Standards Agency; and if he will make a statement. [86345]

Mr. Hain: The Government have responded to the views put forward in the public consultation and have decided not to place a levy on retailers and caterers.

Voluntary Services (Social Exclusion)

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the role of the voluntary services in tackling social exclusion; and if he will make a statement. [86347]

Mr. Hain: The voluntary sector has a key role to play in helping to tackle social exclusion and will be a key partner of the Assembly in taking forward its social inclusion work. The voluntary sector successfully leads numerous initiatives and projects to counter social exclusion at local level and across Wales. The Wales Council for Voluntary action makes an important contribution to policy making through its membership of our Advisory Panel on social exclusion.

In March, my right hon. Friend announced additional funding of £1.5 million from the Social Inclusion Fund to support volunteering initiatives to encourage people to participate in their communities through joining in the work of local voluntary sector initiatives.

Following the transfer of functions this will be a matter for the National Assembly for Wales.

Climate Levy

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the impact of the world climate levy upon industry; and if he will make a statement. [86344]

Ms Hewitt: I have been asked to reply.

The climate change levy will make a significant contribution to meeting the UK's legally-binding target for reducing greenhouse gas emissions set under the Kyoto Protocol and our domestic commitments for further reductions. It will entail no increase in the overall burden of tax on business, since it will be accompanied by a 0.5 percentage point cut in the main rate of employers' National Insurance Contributions. This will reduce the cost of hiring workers and encourage employment opportunities. Business will also benefit from an additional £50 million a year for schemes aimed at promoting energy efficiency and additional support for renewable sources of energy, like solar and wind power.

The impact of the climate change levy on any one industry, firm or plant will depend on the tax rates set for different sectors. The Government are well aware of the need to protect the competitiveness of British industry and intend to set significantly lower rates of tax for those energy intensive sectors that agree targets for improving their energy efficiency. A number of energy intensive sectors are involved in these negotiations.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Genetically Modified Crops

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions under what Article of the Treaty consents for growing genetically modified crops are issued; when the relevant substantive resolution was agreed in each House of Parliament relating thereto; and what amendments have subsequently been made. [86236]

Mr. Meacher: All consents for the deliberate release into the environment of Genetically Modified Organisms are issued on the basis of the procedures laid down in Council Directive 90/220/EEC of 23 April 1990. The legal basis of the Directive is Article 95 (ex Article 100a) of the Treaty establishing the European Community. The Regulations implementing the Directive, detailed in the answer of 22 March 1999, *Official Report*, column *41*, were adopted by negative resolution. The Directive was adapted to take account of technical progress by Commission Directive 94/15/EC of 15 April 1994.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the antibiotic marker genes, and the antibiotics to which they convey resistance, that have been used in the genetic modification of plant crops. [86321]

Mr. Meacher: The antibiotic marker genes and the antibiotics to which they convey resistance, that have been used in the genetic modification of plant crops released for research purposes in the European Community are listed in the table:

Gene	*Antibiotic*
nptII	Kanamycin
bla	Ampicillin
hpt	Hygromycin
aad	Streptomycin
tet	Tetracycline
aad	Spectinomycin
nptIII	Amikacin
gen	Gentamycin

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what baseline studies of biodiversity in genetically modified crop test site areas are required to be carried out prior to genetically modified crops being planted. [86886]

Mr. Meacher *[holding answer 15 June 1999]:* All applications for consent to release a genetically modified plant must include a pre-planting environmental audit including details of the release site ecosystem including climate and fauna, details of any sexually compatible wild relatives or cultivated plant species present and the proximity of officially recognised biotopes or protected areas. Specific baseline studies of biodiversity at test sites are not required.

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what permissions have been granted to grow genetically modified food at Blunsdon, near Swindon; and if he will make a statement. [86413]

Mr. Meacher *[holding answer 11 June 1999]:* No consent to release a genetically modified crop has been issued in respect of Blunsdon, Wiltshire. The only such consent in Wiltshire relates to the release of GM spring oilseed rape at Lushill Farm, Hannington, Wiltshire, consent number 98/R19/18.

West Coast Main Line

Ms Keeble: To ask the Secretary of State for the Environment, Transport and the Regions if the upgrade of the west coast main line is on schedule. [86854]

Ms Glenda Jackson: This is a matter for Railtrack. Railtrack has entered into both contractual commitments and licence undertakings in respect of the upgrade of the west coast main line. Ministers expect Railtrack to deliver on its obligations.

Ms Keeble: To ask the Secretary of State for the Environment, Transport and the Regions what effect the failure of Railtrack to complete the capacity review on time has had on the schedule for the upgrade of west coast main line. [86855]

Ms Glenda Jackson: I understand that Railtrack has assured the Rail Regulator and its customers and funders that delay in completing those strategic capacity reviews which it undertook to provide as part of its licence obligation will not delay the upgrade of the west coast main line, or compromise the ability to proceed with any of the enhancements explored in those studies.

Lead Shot

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to lay before Parliament a Statutory Instrument on the use of lead shot in wetlands. [86417]

Mr. Meacher *[holding answer 14 June 1999]:* I refer the hon. Member to the reply I gave on 10 June 1999, *Official Report*, columns *374–75*.

Cycle Routes

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the length of dedicated cycle routes in *(a)* Greater London and *(b)* each London borough, (i) currently and (ii) in 1997. [86894]

Ms Glenda Jackson: I refer my hon. Friend to my answer of 3 March 1999, *Official Report*, columns *737–38*, about the length of the London Cycle network at April 1998. While it is anticipated that the London Cycle Network grew to some 800 miles in 1998–99, lengths on a borough basis are being collected at the present time. Therefore, I will write to my hon. Friend setting out the figures for April 1999, with comparable April 1997 data, as soon as they are available.

Bletchley and Bicester Railway Line

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to receive plans for the re-opening of the Bletchley and Bicester railway line; what level of expenditure on this line is planned by his Department; and if he will make a statement. [86895]

Ms Glenda Jackson: The East-West Rail Group, a consortium of local authorities, have proposed re-opening this section of line as part of their proposal for opening up an East-West rail route which would extend from Oxford to Ipswich via Bicester, Bletchley, Bedford and Cambridge. I understand they have arranged for Railtrack to carry out a feasibility study which is expected to be completed in a few weeks. Subject to the outcome of the feasibility study it will be for the consortium to seek sources of funding for any plans it decides to pursue. The Department will consider any proposals that may be put to it.

Barking to Gospel Oak Line

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for the electrification of the Barking to Gospel Oak railway line; what proposals he has received for the opening of a station at Tufnell Park; and if he will make a statement. [86896]

Ms Glenda Jackson: There are no current plans to electrify the Barking to Gospel Oak railway line and no proposals have been received for a station at Tufnell Park.

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has received from the train operating company for new services to different destinations on the Barking to Gospel Oak line in the last 12 months. [86899]

Ms Glenda Jackson: None.

Planning Applications

Mr. Bill Michie: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about his policy on calling in planning applications under section 77 of the Town and Country Planning Act 1990. [87392]

Mr. Caborn: My right hon. Friend's general approach, like that of previous Secretaries of State, is not to interfere with the jurisdiction of local planning authorities unless it is necessary to do so. Parliament has entrusted them with responsibility for day-to-day planning control in their areas. It is right that, in general, they should be free to carry out their duties responsibly, with the minimum of interference.

There will be occasions, however, when my right hon. Friend may consider it necessary to call in the planning application to determine himself, instead of leaving the decision to the local planning authority.

His policy is to be very selective about calling in planning applications. He will, in general, only take this step if planning issues of more than local importance are involved. Such cases may include, for example, those which, in his opinion:

- may conflict with national policies on important matters;
- could have significant effects beyond their immediate locality;
- give rise to substantial regional or national controversy;
- raise significant architectural and urban design issues; or
- may involve the interests of national security or of foreign Governments

However, each case will continue to be considered on its individual merits.

Passenger Movements (Stansted)

Ms Blears: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make a decision on the application to raise the passenger air transport movement limit at Stansted. [87394]

Ms Glenda Jackson: After careful consideration of BAA plc's application for an increase, and the responses to the consultation that was held on it, I have today laid before the House an Order allowing 120,000 passenger air transport movements at Stansted between August 1999 and February 2000, and increasing, from 1 March 2000, the annual limit from 120,000 to 185,000 per annum. The new limit should allow Stansted to expand to around 15 million passengers a year (mppa)—a limit for which it has had outline planning permission since 1985 and for which detailed planning approval was given in March.

The purpose of the passenger air transport movement limit is to ensure that the development of Stansted does not outpace the ability of local infrastructure to cope with it. The Government are satisfied that the growth in road and rail traffic that will be generated will be satisfactorily accommodated, and that the overall effects of a 15 mppa airport are properly reflected in local development plans.

Commission for Integrated Transport

Mr. Geraint Davies: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce the remaining appointments to the Commission for Integrated Transport; and if he will make a statement. [87395]

Mrs. Liddell: I have today appointed Bill Bradshaw, Lawrence Christensen, Nicky Gavron, Stephen Joseph, David Leeder, Lilli Matson, Bill Morris, John O'Brien, Veronica Palmer, Mike Parker and Nick Reilly as members of the Commission for Integrated Transport.

They will be joined by four ex officio members: the Chair of the SRA (Sir Alastair Morton), the Chairman of the CAA (Sir Malcolm Field), the Chief Executive of the Highways Agency (Lawrie Haynes) and the Chair of the Disabled Persons Transport Advisory Committee (Jane Wilmot).

I am pleased that the new Commission is now able to start work. We have brought together a strong and balanced team with the experience to provide practical and constructive advice on making integrated transport a reality. The ex officio members will bring the expertise of their own organisations, but we have otherwise appointed members not as representatives of particular interests but as individuals with a breadth of knowledge of transport and its impacts.

The 17-strong Commission will be a fresh and creative force in helping Government deliver the clean, safe, fair and efficient transport system the country needs. The Commission must build on the consensus established around last year's Transport White Paper, and I and my ministerial colleagues very much look forward to working with it.

NORTHERN IRELAND

Mrs. Rosemary Nelson

Mr. Corbyn: To ask the Secretary of State for Northern Ireland for what period after 15 March, the Royal Ulster Constabulary telephone hotline number which any potential witnesses to the murder of Mrs. Rosemary Nelson were urged to call was unstaffed; and for what reasons. [85453]

Mr. Ingram *[holding answer 25 May 1999]:* A contact line was established in March. A separate hotline was set up on 9 April following the arrival of Mr. Port. I understand that, where possible, it is manned during office hours, which are normally 0900 to 1700. The line is answered by non-RUC officers. Outside these hours the hotline works on an answering machine.

Mr. Corbyn: To ask the Secretary of State for Northern Ireland if she will make a statement on the involvement of officers of the Federal Bureau of Investigation in respect of the inquiry into the murder of Mrs. Rosemary Nelson. [85451]

Mr. Ingram *[holding answer 25 May 1999]:* The RUC have advised that, on the day Mrs. Nelson was murdered, the Chief Constable of the Royal Ulster Constabulary contacted the Director of the FBI, who agreed to offer the Bureau's investigative expertise. As a result, a number of experienced agents arrived from the United States of America. They brought expertise in investigating acts of terrorism, including major case management. As the FBI's Legal Attaché, John Guido said on 12 April:

> "The FBI arrived fully prepared to provide as much assistance as they could by offering suggestions on investigative strategy, evidence collection and data management. Frankly, we found the RUC to be well prepared to handle the investigation."

They were in Northern Ireland from 20 March to 16 April and noted that a very dedicated and professional inquiry team had been assembled to bring the killers of Mrs. Nelson to justice. Mr. Guido also said that the FBI had confidence that all appropriate lines of inquiry were being pursued and that the greatest chance of success lay with the RUC continuing the investigation. The FBI continue in an advisory role and there is regular contact with Mr. Port's team.

Planning Applications

Mr. Forsythe: To ask the Secretary of State for Northern Ireland (1) if the European Union Directive on landfill of waste will be taken into account when current planning applications are being decided; [85922]

(2) what arrangements are in place to take account of the views of objectors and their public representatives when deciding on contentious planning applications; [85919]

(3) from what date the European Union Directive on landfill of waste will be applied to planning applications in Northern Ireland. [85921]

Mr. Paul Murphy: The emerging draft European Directive on landfill of waste is, and will continue to be, a material consideration in the assessment of planning applications. The weight to be given to the draft Directive will be influenced by its status at any given time. Greater weight will, of course, be attached when the Directive has been adopted. As regards taking account of the views of

objectors and their public representatives when deciding contentious planning applications, all representations received, whether in favour of or against a proposal, are considered fully before a decision on an application is reached. If necessary, a public inquiry can be called.

Special Advisers

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland which of her Special Advisers travelled to Washington and New York on 15 March; and if she will list the meetings which her Special Advisers held with members and officials of the United States Government during this visit, the dates and locations of each meeting, and the names of the US ministers and officials at each meeting. [86288]

Marjorie Mowlam: I met Mr. S. Berger and Mr. J. Steinberg, the National and Deputy National Security Advisers at the National Security Council in Washington in March 1999. I also participated in other meetings including with Senators, Congressmen and the press. Mr. Warner accompanied me to these meetings.

The New York leg of the visit was cancelled because of developments in Northern Ireland.

Violent Incidents

Mr. William Ross: To ask the Secretary of State for Northern Ireland what was the number of incidents of assault, attacks on houses and other property and intimidation reported to the RUC in the Fountain Estate/Wapping Lane area of Londonderry for the period from 1 April to the latest available date. [87037]

Mr. Ingram *[holding answer 15 June 1999]:* Records indicate that there were eight incidents of assault in the Fountain Estate/Wapping Lane area of Londonderry from 1 April to 10 June 1999. No reports have been received by police of any incidence of attack on houses or other property nor of intimidation in that area during the period.

Social Need Initiative

Ms Corston: To ask the Secretary of State for Northern Ireland if she has reached a view on the priorities for the promoting social inclusion element of the new targeting social need initiative; and how these will be taken forward. [87560]

Mr. McFall: Following extensive consultation with a range of voluntary sector and other interests the Secretary of State has decided that the first four strands of work to be tackled under the Promoting Social Inclusion will be:

action to alleviate the needs of Travellers

a strategic approach to the needs of minority ethnic groups

the problems of teenage parenthood

strategies for making services more accessible to minority groups and others at risk of social exclusion—focusing firstly on how information can be presented and distributed in ways appropriate to their needs.

Working Groups will now be set up to examine each of these areas and to recommend effective ways of tackling social exclusion.

Driver and Vehicle Licensing

Mr. Jim Murphy: To ask the Secretary of State for Northern Ireland what performance targets have been set for Driver and Vehicle Licensing Northern Ireland in 1999–2000. [87562]

Marjorie Mowlam: For 1999–2000 the following key performance targets have been set for the Agency:

Output:

1. To dispatch 96 per cent. of registration books for new vehicles in 16 working days from receipt.

2. To dispatch 96 per cent. of refunds of vehicle excise duty in 10 working days from receipt.

3. To dispatch 96 per cent. of vehicle excise licences in five working days from receipt of postal application.

4. To dispatch 96 per cent. of duplicate vehicle registration books in six working days from receipt of applications.

5. To dispatch 92 per cent. of all driving licences in nine working days from receipt of applications.

6. To dispatch substantive replies to 97 per cent. of written inquiries for information from the drivers and vehicles registers in three working days from receipt.

Efficiency:

7. To limit maximum waiting time at Local Vehicle Licensing Offices so that 96 per cent. of customers are attended to within 22 minutes during peak periods (the first eight and the last two working days of each month) and within 10 minutes at other periods.

8. To meet an overall efficiency gain of 2.5 per cent.

Financial:

9. To reduce the unit cost per vehicle excise enforcement case by 0.5 per cent. in real terms compared to 1998–99.

Quality:

10. To limit the error rate (errors on any item sent out by the Agency) to a maximum of 0.5 per cent. of total Agency output.

Public Record Office

Mr. Jim Murphy: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Public Record Office of Northern Ireland in 1999–2000. [87563]

Marjorie Mowlam: For 1999–2000, the following performance targets have been set out for PRONI:

Financial Performance

To meet the challenge of managing the Agency's workload by:

a) implementing the results of staff grading review so as to achieve a 3 per cent. efficiency gain while coping with a 4 per cent. increase in on-site public use of PRONI.

b) Ensuring that expenditure is within the financial limits approved by the Department.

Output

To appraise at least 4,500 linear metres of records, including the reappraisal of records so as to eliminate low-grade material.

To list and index at least 550 linear metres of records, including ensuring that 100 per cent. of all new "open" material is processed within one year of receipt.

Quality of Service

To maintain the extra 4 hours opening per week beyond the standard 37½ hours.

With the help of the computerised document request system, to improve the speed of on-site production to the public by reducing waiting time from 34 minutes to 30 minutes or less in 90 per cent. of cases.

To process customer queries within 10 working days of receipt in 90 per cent. of cases and within 14 working days in 96 per cent. of cases, thus maintaining PRONI's Citizen Charter commitment.

To ensure by 31 December 1999 the smooth completing of the annual release for 2000—c.2,000 records—as well as the on-going release of identified blocks of records at earlier than 30 years.

As part of a 10-year storage improvement programme, to survey the conditions in which 10 per cent. of 33,360 metres of records are stored, and, in a related exercise, to take remedial action on upgrading, c.1,800 linear-metres of records as presently stored on mobile shelving or in plan cases in Balmoral Avenue so as to bring them up to defined standards of archival protection.

To complete remedial conservation treatment (assessed overall as of medium technical difficulty) of at least 3,000 archive units, mainly from Grade 1 archives.

To provide standards of service which ensure that the number of unsatisfied customers does not exceed 2 per cent. as reflected in signed customers satisfaction questionnaires.

Efficiency

To reduce by 3 per cent. (from £198 to 192), PRONI's composite Unit Cost in the areas of selecting and accessioning, records listing, records storage, document production, reader services, correspondence, outreach, public photocopying conservation and security microfilming.

Industrial Research and Technology Unit

Mr. Bennett: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Industrial Research and Technology Unit for the financial year 1999–2000. [87564]

Mr. Ingram: The Industrial Research and Technology Unit is an Agency within the Department of Economic Development. Its prime strategic target is to raise the level of industrial R & D in Northern Ireland and in addressing this target the Agency also aims to operate efficiently and effectively and provide a quality service. Against this background the following key targets have been set for the Agency:

To achieve new user participation in the COMPLETE Programme of 20 per cent.

To increase the average industry contribution to projects funded under the COMPLETE Programme by 1 per cent.

To achieve an increase in R & D projects under the START Programme of 20 per cent.

To achieve full cost recovery for Scientific Services.

To maintain UKAS Accreditation for Scientific Services.

Fair Employment

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to her answers of 16 April 1999, *Official Report*, columns *364–65*, if she will *(a)* estimate the cost of commissioning a study on the application of information technology across the field of equal opportunities monitoring in order to (i) assist employers in complying with monitoring requirements, (ii) assist analysis of monitoring returns, (iii) assist analysis of the operation of complaints mechanisms and (iv) assess the effectiveness of measures taken to address equality of opportunity, *(b)* list publicly funded research studies of relevance and *(c)* estimate the cost of a literature search in this field. [87171]

Mr. Ingram: A major benefit of the new single Equality Commission will be to enable more effective monitoring across the whole equal opportunities field. We are committed to greatly increased use of information technology in all aspect of government and I would expect that the new Commission will see the development of appropriate computerised monitoring systems as a priority. I have no way of making an informed estimate of the cost of a study.

I am not aware of any relevant publicly funded research studies or of any previously completed literature search. I am not able to make an estimate of the cost of the latter.

Policing and Justice Review (Costs)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are the financial estimates for *(a)* cost to completion and *(b)* the monthly breakdown of running costs and programme expenditure by main spending items since April 1998 for (i) the Independent Commission on Policing and (ii) the Review of Criminal Justice. [87168]

Mr. Ingram: The following table shows the spending profile of the Criminal Justice Review from April 1998 to March 1999. In effect the cost of the Review for the 1998–99 financial year is £390,262. The budget from April 1999 until the completion of the Review is £572,000, bringing the total cost to £962,000.

Costs of the Criminal Justice Review

£

	Costs from April 1998 to March 1999		
Month	*Running costs*	*Programme costs*	*Total*
April 1998	0	0	0
May 1998	0	0	0
June 1998	109	0	109
July 1998	8,094	20,593	28,687
August 1998	306	26,640	26,946
September 1998	81	2,181	2,262
October 1998	1,990	44,468	46,457
November 1998	8,438	28,224	36,662
December 1998	270	6,048	6,317
January 1999	2,827	56,723	59,550
February 1999	10,658	25,940	36,598
March 1999	20,106	126,566	146,671
Totals	52,881	337,380	390,262

Note:
Totals may differ as a result of rounding

With regard to the Independent Commission on Policing, the cost to completion is £2.874 million. The following is a table showing the breakdown of running costs and programme expenditure per month:

£

Month	*Running costs*	*Programme costs*	*Total*
June 1998	14,382.85	27,790.83	42,173.68
July 1998	50,202.37	113,647.89	163,850.26
August 1998	22,178.71	93,594.02	115,772.73
September 1998	33,341.14	56,252.76	89,593.90
October 1998	34,478.57	113,645.15	148,123.72

£

Month	Running costs	Programme costs	Total
November 1998	61,520.10	44,798.52	106,318.62
December 1998	33,592.72	89,111.74	122,704.46
January 1999	30,459.07	179,083.51	209,542.58
February 1999	34,608.66	145,632.27	180,240.93
March 1999	54,679.21	113,035.06	167,714.27
Totals	369,443.40	976,591.75	1,346,035.15

Equality Commission

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will *(a)* place in the Library the written submissions to the Equality Commission Working Group meeting under Dr. Joan Stringer, *(b)* list the recommendations of the Working Group and *(c)* give the Government response to each. [87167]

Mr. Ingram: My officials are writing to those who made submissions to the Equality Commission Working Group and subject to their agreement I will place the submissions in the Library. The recommendations of the Working Group are listed in the Executive Summary of the Report, which is available in the Library. Many of the recommendations will be for the new Commission itself to consider and it would be inappropriate for Government to make a response to these. The recommendations that fall to Government are those that relate to appointments, induction training and resources. Appointments and induction training are being progressed and I will be monitoring the position on resources carefully to ensure that the new Commission is properly resourced to fulfil the current statutory obligations and implement important new responsibilities.

DEFENCE

Homosexuality (Armed Forces)

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on his policy on employment of homosexuals in the armed forces. [86369]

Mr. Doug Henderson: The current policy is that homosexuals are excluded from the armed forces. As I have already made clear, the issue of homosexuality will be reviewed during this Parliament and there will be a free vote in Parliament on the subject.

Defence Evaluation and Research Agency

Mr. Hancock: To ask the Secretary of State for Defence what estimate he has made of the value of technology developed by the Defence Evaluation and Research Agency which has been made available to British industry by way of *(a)* licensing and *(b)* joint venture for each of the last five years; and if he will make a statement. [86370]

Mr. Spellar: The Defence Evaluation and Research Agency, DERA, does not assign a capital value to technology when transferred to industry. Instead, moneys are recouped by way of a running royalty over a number of years, sometimes as many as twenty. Details of the total licence income from UK industry for each of the last five years is detailed in the table:

Financial year	£000
1994	450
1995	1,205
1996	1,419
1997	1,300
1998	1,468

The figures include income from non-equity joint ventures. DERA has been permitted to engage in equity joint ventures only since April 1999 and, so far, there has been no income from this source. Technology required by industry for government purposes is transferred free of charge; records are not kept of its theoretical value.

Mr. Laurence Robertson: To ask the Secretary of State for Defence what changes to pension arrangements for existing staff are planned if the Defence Evaluation and Research Agency becomes a public and private partnership; and if he will make a statement. [86670]

Mr. Spellar *[holding answer 11 June 1999]:* As the hon. Member is aware, we are currently conducting a consultation programme on proposals for a DERA Public Private Partnership. We hope to be in a position to make an announcement on DERA's future later in the year.

Only after this will we be able to assess future pension arrangements for DERA staff.

HMS Chatham

Mr. Hancock: To ask the Secretary of State for Defence what is the forecast cost of the refit of HMS Chatham and its planned completion date; and if he will make a statement. [86385]

Mr. Spellar: The refit for HMS Chatham is due to be completed in late 1999, at a planned cost of £19.6 million. It is not possible to say whether additional unforeseen work, which may affect the final cost, will be required.

HMS Campbeltown

Mr. Hancock: To ask the Secretary of State for Defence what *(a)* delays and *(b)* cost over-runs there are in respect of the refit of HMS Campbeltown; what is the cost of the refit; when she will be ready for operational duties; and if he will make a statement. [86371]

Mr. Spellar: HMS Campbeltown is now fully operational. The refit, which was completed in December 1998, required some unforeseen additional work, which resulted in a delay of just over seven weeks. The final cost of the refit will not be known until all contractual aspects have been finalised but is expected to be about £23 million, which is within the overall budget.

HMS Southampton

Mr. Hancock: To ask the Secretary of State for Defence when the refit of HMS Southampton will be completed; and at what cost. [86450]

Mr. Spellar: HMS Southampton is currently on Sea Trials following her refit and will return to operational service in Autumn this year. As is normally the case, the sea trials will be followed by a period of defect rectification work. Expenditure to date is about £37 million, but the total project cost will not be known until any additional work is complete.

Army Cadets (Safety)

Mr. Kidney: To ask the Secretary of State for Defence what reports he has received of the Coroner's inquest into the death of army cadet Claire Louise Shore; and what arrangements he will make for his Department to respond to the findings of the inquest. [86354]

Mr. Doug Henderson: The Coroner's inquest into the tragic death of Cadet Claire Louise Shore took place at the Coroner's Court Basingstoke, between the 17 and 20 May 1999. The inquest jury returned a verdict of "accidental death" and no specific recommendations were made by the Coroner. A Board of Inquiry (BOI) will however, now be held by my Department, to investigate the circumstances surrounding the accident and to make, where appropriate, any necessary recommendations to ensure that a similar incident does not reoccur. A copy of the BOI report would be made available to the family if they wish.

Paternity Leave

Mr. Bob Russell: To ask the Secretary of State for Defence what paternity provision is available for members of the armed forces *(a)* as a general right and *(b)* when there is medical advice that the health of the mother and baby, pre or post natal, requires the presence of the father. [86735]

Mr. Spellar: There is currently no national legal requirement to provide paternity leave and my Department has no policy to provide special leave for Service fathers. However, as a good employer, the Services seek, whenever possible, to grant a serviceman annual leave (or compassionate leave if appropriate) before or after childbirth. Operational commitments may, on occasions, make it impossible for every serviceman to be released from his duties.

Harpoon Missiles

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to upgrade the Harpoon missiles fitted to HM ships to give them Block II land attack capability. [87001]

Mr. Spellar: There are currently no plans to upgrade the existing Harpoon missiles fitted to HM Ships to Block II land attack capability.

Block II Missiles

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to fit Block II land attack missiles to HM ships. [87002]

Mr. Spellar: There are currently no plans to fit HM ships with Block II Harpoon land attack missiles.

Kosovo

Mr. Mackinlay: To ask the Secretary of State for Defence (1) what advice will be given to returning Kosovan refugees and what precautions will be taken to protect them from contamination from depleted uranium in the region consequent on its use in ordnance and missiles; [86743]

(2) what special equipment has been issued to service and other personnel in the former Yugoslavia to minimise the risk of contamination from depleted uranium; what other precautions were taken; what guidance was given to commanders; and if he will make a statement. [86741]

Mr. George Robertson *[holding answer 14 June 1999]:* The UNHCR is the lead agency responsible for the return of the refugees to their homeland. It will be for them to provide such advice as they judge to be necessary on the hazards which returning refugees may face.

Although we believe that the health risks to our personnel from the use of depleted uranium ammunition in the Gulf War were very small we are making available to the UNHCR the March 1999 paper produced by the MOD's Gulf Veterans' Illnesses Unit in respect of testing for the presence of depleted uranium in UK veterans of that conflict. This contains detailed material which we believe may be of use to the UNHCR.

As far as Service personnel are concerned, appropriate guidance is given to them on dealing with any potential hazards from depleted uranium which they might encounter in Kosovo. As a precaution, this guidance includes advice to wear respiratory protection and gloves when contact with vehicles damaged by depleted uranium ammunition is unavoidable. UK forces in theatre have been issued with the appropriate range of NBC clothing and equipment.

"Costing the Earth"

Mr. Mackinlay: To ask the Secretary of State for Defence if his Department has obtained a tape of the entire BBC Radio 4 programme, "Costing the Earth", broadcast on 7 June to which the Minister of State for the armed forces contributed. [86742]

Mr. Doug Henderson *[holding answer 14 June 1999]:* We do on occasion tape programmes, particularly those to which we make a contribution. We did not on this occasion as there are various ways of obtaining a tape should it be required.

Depleted Uranium

Mr. Flynn: To ask the Secretary of State for Defence what epidemiologically valid trials have been conducted on service people who were exposed to depleted uranium debris in the Gulf War. [86951]

Mr. Doug Henderson *[holding answer 15 June 1999]:* The Ministry of Defence's portfolio of research programmes into Gulf veterans' illnesses matters currently comprises two major epidemiological studies looking at the health of UK Gulf veterans, a neuromuscular symptoms study, an independent review of research literature, and a programme to investigate possible interactions between the medical countermeasures which were used during the 1990–91 Gulf conflict. The Ministry of Defence is also supporting

a further epidemiological study of UK Gulf veterans which is being funded by the United States Government. However, none of these programmes, epidemiological or otherwise, is specifically aimed at investigating the health effects of depleted uranium.

Nevertheless, all three teams conducting epidemiological research are well aware that depleted uranium is one of many possible exposures in the Gulf which have been put forward as a potential cause of Gulf-related illnesses, and they have and will continue to, take this into account in their studies. Possible exposure to depleted uranium at the time of the Gulf conflict was included in the questionnaires which the teams have sent, or are sending, to random samples of Gulf veterans and control groups.

One of the epidemiological studies—that being conducted by a team from King's College, London—published their initial results in the *Lancet* in January. Of the 30 different exposures reported by those veterans who completed the survey, depleted uranium was the fourth least frequently reported.

The need for further research work is kept under regular review by the Ministry of Defence and the Medical Research Council (MRC) which advises the Government on its overall strategy for Gulf health issues. So far, however, the MRC has not recommended that the Ministry of Defence commission any specific depleted uranium related research.

Gulf veterans who are concerned that their health has been adversely affected by service during the Gulf conflict, including by possible exposure to DU, are entitled to seek a referral to the Gulf veterans' Medical Assessment Programme (MAP) for a full medical assessment. During this assessment, veterans receive a standard set of tests and are asked by the examining MAP physician to provide detailed information about possible factors, including depleted uranium, to which they may have been exposed during the Gulf conflict. Any further tests which are considered clinically appropriate by the examining MAP physician, including those to detect the presence of depleted uranium, are also arranged.

Army Training and Recruiting Agency

Mr. Dennis Turner: To ask the Secretary of State for Defence what the key targets are for 1999–2000 for the Chief Executive of the Army Training and Recruiting Agency. [87565]

Mr. Doug Henderson: The Chief Executive of the Army Training and Recruiting Agency has been set the following Key Targets for 1999–2000:

1. To meet the Adjutant General's requirement for 620 commissioned officers.
2. To meet the Adjutant General's requirement for 610 officers qualified for service in Field Force units following successful Special to Arm training.
3. To meet the Adjutant General's requirement for the professional development training of 6,714 officers.
4. To meet the Adjutant General's requirement for 10,831 regular soldiers qualified for service in Field Force units following successful Basic and Special to Arm training.
5. To meet the Adjutant General's requirement for professional development training for 52,458 soldiers.
6. To achieve a 3 per cent. annual aggregate improvement in ATRA efficiency measured on the ATRA Efficiency Index.

Gulf Veterans

Mr. Menzies Campbell: To ask the Secretary of State for Defence what factors underlie recent trends in the number of referrals to the Gulf veterans' Medical Assessment Programme. [86224]

Mr. Doug Henderson: The Gulf veterans' Medical Assessment Programme (MAP) was set up by the Ministry of Defence in 1993 to provide as full a diagnosis as possible to Gulf veterans who are concerned about their health, or provide reassurance if no illness is found. It will continue for as long as it is needed.

So far during 1999, a weekly average of five new patients have been referred to the MAP. The comparable figure for 1997 is about 19 and for 1998 is 12.

The Ministry of Defence has made no assessment of the factors underlying this trend but has taken a number of steps over the last two years to highlight the MAP's existence and its purpose. Most recently, for example, the Department of Health's Chief Medical Officer's May Update highlighted the existence of an information pack to provide GPs and other health professionals with information they may find useful in dealing with Gulf veterans' health concerns. This pack includes a section on the MAP.

As of 15 June, my Department had sent 176 copies of the information pack in response to requests from doctors. The pack is also available on the Ministry of Defence's Gulf veterans' illnesses webpage (http://www.mod.uk/policy/gulfwar/index.htm) and was highlighted in the memorandum "Current Activity relating to Gulf Veterans' Illnesses" which I published in April. Copies have also been sent to various Parliamentarians and placed in the Library of the House.

Army (Re-enlistment)

Sir Peter Emery: To ask the Secretary of State for Defence how many personnel who retired from the Army in the last 24 months have been persuaded to re-enlist; and if he will list the main places where they are now serving. [86146]

Mr. Doug Henderson: The number of Officers and Other Ranks who have left the Army within the last 24 months, and who have subsequently re-enlisted is as follows:

Rank	*Numbers re-enlisted*
Officers	2
Soldiers	597

Some 84 per cent. of those who have re-enlisted are currently serving in Great Britain and Northern Ireland with a further 12 per cent. in Germany and theatres in the former Yugoslavia. The remaining 4 per cent. are serving in a variety of posts and theatres worldwide. These figures exclude mobilised Territorial Army (TA) and Reserve personnel.

MOX Fuel Shipment

Mr. Brake: To ask the Secretary of State for Defence what consultations he had with other departments regarding the shipment of MOX fuel to Japan. [86738]

Mr. Spellar *[holding answer 11 June 1999]:* I refer the hon. Gentleman to the answer I gave my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 2 March 1999, *Official Report*, column *663*, and the answer given by my hon. Friend the Minister for Energy and Industry to my hon. Friend the Member for Stroud (Mr. Drew) on the same day, *Official Report*, column *692*.

PRESIDENT OF THE COUNCIL

Millennium Compliance

Helen Jones: To ask the President of the Council, pursuant to her answer of 18 May 1999, *Official Report*, column *285*, when she will publish the latest results of the market research tracking public perception of the millennium bug. [87248]

Mrs. Beckett *[pursuant to her reply, 15 June 1999, c. 71]:* I have placed copies of the Executive Summary of the April tracking research in the Libraries of the House.

The results are broadly consistent with those for March, showing that concern among the public on this issue is still low.

The results of the May tracking research will be published in the next few weeks and I will place copies of the Executive Summary in the Libraries of the House as soon as it is available.

HOME DEPARTMENT

Racial Attacks

Dr. Cable: To ask the Secretary of State for the Home Department how many racial attacks for which people were prosecuted took place in London, broken down by police district, *(a)* in total, *(b)* per head of population and *(c)* per head of the ethnic minority population, in (i) 1998, (ii) 1997 and (iii) 1993. [85688]

Kate Hoey: The Commissioner of the Metropolitan Police tells me that data on the number of prosecutions for violent racial crime are unavailable. The Metropolitan Police Service do not currently record information on the number of such crimes which were prosecuted in the courts.

However, data are available on the number of charges and summons for violent racial crime, by police district and per 100,000 head of residential population for the financial years 1997–98 and 1998–99. Data are also available on the ethnicity of the victims of violent racial crime, per 1,000 head of resident ethnic population for those years. This information, provided by the Commissioner, is set out in the tables:

Charges/summons for racial violent crime per 100,000 head of residential population; financial year 1997–98

Area/division	*Division total*	*Residential population estimate*[1]	*Per 100,000 head of population*
Area 1 (Central)			
Belgravia	2	50,361	4.0
Notting Hill	3	64,407	4.7
Chelsea	0	99,637	0.0
West End Central	0	4,817	0.0
Charing Cross	1	5,707	17.5
Marylebone	1	56,460	1.8
Paddington Green	0	94,954	0.0
Fulham	0	66,644	0.0
Hammersmith	1	90,277	1.1
Total	8	533,265	1.5
Area 2 (North West)			
Hampstead	0	85,791	0.0
Kentish Town	5	80,991	6.2
Holborn	1	22,905	4.4
Holloway	1	90,326	1.1
Islington	3	86,455	3.5
Harrow	5	210,900	2.4
Wembley	0	133,707	0.0
Kilburn	2	115,844	1.7
Hertsmere	1	193,623	0.5
Barnet	4	226,274	1.8
Ealing	1	162,175	0.6
Southall	3	136,702	2.2
Hornsey	3	109,710	2.7
Tottenham	4	110,091	3.6
Total	33	1,765,494	1.9
Area 3 (North East)			
Shoreditch and Hackney	3	85,567	3.5
Stoke Newington	0	106,102	0.0
Limehouse	6	84,409	7.1
Whitechapel	4	95,425	4.2
Barkingside	1	170,783	0.6
Chingford	1	119,572	0.8
Ilford	3	133,305	2.3
Leyton	2	99,851	2.0
Havering	5	230,222	2.2
Forest Gate	1	111,700	0.9
Barking and Dagenham	3	153,755	2.0
Plaistow	2	116,826	1.7
Edmonton	2	146,905	1.4
Enfield	1	175,602	0.6
Total	34	1,830,024	1.9
Area 4 (South East)			
Southwark	2	61,895	3.2
Peckham	0	105,873	0.0
Walworth	0	62,732	0.0
Catford	7	134,530	5.2
Lewisham	2	106,863	1.9
Bromley and Orpington	2	297,367	0.7
Plumstead	6	107,440	5.6
Greenwich	2	106,183	1.9
Bexley	7	217,216	3.2
Croydon	1	120,034	0.8
South Norwood	3	215,574	1.4
Epsom and Sutton	0	290,639	0.0
Total	32	1,826,546	1.8
Area 5 (South West)			
Heathrow Airport	0	685	0.0
Brixton	0	89,380	0.0
Streatham	0	91,168	0.0
Vauxhall	1	84,624	1.2
Spelthorne	0	208,828	0.0
Richmond-upon-Thames	1	88,998	1.1
Hounslow	10	183,774	5.4

Charges/summons for racial violent crime per 100,000 head of residential population; financial year 1997–98

Area/division	Division total	Residential population estimate[1]	Per 100,000 head of population
Kingston-upon-Thames	5	213,940	2.3
Battersea	3	183,438	1.6
Wandsworth	3	114,398	2.6
Hillingdon	5	151,101	3.3
Merton	8	249,437	3.2
Total	36	1,659,772	2.2
MPS total	143	7,615,101	1.9

Charges/summons for racial violent crime per 100,000 head of residential population; financial year 1998–99

Area/division	Division total	Residential population estimate[1]	Per 100,000 head of population
Area 1 (Central)			
Belgravia	11	50,361	0.22
Notting Hill	10	64,407	0.16
Chelsea	6	99,637	0.06
West End Central	9	4,817	1.87
Charing Cross	5	5,707	0.88
Marylebone	7	56,460	0.12
Paddington Green	21	94,954	0.22
Fulham	13	66,644	0.20
Hammersith	27	90,277	0.30
Total	109	533,265	0.20
Area 2 (North West)			
Hampstead	2	85,791	0.02
Kentish Town	25	80,991	0.31
Holborn	9	22,905	0.39
Holloway	14	90,326	0.15
Islington	12	88,455	0.14
Harrow	15	210,900	0.07
Wembley	4	133,707	0.03
Kilburn	6	115,844	0.05
Hertsmere	3	193,623	0.02
Barnet	11	226,274	0.05
Ealing	18	162,175	0.11
Southall	16	136,702	0.12
Hornsey	8	109,710	0.07
Tottenham	7	110,091	0.06
Total	150	1,765,494	0.08
Area 3 (North East)			
Shoreditch and Hackney	24	85,567	0.28
Stoke Newington	17	106,102	0.16
Limehouse	19	84,409	0.23
Whitechapel	9	95,425	0.09
Barkingside	3	170,783	0.02
Chingford	10	119,572	0.08
Ilford	3	133,305	0.02
Leyton	3	99,851	0.03
Havering	9	230,222	0.04
Forest Gate	11	111,700	0.10
Barking and Dagenham	16	153,755	0.10
Plaistow	9	118,826	0.08
Edmonton	11	146,905	0.07
Enfield	8	175,602	0.05
Total	152	1,830,024	0.08
Area 4 (South East)			
Southwark	19	61,895	0.31
Peckham	9	105,873	0.09
Walworth	13	82,732	0.16
Catford	32	134,530	0.24
Lewisham	21	106,863	0.20
Bromley and Orpington	15	297,567	0.05
Plumstead	32	107,440	0.30
Greenwich	21	106,183	0.20
Bexley	14	217,216	0.06
Croydon	15	120,034	0.12
South Norwood	29	215,574	0.13
Epsom and Sutton	6	290,639	0.02
Total	226	1,826,546	0.12
Area 5 (South West)			
Heathrow Airport	7	685	10.22
Brixton	7	89,380	0.08
Streatham	16	91,168	0.18
Vauxhall	11	84,624	0.13
Spelthorne	8	208,828	0.04
Richmond-upon-Thames	19	88,998	0.21
Hounslow	53	183,774	0.29
Kingston-upon-Thames	15	213,940	0.07
Battersea	16	183,438	0.09
Wandsworth	13	114,398	0.11
Hillingdon	18	151,101	0.12
Merton	33	249,437	0.13
Total	216	1,659,772	0.13
MPS Total	853	7,615,101	0.11

Victims of violent racial crime per 1,000 head of resident ethnic population financial year 1997–98

	Ethnicity						Per 1,000 head of resident ethnic population			
Sum of COUNT crime Area/division code	White	Black	Asian	Other	Unknown	Grand total	White	Black	Asian	Other
Area 1 (CENT)										
Belgravia	0	0	1	0	0	1	0.00	0.00	0.63	0.00
Notting Hill	2	3	0	0	0	5	0.04	0.47	0.00	0.00
W.E. Central	0	0	5	0	0	5	0.00	0.00	19.46	0.00
Charing Cross	1	1	3	0	0	5	0.20	0.33	12.82	0.00
Marylebone	1	1	0	0	0	2	0.02	0.46	0.00	0.00
Paddington Green	1	4	1	2	0	8	0.01	0.38	0.20	0.22
Fulham	1	1	0	1	0	3	0.02	0.21	0.00	0.41
Hammersmith	1	6	1	0	0	8	0.01	0.55	0.33	0.00
1 total	7	16	11	3	0	37	0.02	0.43	0.70	0.10

Victims of violent racial crime per 1,000 head of resident ethnic population financial year 1997–98

	Ethnicity						Per 1,000 head of resident ethnic population			
Sum of COUNT crime *Area/division code*	*White*	*Black*	*Asian*	*Other*	*Unknown*	*Grand total*	*White*	*Black*	*Asian*	*Other*
Area 2 (NW)										
Hampstead	0	1	1	0	0	2	0.00	0.22	0.30	0.00
Kentish Town	16	5	22	3	0	46	0.24	1.03	4.63	0.72
Holborn	6	1	3	0	0	10	0.35	0.70	1.20	0.00
Holloway	2	2	3	1	0	8	0.03	0.16	0.86	0.21
Islington	14	10	13	12	0	49	0.19	1.49	4.75	3.12
Harrow	10	4	11	6	0	31	0.08	0.51	0.30	0.57
Wembley	3	2	0	0	0	5	0.04	0.13	0.00	0.00
Kilburn	6	5	6	1	0	18	0.09	0.20	0.42	0.12
Hertsmere and Barnet	8	2	14	6	0	30	0.02	0.16	0.47	0.27
Ealing	1	2	4	0	0	7	0.01	0.17	0.40	0.00
Southall	4	7	8	0	0	19	0.05	0.72	0.17	0.00
Hornsey	5	3	0	3	1	12	0.06	0.29	0.00	0.53
Tottenham	1	8	4	4	1	18	0.01	0.30	0.52	0.52
2 total	76	52	89	36	2	255	0.06	0.35	0.43	0.34
Area 3 (NE)										
Shoreditch and Hackney	13	14	11	6	0	44	0.23	0.70	2.43	1.50
Stoke Newington	6	4	3	1	0	14	0.09	0.17	0.40	0.16
Limehouse	31	14	46	1	0	92	0.50	1.82	4.33	0.26
Whitechapel	21	3	13	1	0	38	0.39	0.58	0.39	0.35
Barkingside	1	0	10	0	0	11	0.01	0.00	1.30	0.00
Chingford	4	2	3	1	0	10	0.04	0.26	0.43	0.29
Ilford	1	0	7	2	0	10	0.01	0.00	0.27	0.43
Leyton	8	1	6	0	0	15	0.13	0.06	0.38	0.00
Havering	2	3	13	1	0	19	0.01	1.39	4.39	0.46
Forest Gate	9	6	29	2	2	48	0.17	0.31	0.84	0.38
Barking and Dagenham	5	7	22	2	0	36	0.03	1.96	4.42	1.08
Plaistow	4	9	22	2	0	37	0.05	0.66	1.28	0.32
Edmonton	8	0	2	4	0	14	0.07	0.00	0.22	0.67
Enfield	3	3	9	2	0	17	0.02	0.66	2.54	0.72
3 total	116	66	196	25	2	405	0.08	0.45	1.06	0.43
Area 4 (SE)										
Southwark	5	10	1	7	0	23	0.10	1.51	0.56	3.35
Peckham	4	3	1	2	0	10	0.05	0.13	0.39	0.12
Walworth	2	5	6	1	0	14	0.04	0.43	3.95	0.37
Catford	11	9	0	1	1	22	0.10	0.58	0.00	0.26
Lewisham	6	5	2	0	0	13	0.08	0.21	1.01	0.00
Bromley and Orpington	7	4	2	2	0	15	0.02	0.80	0.48	0.37
Plumstead	11	16	8	4	0	39	0.12	2.19	1.25	0.93
Greenwich	7	5	2	2	0	18	0.07	1.12	0.79	0.69
Bexley	6	11	8	1	0	26	0.03	5.25	1.42	0.33
Croydon	4	2	0	0	0	6	0.04	0.49	0.00	0.00
South Norwood	1	2	8	1	0	12	0.01	0.09	0.51	0.11
Epsom and Sutton	0	1	6	0	1	8	0.00	0.32	1.13	0.00
4 total	64	73	44	21	2	204	0.04	0.57	0.61	0.39
Area 5 (SW)										
Brixton	10	6	2	0	0	18	0.18	0.22	0.99	0.00
Streatham	4	2	1	0	0	7	0.06	0.15	0.20	0.00
Vauxhall	3	2	1	0	0	6	0.05	0.12	0.38	0.00
Spelthorne	1	1	0	0	0	2	0.01	3.08	0.00	0.00
Richmond-upon-Thames	3	3	6	1	1	14	0.02	2.14	1.62	0.21
Hounslow	11	16	27	6	0	60	0.07	2.73	0.75	0.64
Kingston-upon-Thames	6	4	8	4	1	23	0.03	2.39	1.47	0.50
Battersea	2	8	0	2	0	12	0.02	0.49	0.00	0.45
Wandsworth	2	9	9	2	0	22	0.02	0.71	1.04	0.29
Hillingdon	6	7	19	1	1	34	0.03	1.72	0.94	0.15
Merton	7	13	27	3	0	50	0.05	1.21	2.74	0.31
5 total	55	71	100	19	3	248	0.04	0.64	1.00	0.30
Grand total	318	278	440	104	9	1,149	0.05	0.49	0.79	0.33

Victims of violent racial crime per 1,000 head of resident ethnic population financial year 1998–99

	Ethnicity						Per 1,000 head of resident ethnic population			
Sum of COUNT crimeArea/division code	*White*	*Black*	*Asian*	*Other*	*Unknown*	*Grand total*	*White*	*Black*	*Asian*	*Other*
Area 1 (CENT)										
Belgravia	7	29	7	1	1	45	0.16	15.83	4.40	0.35
Notting Hill	10	15	18	9	1	53	0.19	2.37	13.66	1.92
Chelsea	6	20	14	10	1	51	0.07	6.88	6.28	1.38
W.E. Central	9	23	4	6	2	44	2.25	203.54	15.56	13.70
Charing Cross	14	11	11	3	2	41	2.83	91.67	47.01	7.50
Marylebone	20	13	17	23	0	73	0.44	5.98	6.00	3.70
Paddington Green	29	36	17	31	1	114	0.41	3.40	3.34	3.41
Fulham	27	33	34	15	0	109	0.47	6.77	25.11	6.22
Hammersmith	59	65	31	20	3	178	0.83	5.91	10.15	4.10
1 total	181	245	153	118	11	708	0.41	6.13	8.52	3.08
Area 2 (NW)										
Hampstead	9	11	11	1	0	32	0.13	2.44	3.28	0.15
Kentish Town	49	67	84	20	1	221	0.73	13.84	17.70	4.83
Holborn	29	17	20	6	1	73	1.67	11.95	8.03	3.63
Holloway	27	30	38	12	1	108	0.39	2.47	10.84	2.53
Islington	29	48	46	28	1	152	0.40	7.16	16.82	7.27
Harrow	31	41	85	20	2	179	0.20	5.18	2.33	1.91
Wembley	13	30	30	5	0	78	0.19	1.91	0.79	0.44
Kilburn	19	31	33	13	3	99	0.28	1.25	2.31	1.60
Ealing	35	47	59	14	1	156	0.27	4.08	5.88	1.30
Southall	14	27	67	9	1	118	0.19	2.78	1.46	1.17
Hornsey	21	26	19	9	2	77	0.24	2.54	3.26	1.58
Tottenham	35	42	32	18	8	135	0.52	1.56	4.19	2.35
Hertsmere and Barnet	74	61	106	32	4	277	0.21	5.01	3.57	1.45
2 total	385	478	630	187	25	1,705	0.29	3.22	3.08	1.78
Area 3 (NE)										
Shoreditch and Hackney	52	64	30	32	2	180	0.91	3.18	6.63	7.99
Stoke Newington	34	43	32	18	0	127	0.49	1.87	4.23	2.94
Limehouse	82	29	101	8	0	220	1.32	3.77	9.52	2.10
Whitechapel	73	38	43	4	0	158	1.35	7.30	1.29	1.39
Barkingside	18	18	28	5	0	69	0.11	6.14	3.63	1.43
Chingford	20	21	31	6	0	78	0.20	2.75	4.46	1.74
Ilford	26	18	27	1	0	72	0.27	2.50	1.06	0.21
Leyton	29	41	34	7	1	112	0.47	2.42	2.13	1.41
Havering	20	20	52	7	1	100	0.09	9.29	17.57	3.24
Forest Gate	42	39	58	6	2	147	0.80	2.03	1.69	1.08
Barking and Dagenham	23	46	55	22	2	148	0.16	12.90	11.06	11.87
Plaistow	33	63	96	6	4	202	0.41	4.61	5.59	0.96
Edmonton	35	23	32	22	0	112	0.29	1.93	3.58	3.66
Enfield	20	26	32	23	0	101	0.12	5.75	9.03	8.30
3 total	507	489	651	167	12	1,826	0.35	3.36	3.54	2.88
Area 4 (SE)										
Southwark	38	88	20	26	1	173	0.74	13.25	11.19	12.44
Peckham	30	53	12	1	2	98	0.40	2.28	4.68	0.21
Walworth	26	49	22	5	1	103	0.55	4.20	14.48	1.86
Catford	37	78	30	13	0	158	0.33	4.99	12.73	3.32
Lewisham	48	68	40	24	2	182	0.63	2.87	20.29	4.39
Bromley and Orpington	39	43	31	19	2	134	0.14	8.55	7.52	3.55
Plumstead	42	113	64	21	0	240	0.47	15.45	10.11	4.86
Greenwich	64	80	44	11	1	200	0.66	17.90	17.48	3.79
Bexley	24	23	49	7	0	103	0.12	10.98	8.69	2.34
Croydon	41	36	47	10	2	136	0.38	8.78	10.09	2.29
South Norwood	45	47	62	8	1	163	0.27	2.21	3.96	0.89
Epsom and Sutton	11	20	50	18	0	99	0.04	6.48	9.38	2.67
4 total	445	698	471	163	12	1,789	0.28	5.44	8.65	2.99
Area 5 (SW)										
Heathrow	7	4	10	3	1	25	14.46	173.91	83.33	52.63
Brixton	29	32	14	3	0	78	0.52	1.19	6.93	0.64
Streatham	26	45	17	7	0	95	0.38	3.28	3.45	1.78
Vauxhall	45	60	31	8	2	146	0.73	3.61	11.74	1.95
Spelthorne	7	6	21	3	0	37	0.08	18.46	12.62	2.90
Richmond-upon-Thames	19	34	42	12	0	107	0.11	24.27	11.31	2.46

Victims of violent racial crime per 1,000 head of resident ethnic population financial year 1998–99

	Ethnicity						Per 1,000 head of resident ethnic population[1]			
Sum of COUNT crimeArea/division code	*White*	*Black*	*Asian*	*Other*	*Unknown*	*Grand total*	*White*	*Black*	*Asian*	*Other*
Hounslow	77	88	202	38	0	405	0.49	15.00	5.64	4.03
Kingston-upon-Thames	35	35	80	24	1	175	0.18	20.88	14.73	3.00
Battersea	36	59	36	5	5	141	0.41	3.59	7.62	1.13
Wandsworth	36	56	54	10	3	159	0.29	4.43	6.26	1.43
Hillingdon	23	49	122	11	2	207	0.11	12.07	6.06	1.66
Merton	38	58	75	15	1	187	0.25	5.38	7.62	1.55
5 total	378	526	704	139	15	[illegible]	0.27	4.76	7.06	2.18
Grand total	1,896	2,436	2,609	774	75	7,790	0.31	4.25	4.65	2.42

[1] 1997 mid-year estimate based on 1991 census.

Note:

Victims are not necessarily resident in the division where the offence took place.

UK Passport Agency

Mr. Kidney: To ask the Secretary of State for the Home Department what assessment he made of the performance of the UK Passport Agency before deciding that the agency should administer the new Criminal Records Bureau. [86336]

Mr. Mike O'Brien: The decision to ask the United Kingdom Passport Agency (UKPA) to manage the Criminal Records Bureau (CRB) was taken for a number of reasons. The work of the Bureau involves similar business processes to those which the UKPA, notwithstanding its current temporary operational difficulties, has a good track record in providing. The Agency also has experience of procuring information technology using public-private partnership arrangements which will be appropriate for the setting up of the CRB, and sound financial management systems.

Mr. Kidney: To ask the Secretary of State for the Home Department what this year's performance targets are for the UK Passport Agency for dealing with applicants by *(a)* telephone, *(b)* post and *(c)* personal attendance; and what assessment he has made of the UK Passport Agency's performance against each of these targets in the current year. [86351]

Mr. Mike O'Brien: I am awaiting proposals from the United Kingdom Passport Agency's Chief Executive on targets for 1999–2000 which take account of the Agency's decision on the full introduction of the new computerised issuing arrangements to all of its six passport offices. In the meantime, the Agency is working to its 1998–99 targets for dealing with applicants by telephone, post and personal attendance. These are set out in the Annexe to the Agency's 1998–99 Business Plan, copies of which are in the Library.

As I have explained in my letter of 10 June to hon. Members, the Agency has encountered some teething problems in piloting new computerised passport issuing arrangements at its Liverpool and Newport offices. Productivity has been below expectations and arrears of work have developed. In addition, the Agency is dealing with high seasonal demand for passports.

Because of the backlog of work, and recent media attention the Agency has been swamped with telephone and written inquiries, and large queues have formed outside each of the offices. Although the position is now improving, the Agency is not yet meeting its performance targets.

My letter indicated what action the Agency is taking to improve its performance.

Miss McIntosh: To ask the Secretary of State for the Home Department what action he has taken to reduce delays and improve the service to members of the public in dealing with the Passport Agency; what plans he has to compensate customers for loss arising from failures in the Agency's service; and if he will make a statement. [86475]

Mr. Mike O'Brien: As I have explained in my letter to hon. Members of 10 June, the United Kingdom Passport Agency is taking a number of measures to improve its service to customers, and reduce delays in processing passport applications.

It is prioritising applications by its customers' declared travel dates, and is meeting those dates for 99.99 per cent. of passports issued. 300 additional staff are being deployed, examination processes are being streamlined, and the Agency is working extended hours. In order to clear quickly straightforward renewal applications, certain existing passports are being extended for two years. Current delays will reduce as a result of actions being taken, and the seasonal nature of the Agency's work. The Agency's total work arrears are less than one months normal output.

As regards compensation, the Agency's policy, where it has clearly been at fault and provided unsatisfactory service, is to compensate customers for reasonable additional expenditure incurred. Each case is considered on its merits.

Schengen Information System

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the restrictions proposed to be placed on Court of Auditors auditing powers over the Schengen Information System. [86448]

Mr. Straw: It is for the Council of Ministers, as composed of the 13 Schengen States, to decide unanimously on any provision which would ensure that Court of Auditors auditing powers would apply to those

budgetary arrangements which do not form part of the European Community budget, and are not therefore subject to European Community budget rules. They have done so in relation to expenditure on, inter alia, the installation and functioning of the "Help Desk Server" of the Schengen Information System Management Unit, where such a provision was required.

National Front

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department what was the follow-up to the March 1998 police report about the arrest in Ealing of a National Front member with alleged association with a serving police officer; and if 1 Area TSG was advised. [86970]

Kate Hoey: The Commissioner of the Metropolitan Police tells me that inquiries were carried out to establish the extent of any connection between the suspect and any police officer and that no such connection was discovered. The management of the then Number One Area Territorial Support Group were informed of these inquiries at the time.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if the suspect classified as CRO No. 108485/74A, born in August 1953, Ealing Police Station Custody Record 755/98, was charged with an offence; if the extent of his relationship with police officers was established; when his house was searched and how many officers were involved; and what was the nature of his work in an Islamic centre. [86968]

Kate Hoey: The Commissioner of the Metropolitan Police tells me that the Crown Prosecution Service was consulted about this case and that they declined to prosecute as they considered the evidence available was insufficient; no relationship between this suspect and any police officer was established; the suspect's house was not searched and the police are not aware of any connection with any Islamic centre.

Ealing Racial Equality Unit

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department what investigations were conducted into the racist hate-mail and graffiti directed at the Ealing Racial Equality Unit; and with what results. [86969]

Kate Hoey: The Commissioner of the Metropolitan Police tells me that on 27 April 1999, three National Front stickers had been fixed to the front door, over a 'Blair Peach' poster, at the Ealing Racial Equality Centre. Forensic examination proved to be impracticable because of the way in which the stickers had been removed before police officers were present; and examination of Closed Circuit Television tapes produced negative results.

Behavioural Orders

Mr. Coaker: To ask the Secretary of State for the Home Department what assessment he has made of the extent of the use to date of the provisions of the Crime and Disorder Act 1998 relating to *(a)* child curfews, *(b)* anti-social behaviour orders and *(c)* parenting orders. [86921]

Mr. Boateng: The child curfew provisions were brought into force on 30 September 1998. Local authorities wishing to impose them must consult locally and seek the Home Secretary's approval. No applications have yet been received. They are available to form part of integrated local action to reduce crime and disorder, and local authorities will wish to take into account the wider crime and disorder reduction strategies currently being developed under the provisions of the Act.

The anti-social behaviour order provisions were introduced on 1 April 1999. One order has been made so far. It is for the police or local authority to decide whether to apply for one. We plan to review their use and effectiveness, and the extent to which they have been used, during their first two years.

Parenting orders have been available since 30 September 1998 and introduced progressively since then in nine youth justice pilot areas. By the end of May 1999, 67 orders had been made—a significant level of use for a pilot scheme. The results of the piloting, due to run for 18 months, will inform the process of national implementation and help to identify good practice.

Rapparee Cove, Devon

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the status of the human remains found at Rapparee Cove, Devon, in 1997. [86856]

Mr. George Howarth: The remains, consisting of a small number of bones, were removed on the authority of a Home Office licence. They are currently subject to scientific examination at the University of Bristol, where further tests to determine the origin of the remains are being planned.

Inside Out Trust

Jane Griffiths: To ask the Secretary of State for the Home Department if he will make a statement on the work of the Inside Out Trust with prison inmates. [86847]

Mr. George Howarth: I refer my hon. Friend to the reply I gave her on 14 June 1999, *Official Report*, column 59.

Trial By Jury

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what proportion of defendants charged with either way offences he estimates will obtain legal representation to argue the matter *(a)* before the magistrates and *(b)* on appeal before the Crown Court; and what is his estimate of the change in costs of the proposed procedure. [86778]

Mr. Boateng: I refer the right hon. and learned Member to the reply I gave him on 15 June 1999, *Official Report*, columns 96–97.

Fox Hunting

Mr. Salter: To ask the Secretary of State for the Home Department what representations he has received from the Middle Way group of hon. Members on the subject of fox hunting; and what meetings he has had with them. [86776]

Mr. Straw: I have met a variety of groups to discuss the subject of fox hunting. I met the Middle Way group on 8 July 1998.

Passports

Mr. Swayne: To ask the Secretary of State for the Home Department if he will make temporary arrangements to enable children who have reached the age of 16 years to continue to travel on a parent's passport until the current backlog of passport applications has been processed; and if he will make a statement. [86844]

Mr. Mike O'Brien: I have no plans to make temporary arrangements for children who have reached the age of 16 years to continue to travel on a parent's passport. It is common international practice to require children who have reached 16 to have their own passport. This has been the very long established practice of the United Kingdom and it would be very difficult to ensure the acceptance by immigration officials throughout the world of a United Kingdom passport where a child having reached 16 remained on a parent's passport. Families could experience difficulties at exit and entry points with the relevant authorities questioning the validity of passports. Also, the numbers of children reaching 16 who are included in passports and wish to travel urgently would be relatively small and seeking to introduce temporary measures to deal with these would not be effective in easing current operational pressures.

Immigration and Nationality Directorate

Fiona Mactaggart: To ask the Secretary of State for the Home Department when he will place on the internet, the change in instructions to staff at the Immigration and Nationality Directorate on dealing with applications from people whose children have been living in the United Kingdom for seven years, announced on 24 February. [87008]

Mr. Mike O'Brien: The instructions to staff relating to the handling of deportation and illegal entry casework are being reviewed with a view to publishing those parts which are not operationally sensitive. This review will take some time to complete. I have, therefore, asked for this particular instruction to be dealt with separately and for a copy to be placed on the internet as soon as possible.

Fire Safety Legislation

Ms Walley: To ask the Secretary of State for the Home Department what representations he has received regarding proposals for a new Fire Safety Act; and if he will make a statement. [87166]

Mr. George Howarth: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 17 May 1999, *Official Report*, column *264*. We have received a number of representations from fire service interests and others. We will bring forward legislation to consolidate and rationalise fire safety law when parliamentary time permits.

Young Offenders

Fiona Mactaggart: To ask the Secretary of State for the Home Department when he will publish figures for 1998 on the average time taken from arrest to sentence for persistent young offenders. [87561]

Mr. Straw: Figures on how long it took to deal with persistent young offenders in 1998 will be published on Thursday 17 June. Copies of the press notice announcing the figures, and of the statistical press notice issued by the Lord Chancellor's Department detailing the method of calculation of the figures, will be placed in the Library.

Immigration Policy

Mr. Miller: To ask the Secretary of State for the Home Department if he will announce the outcome of his review of immigration policy in relation to the unmarried partners concession. [87566]

Mr. Mike O'Brien: It has been decided that, in order to demonstrate a commitment akin to marriage, it is not necessary to demonstrate a prior cohabitation period of four years, and the prior cohabitation period has, therefore, been changed to two years. The probationary period before settlement may be granted has been increased to two years, which means there will be a four year cohabitation period before the grant of settlement. Where applicable, these new arrangements will be taken into account when deciding whether or not to initiate enforcement action.

The other provisions of the concession remain unchanged.

Ms Moran: To ask the Secretary of State for the Home Department if he will announce the outcome of his review of immigration policy in relation to overseas spouses who suffer domestic violence in the first 12 month probationary period. [87593]

Mr. Mike O'Brien: We have decided to introduce a concession, which will be outside the Immigration Rules, for overseas spouses who wish to remain in the United Kingdom, but who wish to leave their partner because of domestic violence before completion of the 12 month probationary period. In order to benefit under this concession, the overseas national will need to provide objective evidence that he or she has been the victim of domestic violence. This is essential if such applications are to be dealt with swiftly and with fairness and consistency.

The concession will come into force with immediate effect. An applicant whose marriage breaks down during the probationary year as a result of domestic violence may be granted indefinite leave to remain exceptionally, outside the Immigration Rules, provided the domestic violence occurred while the marriage was subsisting and the applicant is able to produce one of the following forms of evidence that domestic violence has taken place: an injunction, non-molestation or other protection order (other than an ex parte or interim order); or a relevant court conviction; and full details of a relevant police caution.

Where a prosecution is pending against the sponsor the applicant may be granted further periods of six months limited leave to remain, subject to the same conditions, until the outcome of the criminal prosecution is known. Where a hearing seeking an injunction, non-molestation order or other protection order is pending, a decision on the application will be delayed pending the outcome of that hearing.

In addition to helping victims of domestic violence, we have decided, in the interests of compassion and fairness, that where an applicant is widowed during the probationary period he or she may also be granted indefinite leave to remain exceptionally outside the Immigration Rules, provided that the Secretary of State is satisfied that the marriage was subsisting at the time of the sponsor's death.

These arrangements will also be applied to those who have been admitted to join a person settled here under the unmarried partners concession which I announced on 10 October 1997.

Overstayers

Mr. Clappison: To ask the Secretary of State for the Home Department what estimate he has made of the number of persons subject to immigration control who (i) have overstayed for seven years or more since the expiry of their leave to remain and (ii) have otherwise overstayed for seven years or more. [87139]

Mr. Mike O'Brien: As at January 1999, the number of overstayers against whom deportation action had been initiated, but not completed, stood at 20,700. Some of these cases are subject to legal challenge.

There is no reliable estimate of the number of overstayers against whom enforcement action has not yet been initiated, nor of those who have overstayed for seven years or more.

Probation Service Computer Programme

Sir Peter Emery: To ask the Secretary of State for the Home Department what action he is taking to overcome the weaknesses in the computer programme newly set up for the Probation Service. [86147]

Mr. George Howarth: The roll out to the 54 Probation Services in England and Wales of a new national Case Record Administration and Management System, (CRAMS), started in March 1997. CRAMS is designed to enable services to handle and communicate on a wide range of information relating to offenders at all stages in the criminal justice process. It is currently in operation in 37 services and a further six services are undergoing training.

Work to develop the system is on-going. Work currently in progress includes: an upgrade to make it more user friendly, to enhance reporting facilities and meet the provisions of the Crime and Disorder Act 1998 and a link to police criminal records.

Northern Ireland Service Review Commission

Mr. McNamara: To ask the Secretary of State for the Home Department what ruling was provided by the Northern Ireland High Court in response to his application for judicial review of decisions taken by the Northern Ireland Sentence Review Commission; if he will place a copy of the court ruling in the Library; and what is his estimate of costs incurred in this legal action. [87157]

Mr. George Howarth: A copy of the ruling of 23 March 1999 of the High Court of Justice in Northern Ireland in the matter of an application by my right hon. Friend the Secretary of State for the Home Department for judicial review of four determinations made by the Northern Ireland Sentence Review Commissioners has been placed in the Library.

The legal costs incurred by the Secretary of State in these proceedings are estimated to be £5,000. The Secretary of State was also ordered to pay the costs of the applicants. These have yet to be finally determined. I will write to my hon. Friend when this information is available.

TREASURY

EU Directive (Taxation of Interest)

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what estimate he has made, for the purposes of the draft EU directive on the taxation of interest payments, of the percentage of Eurobond holders who are individuals resident in the EU. [85834]

Dawn Primarolo: No reliable estimates exist, but it is known that a very large proportion of Eurobonds are held by institutional investors rather than individuals.

VAT

Mr. Maude: To ask the Chancellor of the Exchequer what external legal advice he has received regarding the VAT treatment of *(a)* speculative and *(b)* supportive foreign exchange transactions following the judgment of the European Court in the First National Bank of Chicago case (Case C-172/96). [85676]

Dawn Primarolo: As is usual following European Court decisions, external legal advice was not sought. Internal legal advisers are on hand and the legal finding of the Court is clear.

Mr. Maude: To ask the Chancellor of the Exchequer, pursuant to Her Majesty's Customs and Excise Business Brief 16/98, what representations he has received with regard to VAT on foreign exchange transactions following the judgment of the European Court in the First National Bank of Chicago case (Case C-172/96). [85677]

Dawn Primarolo: Following Customs' Business Brief 16/98, representations have been received from one interested trade body and one firm of Accountants.

ECOFIN

Mr. Rammell: To ask the Chancellor of the Exchequer what was the outcome of the ECOFIN Council held in Brussels on 25 May; and if he will make a statement. [85827]

Ms Hewitt: The Chancellor and the Paymaster General attended the Economic and Finance Council meeting in Brussels on 25 May 1999.

Seven draft reports from ECOFIN to the Cologne European Council were considered:

(i) the 1999 BEGs were approved with a few amendments, including a revision to the text on Italian public finances to reflect the possibility of lower growth impacting on Italy's deficit;

(ii) the European Employment Pact was briefly discussed ahead of the joint SAC-ECOFIN meeting which followed ECOFIN;

(iii) the report on Implementation of the Framework for Financial Markets: Action Plan, and draft Council conclusions were approved without amendment;

(iv) the progress report on reinforced tax policy cooperation was agreed subject to amendment of a paragraph on energy taxation to make clear that the Presidency's compromise proposal was discussed but not agreed;

(v) the report on the International Financial System was approved without amendment;

(vi) an oral report from the Chairman of the Economic and Finance Committee on the HIPC initiative set out the areas of agreement and remaining difference among EU member states. It was agreed that the Cologne Conclusions should record where there was agreement;

(vii) the Commission report on Financing Investment in Infrastructure was discussed. It was agreed that further study was required after the Cologne Council.

Eight tax items were discussed:

(i) the Paymaster General presented the second interim report of the Code of Conduct Group to ECOFIN. The report was welcomed. The Group will present its final report to ECOFIN in November;

(ii) on the taxation of savings, the Chancellor said the UK would submit a paper on international bonds to a working group in June;

(iii) the draft Council conclusions on the taxation of interest and royalties were adopted without amendment;

(iv) ECOFIN requested that Coreper re-examine the Energy taxation dossier in light of the Presidency's compromise text and the views of Ministers;

(v) the Presidency's compromise proposal on tobacco excise duties was agreed;

(vi) the consensus necessary to reopen the issue of the abolition of Duty Free was not reached;

(vii) the proposal for a reduced VAT rate on labour intensive services was remitted back to Coreper for further discussion with a request for a list of eligible services;

(viii) Spain put forward a proposal for a high level group on tax fraud. The Presidency asked Coreper to look at the detail of the proposal.

The necessary regulations and decision relating to the establishment of a European anti-fraud office by the Commission on 1 June were approved. The Council thanked the Commission for its progress report on the Sound and Efficient Management initiative (SEM 2000) and welcomed the contribution made by this initiative to improving financial management. The Presidency and the Commission urged agreement in the Finnish Presidency of the renewal of the EIB's external lending mandates.

ECOFIN was followed by a joint session of the Social Affairs Council and ECOFIN. The joint Council discussed the proposal for a European Employment Pact.

Mr. Hood: To ask the Chancellor of the Exchequer what was the outcome of the ECOFIN Council held in Luxembourg on 14 June; and if he will make a statement. [87286]

Ms Hewitt: There was no meeting of ECOFIN on 14 June. The next meeting of ECOFIN is scheduled for 12 July. Under the standing arrangements, the agenda will be made available to the Clerk of the House of Commons European Scrutiny Committee when determined by Coreper, approximately one week before the meeting. Copies of the agenda will be placed in the Libraries of both Houses.

National Minimum Wage

Mr. Rowlands: To ask the Chancellor of the Exchequer how many people in his Department and its associated bodies and agencies have benefited from the introduction of a national minimum wage. [86092]

Ms Hewitt: Approximately 1,700.

European Central Bank

Mr. Bercow: To ask the Chancellor of the Exchequer for what reason a European Commissioner is entitled to be present at the meetings of the Governing Council of the European central bank; what means will determine which Commissioner will be present; if he has voting rights; if he is remunerated; what rules of confidentiality apply to him; and if he will make a statement. [86731]

Ms Hewitt: In accordance with Article 113 (Ex 109b) of the EC Treaty, a member of the European Commission may participate, without having the right to vote, in meetings of the Governing Council of the ECB. The participation of the Commission in the Governing Council contributes to the process of inter-institutional dialogue. In line with this provision, the Commissioner for monetary affairs has attended meetings of the Governing Council, but has not received separate or additional remuneration for so doing. The participation of the Commission in meetings of the Governing Council is subject to the confidentiality regime outlined in Article 10.4 of the ESCB Statute (Protocol No.3 to the EC Treaty).

European Commission

Mr. Bercow: To ask the Chancellor of the Exchequer if he will list the pay rates of Cabinet staff of European Commissioners. [86728]

Ms Hewitt: Members of Cabinets in the European Commission are either permanent Commission staff, or employed as 'temporary agents'. If they are permanent staff, they are paid in accordance with the Commission Staff Regulations, with rates determined by their grade. If they are temporary agents, they are appointed in accordance with the Staff Regulations, their position on the pay scale being determined in line with their age and experience according to strict guidelines that apply to all community appointments. Rates of pay for individual Cabinet members are a matter for the Commission and the individual concerned.

Withholding Tax

Mr. Bercow: To ask the Chancellor of the Exchequer, pursuant to his answer of 18 May 1999, *Official Report*, column *338*, if he will make a statement on developments at the 25 May ECOFIN Council on the withholding tax. [86770]

Dawn Primarolo: The ECOFIN Council conclusions recognise that the treatment of international bonds as provided for under the draft Directive on the taxation of

savings in its present form could adversely affect the competitiveness of EU financial markets, in particular wholesale markets. It is clear that the Council and the European Commission now accept our case that this problem must be resolved.

Climate Change Levy

Sir Nicholas Lyell: To ask the Chancellor of the Exchequer what estimate he has made of the percentage by which manufacturing industry's costs would increase as a result of his proposals for a climate change levy, in respect of changes in the cost of *(a)* electricity, *(b)* coal and *(c)* gas. [86771]

Ms Hewitt: The Government believe that all sectors of the economy will need to play their part in helping to meet the legally-binding target for reducing greenhouse gas emissions set under the Kyoto Protocol and our domestic commitment to further reductions. The climate change levy is expected to save around 1.5 million tonnes of carbon a year by 2010, thereby making a significant contribution to meeting the Government's targets for reducing greenhouse gas emissions.

The climate change levy will entail no increase in the burden of tax on business as a whole, since the revenues will be fully recycled to business via a 0.5 percentage point reduction in the main rate of employers' National Insurance Contributions. Business will also benefit from additional £50 million for schemes aimed at promoting energy efficiency and support for renewable sources of energy, such as solar and wind power.

The final incidence of the levy on particular sectors will depend on the rates set for different sectors.

The Government recognise the need for special consideration to be given to energy intensive industries given their high energy usage and exposure to international competition. We intend to set significantly lower rates of tax for energy intensive sectors that agree targets for improving their energy efficiency. Negotiations are currently underway with the main energy intensive sectors.

Mr. Swayne: To ask the Chancellor of the Exchequer what representations he has received from glasshouse growers concerning the proposed climate change levy; and if he will make a statement. [86392]

Ms Hewitt: The Chancellor has received a number of responses from glasshouse growers in the course of the consultation on the climate change levy. These will be considered along with the other responses to the consultation.

Counterfeiting

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what assessment he has made of how secure plastic bank notes are against counterfeiting; if they were considered as a replacement for the current £20 note; and if he will make a statement. [86649]

Ms Hewitt: The Bank of England continues to monitor carefully polymer (plastic) substrates for banknotes. In terms of security against counterfeiting, these type of banknotes are incompatible with certain traditional and well-proven security features (eg thread and watermark). However, the Bank are continually assessing the effectiveness of the different type of security features polymer offers.

The polymer substrate was considered for the £20 variant, but was discounted because of incompatibility with the theme of the current (Series E) note designs. The new £20 note is a variant within the existing series and is not the start of a new series of notes. It contains a number of additional security features which offer enhanced protection against counterfeiting and will cause less confusion to the public than an entirely new type of note.

Money Laundering

Mr. Cohen: To ask the Chancellor of the Exchequer what assessment he has made of the problem of cyber-laundering of money and assets; what proposals he has for *(a)* national and *(b)* international measures to combat it; and if he will make a statement. [86857]

Ms Hewitt: *(a)* The Government are determined to tackle money laundering in all its forms. The obligations under the Money Laundering Regulations 1993 to report all suspicious transactions, to keep records, to train staff and to establish the identity of customers apply irrespective of whether the business is carried out electronically or otherwise. The Government will be looking at whether additional measures are needed to tackle the laundering of money by electronic means in the course of discussions with other member states on a possible Second EC Money Laundering Directive. Meanwhile the Financial Services and Markets Bill will enhance the powers of the Financial Services Authority to combat money laundering carried out through financial institutions, including those offering services over the internet.

(b) The UK chaired a meeting of anti money laundering experts from the member countries of the Financial Action Task Force (FATF) in November 1998. That meeting discussed, among other things, the threat from cyber-laundering and shared experiences in combating it. A report on that meeting was published by the FATF in February 1999 and is available on the FATF's internet website.

The Government are committed to the prevention of cybercrime as a whole. To this end, it is participating in the negotiation of a Council of Europe Cybercrime Convention. Domestically, the Association of Chief Police Officers (ACPO) chairs a tripartite forum with government officials and the Internet Service Providers to develop measures for law enforcement and protection of internet users.

Offshore Betting

Mr. Cohen: To ask the Chancellor of the Exchequer what assessment he has made of the potential loss of revenue from offshore betting; what plans he has to prevent such loss; and if he will make a statement. [87104]

Dawn Primarolo: The Government keep the revenue yield from General Betting Duty under constant review. The transfer offshore of a single telephone betting business will have a minimal effect on government revenues.

The extent of overseas bookmaking operations is constrained by a prohibition on them advertising in the United Kingdom. The scope of this prohibition is the subject of an impending challenge in the High Court. The Government will take the outcome of this case into account when deciding on appropriate courses of action to safeguard the revenue.

Greater Manchester Transport Submissions

Mr. Woolas: To ask the Chancellor of the Exchequer what timetable he is proposing for the announcement of decisions on allocations in the financial year 1999–2000 from the Capital Modernisation Fund with respect to the Greater Manchester Passenger Transport Executive submissions. [87003]

Mr. Milburn: I will announce decisions on first round bids from the Capital Modernisation Fund shortly.

Royal Mint

Mr. Chope: To ask the Chancellor of the Exchequer if it is the policy of the Government that the Royal Mint should be able to restrict the availability of special coinage to personal visitors to the Millennium Dome; and if he will make a statement. [87108]

Ms Hewitt *[holding answer 15 June 1999]:* The United Kingdom £5 Millennium coin will be struck at the Royal Mint in Llantrisant and in the Millennium Dome. Coins struck at the Royal Mint will be made generally available in line with normal practice for commemorative coins. Coins struck in the Dome will bear a special mintmark and will be available only to visitors to the Dome. No restrictions will be placed on the number that can be minted at the Dome.

Capital Gains Tax

Ms Lawrence: To ask the Chancellor of the Exchequer what plans he has to take action against the avoidance of capital gains tax through the purchase of trust losses. [87559]

Dawn Primarolo: There is mounting evidence that the tax rules which provide for capital losses realised within trusts to pass to beneficiaries in certain circumstances are being widely abused for the purpose of avoiding capital gains tax. Avoidance schemes are being set up and marketed specifically to take advantage of these rules by enabling people to purchase interests in trusts with losses. In some cases very large losses are being manufactured within trusts to exploit these rules. If successful, these schemes could lead to a very significant loss of tax revenue.

The Government are not prepared to tolerate this sort of avoidance activity which undermines the integrity of the tax system and creates unfairness between taxpayers. A new clause will shortly be tabled for Report to tackle this abuse. The new Clause will restrict the circumstances in which losses accruing to trusts can be transferred to beneficiaries and the use which beneficiaries can make of such losses.

The Inland Revenue are today issuing a Press Release giving details of the new Clause.

Parliamentary Questions

Mr. Brady: To ask the Chancellor of the Exchequer how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87328]

Ms Hewitt: 74 of the 121 named day questions (61 per cent.) tabled since 15 April have been answered substantively on the due day. 78 per cent. of such questions were answered within two days of the named day.

Income Tax Form

Sir Peter Emery: To ask the Chancellor of the Exchequer for what reason the Inland Revenue has introduced Income Tax Form SA106/BMSD12/98. [87137]

Dawn Primarolo: Income Tax form SA106/BMSD12/98 was introduced as part of the Self Assessment tax return to enable taxpayers to declare foreign income and claim tax credit relief.

SCOTLAND

Ministerial Responsibilities

Mr. Maclean: To ask the Secretary of State for Scotland if he will list the responsibilities of each Scottish Office Minister after 1 July. [86845]

Dr. Reid: I refer the right hon. Member to the answer given to the hon. Member for Woodspring (Dr. Fox), by my right hon. Friend the Prime Minister on 25 May 1999, *Official Report*, column *98*.

Dover House

Mr. Maclean: To ask the Secretary of State for Scotland if he will list the uses that Government departments, other than his Department, will make of Dover House after 1 July. [86836]

Dr. Reid: Scottish Executive Ministers and their officials will have access to Dover House when they have official business in London.

Scottish Executive (Travel Expenses)

Mr. Swayne: To ask the Secretary of State for Scotland if he will publish the estimated cost of travel expenses for the new Scottish Executive for the period up to 1 July. [86917]

Dr. Reid: It is not possible at this time to make a reliable estimate of such costs during the period in question.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Scottish Parliament

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland (1) if he will make a statement on the

arrangements for the transfer of responsibility for the new Scottish Parliament to the Scottish Parliament Corporate Body; [86903]

(2) if he will list the contracts for work on the *(a)* construction, *(b)* design and *(c)* preparation for construction and related matters for the new Scottish Parliament Building, indicating when each contract was signed, which are still under negotiation and at what stage those negotiations are; and if he will make a statement. [86904]

Dr. Reid: Legal and financial responsibility for the new Scottish Parliament building at Holyrood transferred from Scottish Office Ministers to the Scottish Parliament Corporate Body on 1 June 1999. Requests for information on the Holyrood Project should in the first instance be made through the Presiding Officer of the Scottish Parliament.

INTERNATIONAL DEVELOPMENT

Overseas Aid (Fraud)

7. **Mr. Bercow:** To ask the Secretary of State for International Development what proposals she has to ensure that opportunities for fraud in respect of the overseas aid budget are reduced. [85980]

Mr. Foulkes: We have strong and clear control systems designed to ensure propriety and value for money in the expenditure of our budget. Our internal auditors keep these under review and they are regularly updated.

Debt Relief

9. **Mrs. Fyfe:** To ask the Secretary of State for International Development what assessment she has made of the likely progress at the G7 summit in ensuring recognition that debt repayment conditions should not entail less money being available for basic health and education programmes. [85982]

11. **Mr. Mullin:** To ask the Secretary of State for International Development what recent progress has been made on debt relief for the poorest countries; and if she will make a statement. [85984]

27. **Helen Jackson:** To ask the Secretary of State for International Development if she will support proposals to link the relief of indebtedness in developing countries to measures to invest in primary education and health care. [86001]

Mrs. Ann Winterton: To ask the Secretary of State for International Development what proposals her Department has for developing new mechanisms to ensure a greater linkage between debt relief and poverty reduction. [85972]

Clare Short: We are pressing for a revised Heavily Indebted Poor Countries initiative (HIPC) to provide at least twice as much debt relief, twice as fast, and for the provision of debt relief to be more tightly linked to policies which help reduce poverty.

We are pleased that, at their meeting in Frankfurt on 12 June, G7 Finance Ministers were able to agree that a substantial improvement to HIPC is required. G7 Leaders will be discussing it further this week and we look forward to the announcement of a package on debt relief at the weekend. The final details of the new HIPC package will be settled at the annual meetings of the World Bank and IMF in September. The Chancellor and I also announced last week that we will be contributing a further $100 million to the Trust Fund in order to help the Multilateral Development Banks meet their share of the cost of the HIPC debt relief.

14. **Mr. Savidge:** To ask the Secretary of State for International Development what plans she has to raise at the forthcoming G7 summit proposals to strengthen the linkage between debt relief and the 2015 international development targets; and if she will make a statement. [85987]

Clare Short: We anticipate that the discussion on debt at the G8 Summit in Cologne will build on the Communiqué from the World Bank's Development Committee in April, which noted the need for faster, deeper and wider debt relief and emphasised the link to poverty reduction. It is essential that debt relief leads to more resources being invested in programmes to eradicate poverty and achieve the international development goals. We are taking every opportunity to press this issue with our international partners.

26. **Mr. Bill Michie:** To ask the Secretary of State for International Development what discussions she has had with representatives of non-governmental organisations concerning debt relief; and if she will make a statement. [86000]

Clare Short: I have had many meetings with NGOs to discuss debt relief. Most recently the Chancellor of the Exchequer and I met Comic Relief and the Director of the NGOs which form the British Overseas Aid Group (BOAG). We discussed the UK objectives on enhancing the Heavily Indebted Poor Countries (HIPC) initiative. We are seeking agreement to lower the debt to export ratio to 150 from 200 per cent. and the fiscal ratio to 200 from 280 per cent. We believe that this will provide heavily indebted poor countries with a permanent exit from their debt problems. We are also pressing for debt relief to be provided in a way that will free up resources for poverty eradication in the early years. We made clear the important contribution made by the Churches and NGOs in their international campaign for improved debt relief.

Afghanistan

10. **Mr. Swayne:** To ask the Secretary of State for International Development if she will make a statement on the aid made available to Afghanistan in the last two years. [85983]

Mr. Foulkes: We have made available more than £11 million in humanitarian assistance to Afghanistan over the last two years.

The assistance has been provided through agencies such as the International Red Cross and the United Nations for emergency medical assistance, demining and refugee

protection. In addition, we have provided funds to non-governmental organisations working in rural development, health/sanitation and the education sector.

Humanitarian Aid

12. **Mr. Simon Hughes:** To ask the Secretary of State for International Development what plans she has for humanitarian aid for the states of the former Yugoslavia. [85985]

Clare Short: We are committed to respond to humanitarian needs wherever the need exists in the states of the former Yugoslavia and elsewhere. Our objective is and remains to enable the refugees from Kosovo to return to a safe and secure environment.

An emergency assessment team is currently in Kosovo making an evaluation of the most urgent humanitarian needs. We will continue to work closely with the UNHCR and other international organisations and donors.

Millennium Volunteers Programme

13. **Mr. St. Aubyn:** To ask the Secretary of State for International Development what discussion she has had on proposals to include volunteers on overseas aid projects in the Millennium Volunteers Programme. [85986]

Clare Short: The Department for International Development provides £26 million support for the volunteers working on overseas development projects. Experience has taught us all that such volunteers should be skilled and experienced. This makes overseas volunteering largely inappropriate for the Millennium Volunteers Programme but final decisions have not yet been made.

Women's Education

15. **Fiona Mactaggart:** To ask the Secretary of State for International Development what priority she gives to the education of women in poor countries in the distribution of her aid budget. [85988]

Clare Short: Our education policy is focused on the achievement of the internationally agreed target of universal primary education by 2015 and gender equity in primary and secondary education by 2005. These are the two major benchmarks against which we will measure our progress.

Education is a basic human right for all children. There is also clear evidence that the education of girls, and women, leads to major improvements in family health, child survival and overall economic development.

Nigeria

16. **Dr. Cable:** To ask the Secretary of State for International Development what plans she has to assist the newly elected Government in Nigeria with *(a)* economic reconstruction and reform and *(b)* debt relief. [R] [85989]

Clare Short: We recognise the many problems facing the newly elected Government, in particular the scale of poverty which has been increasing in Nigeria for many years. President Obasano has pledged a new approach to economic issues but has yet to announce his programme. Alongside the IMF, World Bank, European Union and other partners, we are ready to support the process of economic change and rebuilding government capacity.

We are helping Nigeria rejuvenate its moribund debt recording and management system in order to reconcile its external position with creditors. The next step will be for the Government to complete the current IMF programme so that detailed discussions can begin on dealing with Nigeria's debts.

Kosovo (Environmental Consequences)

17. **Mr. Dalyell:** To ask the Secretary of State for International Development pursuant to her oral answer of 12 May 1999, *Official Report*, column 303, concerning the organisations which will pay for clearing up the Danube, what discussions she has had with *(a)* the European Commission, *(b)* EU member states, *(c)* the International Monetary Fund, *(d)* the World Bank and *(e)* regional banks on this matter. [85991]

Clare Short: We are working closely with the European Commission, International Monetary Fund, World Bank, European Bank for Reconstruction and Development and other EU member states to determine the reconstruction needs in the region, which will include environmental matters. We expect the costs for this to be assumed by the IFIs, EU and other donors, together with the countries of the region.

I met yesterday with Klaus Töpfer the Head of United Nations Environment Programme which is taking lead responsibility for urgently reviewing the environmental conditions of the condition of the Danube. He informed me that claims of large scale oil pollution were not substantiated.

24. **Mr. Corbyn:** To ask the Secretary of State for International Development what plans her Department has to assist in the environmental clearing-up in Kosovo and the surrounding region after the end of hostilities. [85998]

Clare Short: I met yesterday with Klaus Töpfer Head of Environment Programme which is the lead UN agency responsible for the environment. He is taking urgent steps to review and report on the environmental consequences of the conflict in Kosovo and Serbia.

Genetically Modified Foods

18. **Mr. Khabra:** To ask the Secretary of State for International Development what research her Department has *(a)* commissioned and *(b)* evaluated on the impact of genetically modified foods in developing countries. [85992]

Clare Short: We are planning to commission a study of the costs and benefits to the livelihoods of poor people in developing countries arising from so-called "terminator" gene technologies. We are helping to fund an assessment by the International Crops Research Institute for the Semi-Arid Tropics of the risks to biodiversity of introducing transgenic pigeonpea cultivars into traditional cropping systems in India and are also funding an analysis of the impact in the Philippines of genetically male fish (tilapia).

19. **Mr. Alan W. Williams:** To ask the Secretary of State for International Development what representations she has received on the recent report by Christian Aid on food and genetic engineering. [85993]

Clare Short: I have not received any representations on the recent report by Christian Aid on food and genetic engineering. I have received a number of letters from the public expressing concerns about genetic engineering.

My officials recently held a consultation meeting with representatives from 10 non-governmental organisations, including a representative from Christian Aid, on our policy on GMOs and developing countries. This provided an opportunity to clarify the approach outlined in our published briefing note and to emphasise that the principle which guides all our activities is poverty elimination. The discussions were very constructive and helpful.

Hurricane Mitch

20. **Mr. Watts:** To ask the Secretary of State for International Development if she will make a statement on her Department's actions to help with reconstruction in the Central American countries affected by Hurricane Mitch. [85994]

Clare Short: Our contribution to the initial phase of reconstruction has totalled £4.2 million. In addition to immediate emergency assistance, we have provided grants to the United Nations Children's Fund for emergency repairs to water and sanitation infrastructure and to restore primary health and education services. We also provided funds for a programme of emergency repairs and rehabilitation to rural roads and bridges, and a cash for work incentive targeting particularly neglected municipalities. Regionally we have given grants to the Pan-American Health Organisation to support national health authorities, particularly for epidemic control, and to the United Nations Development Programme to support co-ordination.

Following our recommendation, the World Bank set up a Trust Fund to help countries affected by Hurricane Mitch meet their debt service payments to international financial institutions. We committed £10 million to this purpose. Bilateral Governments have also agreed to forgo debt repayments for the next two years.

In the long term we plan to spend some £6 million in the region over the next two years on measures to help with the long term reconstruction. This will include projects in health, capacity building and disaster prevention.

Banana Crop (Caribbean)

21. **Mr. Bill O'Brien:** To ask the Secretary of State for International Development if she will make a statement on the economic position of small farmers in the Caribbean who are dependent on the banana crop. [85995]

Clare Short: We fully recognise the considerable uncertainty and concern among banana farmers in the Caribbean as a result of recent World Trade Organisation ruling. We are collaborating closely with the European Commission and other member states to try to identify new trading arrangements which, with the endorsement of the different parties involved, will hold out the prospect of a viable future for a restructured Caribbean banana industry. This exercise is complex, given the range of different interests involved. We are continuing to consult closely with Caribbean Governments in the search for an acceptable solution. We are also actively involved, with the EC, in encouraging and supporting the necessary local restructuring of the banana industry to enable it to compete under a new regime.

Developing Countries (IT)

22. **Mr. Boswell:** To ask the Secretary of State for International Development what steps she is taking to extend awareness of information technology in developing countries. [85996]

Clare Short: We are promoting awareness and the effective and appropriate use of information technology in developing countries as an integral part of many of our mainstream development projects, especially in the fields of education and governance. We also play an active role in the key multilateral initiatives addressing this issue.

Commonwealth Development Corporation

23. **Angela Smith:** To ask the Secretary of State for International Development what assessment she has made of future prospects for the Commonwealth Development Corporation in Cuba. [85997]

Clare Short: The Commonwealth Development Corporation has been working in Cuba since 1996, and we expect it to continue to do so. The focus of its work will continue to be on its financing business, undertaken as a joint venture with a local bank, which is expanding its activities. CDC will also look for equity investment opportunities on a selective basis.

IMF

25. **Mr. Burstow:** To ask the Secretary of State for International Development what assessment her Department has made of the role of the IMF in leading the international community's efforts to help poor countries meet the 2015 international development targets. [85999]

Clare Short: Following last year's review of the IMF's Enhanced Structural Adjustment Facility, it was agreed that the IMF should take more account of the social impact of their programmes, consider the quality of Government expenditure and protect budgets in high priority areas such as health and education. We are encouraging the IMF to work more closely with the World Bank to ensure that, in designing structural adjustment programmes, they take account of the impact on the poor. Following proposals put forward by the UK, the World Bank is developing good practices of social policy, in consultation with the IMF. We envisage that these principles will be drawn upon by the World Bank and the IMF in the design of programmes. We continually emphasise the need for the IMF to build consensus for reform programmes, through discussion and consultation with civil society, so that they lead to economic growth which benefits the poor.

Porta Farm, Harare

Mr. Nicholas Winterton: To ask the Secretary of State for International Development what financial or other

assistance has been provided by her Department for the Porta Farm Development near Harare, Zimbabwe. [85990]

Clare Short: Through our Small Grants Scheme, we have provided £3,700 for construction of classrooms for pre-school and primary school children, and improved water and sanitation facilities at Porta Farm.

Kosovar Refugees

Dr. Julian Lewis: To ask the Secretary of State for International Development what plans her Department has for provision for the Kosovar refugees during the winter; and if she will make a statement. [85978]

Clare Short: The UNHCR is the internationally designated lead agency responsible for co-ordinating provision for the refugees from Kosovo and also for the return of the refugees to Kosovo. We have worked to try to support and improve their efforts. We have provided £40 million of assistance to date and on Monday we announced a further £50 million to support the process of return to Kosovo. Details of our spending which has been channelled through the most effective agencies are available in the Library. Provision is being made for the advent of winter conditions from October onwards.

CULTURE, MEDIA AND SPORT

Sportsmark

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport if he will list those schools which have received *(a)* a Sportsmark and *(b)* an additional Gold Star award since May 1997. [86694]

Mr. Chris Smith: I am very pleased to say that over a thousand schools have now achieved a Sportsmark or Sportsmark Gold award. A full list of successful schools has today been placed in the Libraries of the House.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what plans he has to extend the Sportsmark scheme to primary schools. [86693]

Mr. Chris Smith: We have no plans to extend the specific Sportsmark scheme to primary schools. However, Sport England are currently working on an Activity award for primary schools. The scheme will give national recognition to schools offering a quality programme of physical activity. They hope to introduce the award during the autumn term 1999.

Tourism

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the net effect on the balance of payments of British visitors going abroad and overseas visitors coming to the United Kingdom in *(a)* 1996, *(b)* 1997 and *(c)* 1998. [86697]

Janet Anderson: The Office for National Statistics has estimated, using data from the International Passenger Survey and other sources, that the direct contribution to the UK balance of payments arising from tourism activities is as shown in the table. This is not a full account of the balance of payments effects of tourism, which would need to include, for example, overseas trade in tourism goods and the international investment flows of tourism companies.

£ million

	1996	*1997*	*1998*
Exports: earnings from overseas visitors to UK	13,770	13,805	14,432
Imports: expenditure by UK residents going abroad	16,729	17,402	20,008
Balance of trade in services	−2,959	−3,597	−5,576

Source:
Office for National Statistics 1996, 1997, 1998.

Holiday Statistics

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how many British individuals took holidays abroad in the first three months of *(a)* 1998 and *(b)* 1999; and what their estimated expenditure was in these two periods. [86696]

Janet Anderson: The estimates currently available from the International Passenger Survey, conducted by the Office for National Statistics (ONS), are shown in the table. A breakdown of 1999 visits by main purpose of visit, to reveal holiday visits, is not yet due to be published by ONS.

	January-March 1998	*January-March 1999*
Total number of visits abroad by UK residents	9.1 million	10.3 million
Total expenditure	£3.7 billion	£4.2 billion
of which:		
Holiday visits abroad by UK residents	5.1 million	n/a
Holiday expenditure	£2.1 billion	n/a

Source:
International Passenger Survey, Office for National Statistics

Millennium Experience

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what steps have been taken to involve communities across the UK in the Millennium Experience. [87393]

Janet Anderson: The New Millennium Experience Company has established a series of initiatives, as part of their National Programme of events and activities, which reaches across the UK. This includes McDonald's Our Town Story which invites towns everywhere to tell their story locally and to the world on the Our Town Story stage at the Dome during 2000. A list of all participating education authorities and library boards was placed in the Libraries of the House on 19 May.

Sport England

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport if he will list the percentages of Sport England's grant-in-aid which was spent on *(a)* staff costs, excluding national centres, *(b)* administrative expenses, *(c)* publicity, promotions and communications, *(d)* grants to national governing bodies, *(e)* grants to the National

Coaching Foundation, *(f)* sports science, *(g)* sports medicine, *(h)* national centres, *(i)* grants to other national sports bodies, excluding NGBs and *(j)* regional support in 1998–99. [86695]

Mr. Chris Smith: The information the hon. Member requested on Sport England's grant-in-aid expenditure is included in the following table.

Sport England grant-in-aid expenditure

	Actual 1998–99 percentage
rrRegional Field Staff	12
National Field Staff	5
Public Information/Communication/Research	3
Corporate services (Finance/IT/Audit/Human Resources/Office Services)	5
(a) Total Staff Costs	25
(b) Administrative Expenses	
Rent/Rates/Running costs	11
(c) Publicity/Promotion/Communications	
Communications Programme	4
(d) Grants to National Governing Bodies	
Complementing grant-in-aid provided by UKSC	16
(e) Grants to National Coaching Foundation	
Complementing grant-in-aid provided by UKSC	5
(f) Sports Science/Sports Medicine	
(g) Complementing grant-in-aid provided by UKSC	
Sports Medicine	1
(h) National Centres	
Total net costs	10
(i) Grants to other National Sports Bodies excluding NGB's	
Includes the following:	
Central Council for Physical Recreation	
Sports Aid Foundation	
Commonwealth Games Council for England	
Community Sports Leadership Award Scheme	
Youth Sport Trust	
English Federation of Disability Sports	
National Youth Games	
Panathlon Foundation	7
(j) Regional Support	
Includes the following:	
Regional Grants	
Facility Planning and Development	
Equity (including Disability Grants)	
Volunteer and Community Development Work	21
Total	100

SOCIAL SECURITY

"Support in Bereavement"

Mr. O'Hara: To ask the Secretary of State for Social Security if he will provide an analysis of responses made to the "Support in Bereavement" consultation document (Cmd 4104). [86126]

Angela Eagle: A summary of responses to the consultation document "A new contract for welfare: Support in Bereavement" is available in the House Library, together with a list of those organisations who responded to the consultation paper.

Copies of responses are available on request from The Widows' Benefit Consultation Team, 3rd Floor, The Adelphi, 1–11 John Adam Street, London, WC2N 6HT.

Invalid Care Allowance

Mr. Goggins: To ask the Secretary of State for Social Security if he will estimate the level of earnings which would be defined as gainful employment for the purpose of claiming invalid care allowance if it had been increased in line with inflation in each year since the last increase; and what the additional cost to public funds would have been in the current year. [86852]

Mr. Bayley: The level of weekly net earnings below which it could be possible to be eligible for Invalid Care Allowance would currently be £59 if it had been increased in line with inflation since the last increase. It is not possible accurately to estimate the level of additional public expenditure which would have been incurred as a result.

Mr. Goggins: To ask the Secretary of State for Social Security when the level of earnings which is defined as gainful employment for the purpose of claiming invaljd care allowance was last increased. [86851]

Mr. Bayley: The level of earnings defined as gainful employment for the purpose of claiming Invalid Care Allowance was last increased on 12 April 1993.

Benefit-related Mail

Mr. Field: To ask the Secretary of State for Social Security when he expects every local authority to have an agreement with the Post Office for preventing redirection of benefit-related mail. [86902]

Angela Eagle: Our aim is for all local authorities to operate the "do not redirect" service. The Department has written to every authority strongly encouraging them to take up this initiative but it is a matter for individual authorities to decide whether to take part based on local circumstances. To date, 90 local authorities have signed up to the service and a number of other authorities are in the process of doing so. If the current take-up rate were to continue we would expect the majority of local authorities to be operating the service within 12 months.

Earnings Top-Up

Mr. Hope: To ask the Secretary of State for Social Security what arrangements have been made for renewing awards when the Earnings Top-Up pilot ends. [87594]

Angela Eagle: Earnings Top-Up (ETU) is a three-year pilot which was introduced in October 1996 to explore the effects of an in-work benefit for people without dependent children. The pilot was designed to run from 8 October 1996 to 4 October 1999 in eight areas and full evaluation findings will be available during 2001.

When the pilot was first set up, the plans included three renewal awards for people receiving Earnings Top-Up when it closed down. However, since May 1997, a range of new initiatives to help low paid workers has been introduced. Measures already introduced include the National Minimum Wage and Tax and National Insurance Contribution changes. In view of this, ETU renewals at the end of the pilot will be restricted to a single six month award.

Benefits Agency (Computerisation)

Dr. Cable: To ask the Secretary of State for Social Security to which companies the Government have made payments for consultancy regarding the computerisation of the Benefits Agency in the last three years; how much was paid to each company; what the current status of the project is; and if he will make a statement. [85437]

Angela Eagle *[pursuant to her reply, 8 June 1999, c. 306–07]:* The information is in the table.

Companies the Government have made payments to for consultancy regarding the computerisation of the Benefits Agency in the last three years

Project	*Contract dates*	*Contract award value (£)*	*Successful company*	*Current status*
Programme Accounting Group (PAG)—Consultancy Support	12/11/1996 to 31/12/1996	36,450	KPMG	Finished
Programme Accounting Group/Programme Accounting	21/10/1996 to 21/12/1996	63,508	SEMA	Finished
Computer System (PACS)—Consultancy Support	21/10/1996 to 31/12/1996	138,300	KPMG	
Programme Design Authority (PDA)—Implementation Group Support	—	135,000	Andersens	Finished
Card Access Payment System (CAPS)—Programme and Card Payment Delivery Review	11/11/1996 to 28/2/1997	122,800	Ernst & Young	Finished
Card Access Payment System (CAPS)—Migration Conformance Manager	1/4/1997	78,000	PA Consulting	Finished
Programme Accounting Group (PAG)—IT Consultant	1/4/1997 to 30/6/1997	31,500	PricewaterhouseCoopers	Finished
Card Access Payment System (CAPS)—Consultancy Support	9/6/1997 to 8/6/1999	19,767,220	Andersens	Ongoing
		613,662	A.S.E.	Ongoing
Financial and Management Information System (FAMIS)—Study of Private Sector Partnership potential	20/5/1997 to 27/6/1997	34,900	KPMG	Finished
Card Access Payment System (CAPS)—Migration Strategy	3/2/1997 to 31/3/1997	263,221	Andersens	Finished
Programme Accounting Group	12/2/1997 to 28/3/1997	29,750	KPMG	Finished
Audit Trail Analysis System (ATAS)—Tool Development	17/3/1997 to 11/4/1997	30,000	ICL	Finished
Programme Accounting Group (PAG)—Consultancy Support	14/7/1997 to 31/1/1998	63,000	KPMG	Finished
Programme Accounting Group (PAG)—Technical Architect	15/9/1997 to 30/4/1998	135,240	A.S.E.	Finished
Banking and Accountancy Branch (BAB)—Implementation Management	3/2/1998 to 31/3/1998	76,150	SEMA	Finished
Review of BA IS/IT Strategy	11/8/1998 to 4/9/1998	16,500	PA Consulting	Finished
Card Access Payment System (CAPS)—Review of Change Management	2/2/1999 to 8/3/1999	18,800	Admiral	Finished
Banking and Accountancy Branch (BAB)—IT Consultant	15/2/1999 to 26/3/1999	29,023	PA Consulting	Finished
BA Decision Making and Appeals Implementation Programme	8/6/1998 to 30/11/1999	360,000	Andersen Consulting	Ongoing

HEALTH

Health Council

Mr. Hood: To ask the Secretary of State for Health what was the outcome of the Health Council held in Luxembourg on 8 June; and if he will make a statement. [86639]

Ms Jowell: I attended the Health Council on 8 June in Luxembourg, on behalf of the United Kingdom.

The Council reached political agreement on the draft Recommendation on limitation of exposure of the general public to electromagnetic fields. This will be adopted at a future Council, subject to the lifting of the UK's Parliamentary scrutiny reserve. The Council also adopted Resolutions on antibiotic resistance and on future Community action in the field of public health and held an initial exchange of views on priorities and resources for the latter. It also adopted Conclusions on health protection requirements in Community policies. The Commission reported on the progress of the European Union—United States Task Force on Communicable Diseases and on the Community's own communicable diseases surveillance network. The Commission also presented a paper on health and enlargement, following which the Council went into an informal session to which Health Ministers from the accession candidate countries had been invited. They identified common health problems, particularly increased levels of communicable diseases, smoking, and drug and alcohol misuse.

In formal session again, the Commission said that publication of its report on the state of migrants' health in the Community would be delayed to include the health needs of refugees, in the light of the Kosovo crisis. Both the Commission and Belgium gave an oral update on the current situation following the contamination of food with dioxins in Belgium. After an oral report from the Commission on Transmissible Spongiform Encephalopathies in the Community, the UK updated the Council on the number of cases of variant Creutzfeldt Jakob Disease in the UK. The Council also stated its support for the World Health Organisation's "Tobacco Free Initiative".

Gynaecologists (North Yorkshire)

Miss McIntosh: To ask the Secretary of State for Health what procedures are in place for the recruitment of consultant gynaecologists in North Yorkshire NHS trusts; and if he will make a statement. [86476]

Mr. Denham: The standard National Health Service recruitment procedures are in place.

Central Public Health Laboratory

Mr. Gardiner: To ask the Secretary of State for Health what assessment he has made of the present recruitment and retention position at the Central Public Health Laboratory; and if he will investigate the feasibility of bringing medical laboratory staff within the pay and conditions arrangements of the Pay Review Body structure. [86920]

Mr. Denham: Medical Laboratory Scientific Officer staff at the Central Public Health Laboratory are employed by the Public Health Laboratory Service Board. Their recruitment and retention is a matter for that body.

These staff are employed under the Professional and Technical Staffs B Whitley Council terms and conditions, which apply to all similar staff within the National Health Service. The management side of the Whitley Council has made a pay offer for 1999–2000 based on issues specific to these staff, including recruitment and retention, affordability, NHS output targets and the economic context.

We are also discussing with all NHS unions proposals to modernise the NHS pay system published on 15 February 1999 in "Agenda for Change".

St. Dunstan's

Mr. Bob Russell: To ask the Secretary of State for Health for what reasons he has refused the application for financial assistance from St. Dunstan's Charity for Service War Blinded under Section 64 of the Health Services and Public Health Act 1968. [86923]

Mr. Hutton: No application for Section 64 funding has been received from St. Dunstan's in relation to its own work of providing training and long-term care for men and women who lost their sight while serving in the armed forces. However the Diana Gubbay Trust for the Blind, which is administered by St. Dunstan's to provide care to former members of the armed forces and the civilian forces whose blindness is not attributable to service, has applied for core funding in each of the last two years.

The funds available under section 64 of the Health Services and Public Health Act 1968 are finite and many more applications are received from voluntary organisations than it is possible to meet. We considered both applications from the Diana Gubbay Trust very carefully, but concluded that other applications were stronger.

DTP Vaccine

Mr. Ian Stewart: To ask the Secretary of State for Health if the batch of DTP vaccine withdrawn by the Bath and West Community NHS Trust was *(a)* whole cell or *(b)* acellular vaccine; which pharmaceutical company supplied the vaccine; and when the vaccine batch was manufactured. [86862]

Ms Jowell: This batch was a combined diphtheria/tetanus/whole cell pertussis vaccine manufactured by Behring and distributed in the United Kingdom by Wyeth Vaccines. It was manufactured on 18 June 1998.

Calendar Packs

Mr. Ben Chapman: To ask the Secretary of State for Health what assessment he has made of the practice among pharmacists of dispensing calendar packs instead of the doses prescribed by doctors. [87014]

Mr. Denham: Calendar packs are typically produced for medicines taken over long periods or for defined course lengths. Because the days of the week are printed alongside the tablets, splitting the packs could result in patients receiving partial strips of tablets labelled with confusing and inappropriate assortments of days of the week. It is long-standing practice, as permitted by their terms of service, for community pharmacists to dispense the nearest number of complete packs or sub-packs in situations where the quantity prescribed differs from the quantity in the pack and where, in their opinion, it was not the intention of the prescriber that only the exact quantity be dispensed. We have had no reports that this has caused any clinical difficulties.

NHS Pensions Agency

Fiona Mactaggart: To ask the Secretary of State for Health if he will publish the key targets for 1999–2000 for the NHS Pensions Agency. [87398]

Mr. Denham: We have agreed the Agency's key targets for 1999–2000, and have placed copies in the Library.

Written Questions

Mr. Brady: To ask the Secretary of State for Health how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87330]

Ms Jowell: Since 15 April 1999, 172 parliamentary questions have been tabled to this Department for answer on a named day. Of these 151, or 88 per cent., have been answered substantively on that day.

Mid Essex Hospital Services NHS Trust

Mr. Burns: To ask the Secretary of State for Health how many *(a)* doctors and *(b)* nurses there were in the Mid Essex Hospital Services NHS Trust Area on 31 March (i) 1997 and (ii) 1999; and what was the capital spending in the Trust area in (1) 1996–97 and (2) 1998–99. [87045]

Mr. Denham: The information requested is shown in the table.

Year	*Doctors*	*Nurses*	*Capital spend (£ million)*
1997	240	1,310	12.0
1999	—	—	7.3

[1] Data are for 30 September 1997 as the census is taken each year at 30 September. Data for following years are unavailable because they have not yet been published, or, in the case of 1999, not yet collected.

[2] No data available.

Asylum Seekers

Mr. Corbyn: To ask the Secretary of State for Health what has been the cost to his Department for each year since 1996 of support for asylum seekers who are not eligible for social security benefits. [86891]

Mr. Hutton: The Department has paid grants to local authorities in respect of support for asylum seekers under the Children Act 1989 and National Assistance Act 1948 in 1996–97, 1997–98 and 1998–99. Details of the total amounts paid are shown in the table.

£ million

	Grant paid		
	1996–98	*1997–98*	*1998–99*
Unaccompanied children	3	1.587	20.157
Families with children	4.137	28.440	80.074
Single adults	5.627	39.577	89.813

PRIME MINISTER

Kosovo

Mr. Bercow: To ask the Prime Minister what measures he is planning as part of a general settlement on Kosovo, to encourage displaced persons to return to their homes. [86367]

The Prime Minister: NATO's KFOR is helping to create a secure environment in which refugees and displaced persons can return home. The United Kingdom is working closely with the UN High Commissioner for Refugees to facilitate such returns, including by helping to carry food and other essential supplies into Kosovo.

Kashmir

Mr. Pike: To ask the Prime Minister if he proposes to discuss the issue of Kashmir at the Commonwealth Heads of Government meeting in November. [86993]

The Prime Minister: The draft agenda for the next meeting of the Commonwealth Heads of Government has not yet been circulated. We are not aware of any plans to discuss Kashmir.

TRADE AND INDUSTRY

Business Links

Mr. Cotter: To ask the Secretary of State for Trade and Industry what was the total income of Business Links nationally broken down by *(a)* his Department's grants, *(b)* EU and other public funding, *(c)* charges to customers and *(d)* grants from Business Link national partners for (i) 1997–98 and (ii) 1998–99; and what estimate he has made for 1999–2000. [86637]

Mr. Wills: The total amount of funding provided for the Business Links programme by the Department in the periods 1997–98 and 1998–99 were £129.2 million and £121.1 million respectively. For 1999–2000, the Department has earmarked £139 million for Business Links programme funding, which includes an element of funding specifically for developing services of the new Small Business Service.

Business Links are private, independent organisations and the Department does not collect statistics on income from EU and other public funding or on grants from Business Link national partners. But we estimate that total Business Link company fee income from customers to be of the order of £21 million in 1997–98, £31 million in 1998–99 and £36 million in 1999–2000.

Information Society Local Support Centres

Mr. Cotter: To ask the Secretary of State for Trade and Industry how many departmental Information Society Initiative Local Support Centres have been established; and how many more are planned. [86635]

Mr. Wills: Eighty Information Society Initiative (ISI) Local Support Centres have been established. A further 20 are planned and these should be open by the end of 1999 to give a UK wide network of 100 Local Support Centres.

Climate Change Levy

Mr. Redwood: To ask the Secretary of State for Trade and Industry what representations he has received from industry concerning the proposed climate change levy. [87031]

Mr. Battle: My Department is having extensive discussions with business on the impact of the climate change levy, and the accompanying reduction in employer National Insurance Contributions (NICs), which were announced by my right hon. Friend, the Chancellor of the Exchequer in his Budget, 9 March 1999, *Official Report*, columns 173–90.

Tax forms part of the Government's strategy on climate change. However, we have said that we wish to implement the climate change levy in a way which minimises any adverse impact on the competitiveness of UK business. The Government will continue to listen to the views of business and as raised in response to HM Customs and Excise's consultation on the levy, which ended on 28 May. Final decisions on the design of the levy, including its rates, will be taken for inclusion in the Finance Bill 2000 in the light of these representations.

Mr. Redwood: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact on jobs of the proposed climate change levy. [87032]

Mr. Battle: My Department has received many representations from business on the impact of the climate change levy, some of which have raised concerns about its impact on employment.

The levy will form part of our strategy on climate change. We are also developing negotiated agreements and emissions trading as means by which business can contribute to reducing greenhouse gas emissions. We want to give business the chance to develop the cost-effective solutions to emissions reductions and to make the most of the new business opportunities which should flow from climate change in the years to come: new markets and new goods and services, which may have positive implications for employment.

Benefit Swipecard

Mr. Rendel: To ask the Secretary of State for Trade and Industry what estimate he has made of the reduction in revenue to post offices under the proposed swipecard. [86929]

Mr. Ian McCartney *[holding answer 14 June 1999]:* The Horizon platform, which is planned to be installed throughout the Post Office network by 2001, is compatible with both magnetic swipecard and smartcard technology.

As announced on 24 May 1999, *Official Report*, column *21*, the project will no longer incorporate the magnetic swipe benefit payment card. Existing paper based methods of paying benefits in post offices will continue until 2003 after which the Benefits Agency intends to move over a period of two years to a more modern and efficient way of paying benefits using the existing automated credit transfer system. This will enable payments to be made into bank accounts. A number of banks already allow access to personal accounts at post offices, and the period to 2003 will allow the Post Office to develop its relationship with the banking industry and the range of services it offers to personal customers.

The contractual arrangements between the Post Office and its banking partners for providing access to bank accounts at post offices will remain a commercially confidential matter between the parties.

Company Law

Mr. Mackinlay: To ask the Secretary of State for Trade and Industry what assessment he has made of the need to amend company law to provide for the validity of meetings and their subsequent decisions conducted by tele-conferencing and related technology. [87135]

Mr. Ian McCartney: The DTI's view is that the general law already provides for general meetings of shareholders to be held in more than one physical site, provided that these are appropriately linked. Subject to the company's Articles, meetings of directors may be conducted in a medium the directors think fit, for example, by telephone or by video conference.

In March 1998, the DTI launched a fundamental review of company law which is being taken forward by an independent Steering Group. The Steering Group is considering all wider policy issues surrounding the role and place of the general meeting of shareholders and the mechanisms for company decision making, including the implications of modern technologies for statutory rules for meetings.

Written Questions

Mr. Brady: To ask the Secretary of State for Trade and Industry how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87325]

Mr. Battle: Between 15 April and 15 June, 126 questions for answer on a named day were tabled to this Department, 49 per cent. of these received a substantive answer on the named day.

Regional Development Agencies

Mr. Donaldson: To ask the Secretary of State for Trade and Industry what measures his Department has taken to increase co-ordination between the various regional development agencies following the implementation of devolution. [87046]

Mr. Wills: The Chief Executive of the Invest in Britain Bureau (IBB), which is jointly managed by the DTI and the Foreign and Commonwealth Office, continues to chair the Committee on Overseas Promotion (COP). The role of COP is to co-ordinate UK promotion of inward investment and avoid unnecessary duplication of effort by publicly funded promotional bodies. Members include representatives from the agencies for Scotland, Wales and Northern Ireland, the eight Regional Development Agencies in England and London First Centre. We are also encouraging the Regional Development Agencies in England to continue to explore and build on closer collaboration on overseas marketing and representation with neighbouring regions.

EDUCATION AND EMPLOYMENT

Local Management of Schools

Mr. Tyler: To ask the Secretary of State for Education and Employment what plans the Government have to integrate the grant for reducing infant class size into the rate support grant to local education authorities to enable this funding to be provided through the local management of schools formula. [86682]

Ms Estelle Morris *[holding answer 14 June 1999]:* We are providing specific grant funding to enable Local Education Authorities to meet our pledge to limit the size of infant classes to 30 or below by September 2001. No decisions have yet been taken on the mechanisms for funding smaller infant class sizes beyond 2001–02 but revenue funding will continue to enable schools to continue to employ teachers taken on as a result of the class size policy.

New Deal (Young People)

Mr. Green: To ask the Secretary of State for Education and Employment, pursuant to his answer of 21 May 1999, *Official Report*, column *474*, on the New Deal for Young People, when he expects to be able to provide the number of New Deal trainees in various sectors of industry. [85559]

Mr. Andrew Smith *[holding answer 8 June 1999]:* Improved information on the number of New Deal job starts by employers should be available by October, depending on progress on upgrading the Labour Market System. For the longer term, the Employment Service is working with its IT supplier to enhance further the full range of its management information systems.

Mr. Field: To ask the Secretary of State for Education and Employment what is the *(a)* median and *(b)* average length of time spent on the Gateway of the New Deal for 18 to 24-year-olds by those for whom no eventual destination is known. [85863]

Mr. Andrew Smith: For the period ending March 1999 the median length of time spent on the New Deal Gateway by those young people who leave for an unknown destination is 71 days. The mean average length of time is 85 days.

Secondary Schools (Leicestershire)

Mr. Garnier: To ask the Secretary of State for Education and Employment if he will list for each secondary school in Leicestershire for the academic year 1999–2000 *(a)* its official pupil capacity, *(b)* the number of pupils actually at the school, *(c)* the average cost per pupil and *(d)* the number of (i) teachers and (ii) full-time equivalents employed. [86641]

Ms Estelle Morris: Information for individual schools is not published centrally. Information for 1999–2000 has not yet been collected. The most recently available information is shown in the following table.

LEA maintained secondary schools only. Leicestershire Local Education Authority area. Academic Year 1997–98

	Numbers
Total pupil capacity	43,224
Total number on roll	38,981
Average cost per pupil	£2,296.70
Total number of teachers	2,695
FTE number of teachers	2,279.9

Provisional data

Employment Action Plan

Siobhain McDonagh: To ask the Secretary of State for Education and Employment if he will place copies of the United Kingdom's Employment Action Plan in the Library. [87396]

Mr. Andrew Smith: Copies of the UK Employment Action Plan, which sets out the Government's policies for implementing the 1999 Employment Guidelines agreed at the European Council held in Vienna in December 1998, have been placed in the Library. The Plan contains the latest information on policies for employment, encouraging entrepreneurship and labour market adaptability, lifelong learning and equal opportunities.

European Union Youth Council

Siobhain McDonagh: To ask the Secretary of State for Education and Employment if he will make a statement on the outcome of the EU Youth Council meeting on 27 May. [87397]

Mr. Mudie: I attended the Council of Youth Ministers in Brussels on 27 May 1999.

The Council adopted common positions on the Commission's proposals to establish a new Youth programme, and the next phase of the Daphne programme of measures to combat violence against women and children. Council also considered a Presidency Memorandum stressing the importance of addressing youth issues in the context of employment policy, and noted that the Commission will adopt a Communication on implementing measures to combat child sex tourism.

AGRICULTURE, FISHERIES AND FOOD

Broiler Chickens

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food how many broiler chickens were dead on arrival at UK poultry slaughterhouses in (i) 1997 and (ii) 1998. [86207]

Mr. Rooker: The information requested is as follows:

	Total throughput	*Dead on arrival*
1997		
Great Britain	709,291,374	1,350,338
Northern Ireland	60,270,049	172,701
1998		
Great Britain	713,047,348	1,128,655
Northern Ireland	61,774,233	115,176

Please note that the total throughput figures provided for Great Britain for 1997 and 1998 are not directly comparable, owing to the method for collecting these data having changed slightly.

BSE (USA)

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to investigate reports of the presence of BSE in the USA. [86872]

Mr. Rooker *[holding answer 14 June 1999]:* We have asked the United States Government to comment on the recent reports of the presence of BSE in the USA. The United States has not reported any cases of BSE to the international veterinary organisation, the OIE.

Genetically Modified Foods

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will list the antibiotic marker genes, and the antibiotics to which they convey resistance, that have been used in the genetic modification of crops from which genetically modified foods available in the United Kingdom have been produced. [86318]

Mr. Rooker: Of the GM foods available in the UK, the npt II gene which confers resistance to kanamycin is present in the tomatoes used to produce tomato paste, but is not detectable in the paste itself. There are no ARMs in Monsanto's GM soya bean. The GM maize developed by Ciba Geigy (now Novartis) contains the ampr gene, which confers resistance to ampicillin, although the gene is degraded and thus no longer capable of functioning when processed into food ingredients.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food (1) what food safety tests were carried out on Monsanto's genetically modified Round-up Ready soya bean after spraying with Round-up herbicide; what was the nature of the tests; what data has been supplied

by Monsanto; and on what date the information was supplied; [86320]

(2) what tests have been conducted to assess the safety of feeding genetically modified Round-up Ready soya beans to animals; who conducted the tests and when; and what data has been supplied on the feeding of Round-up Ready soya bean following spraying of the crop with Round-up. [86319]

Mr. Rooker: The Advisory Committee on Novel Foods and Processes considered data provided by Monsanto on its genetically modified Round-up Ready soya bean, including that obtained from feeding studies on animals, over the period 1994–96. The information that was assessed also encompassed the results of proximate analysis, including an analysis of phytoestrogen levels, on seeds obtained from field trials of GM soya which had been treated with the herbicide Round-up.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if all foods on sale which contain genetically modified soya beans have had those soya beans subject to safety testing after being sprayed with the herbicide they are designed to resist; and if he will make a statement. [86747]

Mr. Rooker *[holding answer 15 June 1999]:* Yes. In 1996, the Advisory Committee on Novel Foods and Processes considered data supplied by Monsanto on its genetically modified Round-up Ready soya bean after spraying with Round-up herbicide and, contrary to recent reports in the press, found that levels of phytoestrogen were comparable to those in conventional soya beans. The data have been deposited in the British Library (SUP No.11093).

Dairy Farmers

Mr. Blunt: To ask the Minister of Agriculture, Fisheries and Food what measures the Government are taking to assist dairy farmers who are suffering as a result of low milk prices. [86437]

Mr. Rooker *[holding answer 15 June 1999]:* Apart from the operation of the Common Agricultural Policy, the price milk producers receive for their products is a commercial matter.

Written Questions

Mr. Brady: To ask the Minister of Agriculture, Fisheries and Food how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87322]

Mr. Morley: One hundred and five. Of those eligible for answer on or before 15 June 1999, 51 per cent. received a substantive reply on the named day.

CABINET OFFICE

Monsanto

Mr. Baker: To ask the Minister for the Cabinet Office if he will list the trips, facilities, gifts and other offerings of a financial value provided by Monsanto to civil servants since 1 May 1997. [85962]

Mr. Kilfoyle: The information requested in respect of all civil servants is not held centrally and could be obtained only at disproportionate cost. As far as I am aware, since 1 May 1997 no civil servant working in the Prime Minister's Office or the Cabinet Office and its agencies, has accepted any trips, facilities, gifts or other offering provided by Monsanto.

Archway Tower

Mr. Corbyn: To ask the Minister for the Cabinet Office (1) what is the total expenditure on the refurbishment of Archway Tower, Junction Road, N19 over the past three years; what rental income has been received over that period; and what rental income is expected for the duration of the current lease; [86897]

(2) what expenditure has been made on rent for Archway Tower, N19, in each year since 1995; and what rent he expects to pay for the remaining period of the lease. [86898]

Mr. Kilfoyle: Responsibility for these matters has been delegated under the terms of the Framework Document to the Property Advisers to the Civil Estate. I have asked its Chief Executive, Mr. John Locke, to write to my hon. Friend.

Letter from John C. Locke to Mr. Jeremy Corbyn, dated 16 June 1999:

The Parliamentary Secretary for the Cabinet Office, Peter Kilfoyle, has asked me to reply to your questions about expenditure and rental income on Archway Tower.

Further to my letter of 4 March 1999 I can advise that capital expenditure from 1 April 1998 to date now totals £4.3 million. Refurbishment work to ten floors was completed in April 1999 and PACE have recently let the contract for the final phase of work, following competitive tendering.

In my previous letter, I outlined the impracticality of re-using the building until after completion of the first phase of refurbishment. There was therefore no income during this period. However, there are now ten floors available for sub letting and our agents DTZ Debenham Thorpe are currently marketing them on our behalf. These floors total 4,210 sq m (45,230 sq ft) for which PACE are seeking a rent of £134.56 per sq m (£12.50 per sq ft). The floors are being offered to Government Departments as well as the private sector with the aid of brochures, advertisements, mail-shots and distribution of CD Roms. Once the final phase of five floors (1,684 sq m 18,092 sq ft) is complete and the building fully let, the total rental income should amount to £791,525 pa. This level of income should be achievable for the duration of the Secretary of State's Lease, which is subject to rent review.

Rental expenditure for each year since 1995 has been £884,000 pa for the building, with an additional £29,400 pa for 49 car parking spaces. The Secretary of State's Lease is subject to two further rent reviews at 25 December 1999 and 25 December 2004. At the next review, the landlord may seek an uplift in rent and Property Consultants, DTZ Debenham Thorpe are currently advising PACE on rental value for the review. The expectation is that the current rent paid of £884,000 pa should not increase, but it is not possible to forecast whether there is likely to be an increase from the rent review in December 2004.

Written Answers to Questions

Thursday 17 June 1999

PRIME MINISTER

Intergovernmental Conference

Mr. Bercow: To ask the Prime Minister if he will make a statement on the agenda of the planned Intergovernmental Conference of Spring 2000. [87307]

The Prime Minister: The Cologne European Council took decisions about the timing, scope and preparation of the next Intergovernmental Conference. These are set out in the Presidency conclusions, which have been placed in the Library of the House.

Kosovo

Mr. Bercow: To ask the Prime Minister if the Government received prior communication from Russian sources of an intent to occupy areas of strategic importance in Kosovo independently of NATO. [87300]

The Prime Minister: We and NATO have long made clear that we looked forward to a substantial Russian contribution to KFOR, the NATO-led peacekeeping force in Kosovo. Russia did not notify NATO in advance that it intended to deploy a small unit to Pristina airfield but, as the commander of KFOR has explained, this Russian unit had not affected either the deployment of NATO forces or the implementation of the Kosovo peace agreement. NATO is working with Russia on detailed command and control arrangements for Russian forces in KFOR.

Security and Intelligence Services

Mr. Gapes: To ask the Prime Minister when the annual report of the Commissioner appointed under the Security Service Act 1989 will be laid before the House; and if he will make a statement. [87661]

The Prime Minister: A copy of the annual report of the Commissioner, Lord Justice Stuart-Smith, for 1998 has been laid before the House today in accordance with section 4(6) of the Security Service Act 1989. The confidential annex to the report has been excluded from that copy in accordance with section 4(7) of the 1989 Act and in line with the Commissioner's recommendation. I am grateful to the Commissioner for his work in reviewing the issues of warrants under the Intelligence Services Act 1994.

Mr. Gapes: To ask the Prime Minister when the annual report of the Commissioner appointed under the Intelligence Services Act 1994 will be laid before the House; and if he will make a statement. [87662]

The Prime Minister: A copy of the annual report of the Commissioner, Lord Justice Stuart-Smith, for 1998 has been laid before the House today in accordance with section 8(6) of the Intelligence Services Act 1994. The confidential annexe to the report has been excluded from that copy in accordance with section 8(7) of the 1994 Act. I am grateful to the Commissioner for his work in reviewing the issue of warrants and authorisations, and in providing assistance to the Tribunal as provided for in the Act.

Mr. Gapes: To ask the Prime Minister when the annual report of the Commissioner appointed under section 8(1) of the Interception of Communications Act 1985 will be laid before the House; and if he will make a statement. [87663]

The Prime Minister: A copy of the annual report of the Commissioner, Lord Nolan, for 1998 has been laid before the House today in accordance with section 8(7) of the Interception of Communications Act 1985. The confidential annexe to the report has been excluded from that copy in accordance with section 8(8) of the 1985 Act and in accordance with the Commissioner's recommendations. I am grateful to the Commissioner for his work in reviewing the issue of warrants during the year. I note in particular the Commissioner's view that interception of both postal communications and telecommunications remains an effective and an essential operation in the interests of national security and the economic well-being of the United Kingdom, and the prevention and detection of serious crime.

Ministerial Visits

Mr. Pendry: To ask the Prime Minister, pursuant to his answer of 10 February 1999, *Official Report*, columns *283–84*, if he will *(a)* list Government expenditure on ministerial overseas visits at current prices for the financial years 1993–94 to 1998–99, *(b)* list all visits overseas undertaken by Cabinet Ministers costing in excess of £500 between 2 May 1997 and 31 March 1999 including the cost, destination and purpose of the visit and *(c)* publish the rules governing travel by Ministers. [87665]

The Prime Minister: Expenditure on Ministerial overseas visits for the periods requested is estimated as follows:

Year	*£ million*
1993–94	6.5
1994–95	6.6
1995–96	6.9
1996–97	7.8
1 May 1997–31 March 1998	6.1
1998–99	4.8

The figures for 1993–94, 1994–95 and 1995–96 do not include some expenditure falling to the Scottish Office, the Ministry of Defence and the Welsh Office because the information was not recorded centrally or is incomplete. Full costs are available from 1996–97 onwards. All figures are in 1997–98 prices. The figure for 1998–99 reflects payments made so far for travel undertaken in this period; a few bills have yet to be submitted to departments for payment.

A list of all visits overseas undertaken by Cabinet Ministers costing £500 or more during the period 2 May 1997 and 31 March 1999 has been placed in the Libraries of the House. The list provides details of the date,

destination and purpose of all such visits and the cost of Ministers' travel and accommodation where appropriate. Comprehensive listings for earlier years is not available.

Guidance on travel by Ministers is set out in the *Ministerial Code* and *Travel by Ministers*. The rules on travel by Ministers are the same as those that applied under the previous Administration. *Travel by Ministers* has always been an internal guidance document. However, in line with this Government's commitment to greater openness, I have decided to publish the document and copies have been placed in the Libraries of the House. The *Ministerial Code* is already in the public domain.

SOCIAL SECURITY

Fraud

Mr. Field: To ask the Secretary of State for Social Security how many fraud cases the Benefits Agency Security Investigation Service have brought to a successful conclusion in this financial year; and if he will break this figure down by administrative region. [86900]

Mr. Timms: Operational matters are the responsibility of the Benefits Agency Chief Executive, Peter Mathison. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Frank Field, dated 16 June 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many fraud cases the Benefit Agency Security and Investigation Service has brought to a successful conclusion in this financial year; and if he will break this figure down by administrative region.

As at 31 May 1999, the BASIS has brought to a successful conclusion thirty one cases in the Southern Area and thirty six in the Northern Area.

I hope that this is helpful.

INTERNATIONAL DEVELOPMENT

China Western Poverty Reduction Project

Dr. Tonge: To ask the Secretary of State for International Development what representations she has received from the Chinese Ambassador concerning the Qinghai component of the China Western Poverty Reduction Project. [87124]

Clare Short: None.

Dr. Tonge: To ask the Secretary of State for International Development what representations she has received from *(a)* Tibetans in Dulan county and *(b)* other interested parties concerning the Qinghai component of the China Western Poverty Reduction Project. [87122]

Clare Short: We have not received any representations from Tibetan or other ethnic groups living in Dulan county. A number of UK non-governmental organisations have written to me.

Dr. Tonge: To ask the Secretary of State for International Development (1) what assessment she has made of the impact on the indigenous population of the Qinghai component of the China Western Poverty Reduction Project; [87118]

(2) if she will make a statement on the World bank category B environmental status given to the China Western Poverty Reduction Project; [87120]

(3) if she will make a statement on the consultation process undertaken by the World bank with the people currently living in the move-in area of the proposed China Western Poverty Reduction Project; [87121]

(4) if she will provide details of the World bank's environmental impact assessments of the Qinghai component of the China Western Poverty Reduction Project. [87123]

Clare Short: The World bank's staff appraisal report on this project was made available at the end of last week. I will write to the hon. Member when we have had an opportunity to study this.

Southern Sudan

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on the current humanitarian situation in southern Sudan. [87114]

Clare Short: Southern Sudan has some of the worst malnutrition and mortality rates in the world. While the situation in the south this year is significantly better than in 1998, it is essential that a long term and just peace is achieved in Sudan. Until it is, crises on the scale of last year are liable to reoccur at any time.

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on the current harvest and food levels in southern Sudan. [87115]

Clare Short: The best estimates available indicate that total productive efforts, that is from fishing and livestock as well as the last harvest production, should be sufficient to meet about 90 per cent. of needs in southern Sudan this year. The actual ability of the rural population in southern Sudan to meet their own needs remains dependent on external factors such as the level of insecurity and internal displacement.

World Bank Projects

Dr. Tonge: To ask the Secretary of State for International Development if she will list the World bank projects involving *(a)* the construction of dams and *(b)* population resettlement, which have been given category "B" status. [87119]

Clare Short: The World bank informs us that according to the information in its database, there are 95 projects currently under implementation which are listed as having significant dam components. Of these, 41 are listed as Environmental Assessment category "B" projects. According to the report "Inventory of Projects with Involuntary Resettlement" dated 14 June 1999, the bank has 234 projects with resettlement which are currently under implementation. Of these, 122 projects are classified as category "B" projects.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Genetically Modified Crops

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if another member state of the European Union were to license the commercial planting of genetically modified crops by a company there would be any bar to that company proceeding with commercial planting in the United Kingdom. [86135]

Mr. Meacher *[holding answer 8 June 1999]:* Commercial growing of a genetically modified crop can be approved only at community level, not by an individual member state. The relevant legislation is Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms (GMOs). Under Part C of this Directive, applications for consent for placing on the market products containing or consisting of GMOs must be considered and cleared by all member states at the Community level. Once a GM crop has Part C (marketing) consent under the Directive, it applies across all member states, including, of course, the United Kingdom.

However, before any new variety of a crop, including GM varieties, can be grown commercially, it also has to have passed the necessary tests and be placed either on the UK national list of seeds or the EU common catalogue. If the crop is herbicide tolerant, the use of that herbicide on the GM crop may also require specific approval under the pesticides legislation.

Specific conditions may be attached to consents issued under the Directive, for example to limit the geographical area in which the GM crop is grown or used. But in absence of any such restrictions and subject to the other necessary approvals for any crop being in place, there is no bar to commercial planting in the UK.

A safeguard clause, Article 16, in the Directive allows a member state provisionally to restrict or prohibit the use and/or sale on its territory of a GMO that has been given consent if there are justifiable reasons to consider that the product constitutes a risk to human health or the environment. In such circumstances a decision on whether or not to uphold the consent is subsequently taken at Community level after consideration of the new evidence.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what advice he has obtained about the use of antibiotic marker genes in genetically modified plants which provide raw materials for the production of cosmetics and perfumes. [86316]

Mr. Meacher: All releases of genetically modified organisms (GMOs) are governed by the Genetically Modified Organisms (Deliberate Release) Regulations 1992 as amended. Under the Regulations, the possible effects of using antibiotic marker genes in a GM plant on human health or the environment are considered as part of the approvals process. However, once any GM plant material had been processed for use in products such as cosmetics and perfumes, it would not come under the scope of these Regulations because it is no longer a living organism, i.e. not capable of replication or of transferring genetic material. The products would, however, be assessed under the Cosmetic Products (Safety) Regulations 1996 to ensure that they are not harmful to human health.

The Government welcome the European Commission's plan to develop harmonised guidelines for GMO risk assessments for cosmetic products and will push in Europe for their adoption.

Asbestos Imports

Mr. Davidson: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 26 May 1999, *Official Report*, columns *170–71*, when he expects to make a decision on the recommendation of the Health and Safety Commission to implement a ban on white asbestos; and when he expects the European Commission to ratify the vote of their Technical Committee to tighten the restrictions on the import of white asbestos; and if he will make a statement. [86651]

Mr. Meacher: The Government are determined to apply further necessary restrictions to the importation, marketing and use of white asbestos. I have received advice from the Health and Safety Commission about those new restrictions in the form of draft regulations. I will act on that advice as soon as the European Commission has ratified the vote of their technical committee on 4 May to adapt to technical progress Council Directive 76/769/EEC. Under European law, it would be illegal for new domestic restrictions to be introduced before this has happened. I am hopeful that the European Commission will ratify the adaptation directive this month. The UK continues to encourage the European Commission to act swiftly on this vitally important measure.

House Adaptations

Mr. O'Hara: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the research conducted by Age Concern and RADAR into the performance of local authorities in meeting their duties to provide adaptations for older and disabled people. [86918]

Mr. Raynsford: I have read with interest the initial findings of the research undertaken by Age Concern and RADAR. We are currently consulting on "You and Your Services", a draft charter for long-term care, and would encourage Age Concern and RADAR in their response to consider how that charter could be used as a basis for setting targets for performance on housing adaptations. My Department is addressing other issues of local authority performance in this area in the work we are doing to develop the Best Value regime, and in our guidance to local authorities on the Housing Investment Programme. We will consider these issues further in the light of our consideration of the recent report by the Royal Commission on Long Term Care.

Mr. O'Hara: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to update the joint Department of Health and Department of the Environment Circular 10/90 (LAC (90)7), on house adaptations for people with disabilities. [86919]

Mr. Raynsford: My Department has no plans to update the Circular. It was replaced in December 1996 by a new Circular, Department of the Environment Circular 17/96, which contained guidance on changes made by the Housing Grants, Construction and Regeneration Act 1996 to local housing authorities' responsibilities. The parts of Circular 17/96 which updated Circular 10/90 were written in consultation with the Department of Health, and that Circular was sent to all local authorities, including those responsible for the provision of social services.

Right to Roam

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with English Nature on the environmental impact of a right to roam in *(a)* national nature reserves, *(b)* Ramsar sites, *(c)* special protection areas under the EU Birds Directive, *(d)* special areas of conservation under the EU Habitats Directive, *(e)* sites of special scientific interest and *(f)* other environmentally sensitive areas. [86421]

Mr. Meacher *[holding answer 14 June 1999]:* Before reaching our decision to legislate for a new statutory right of access to open countryside, we consulted a wide range of organisations, including English Nature. In addition to that, I have regular quarterly meetings with English Nature, where we have exchanged views on the Government's access proposals.

Access on foot is generally compatible with the conservation of wildlife. Indeed, many sites protected under national and international legislation are already open to public access. However, we recognise that restrictions on access may, in some cases, be necessary to protect particular wildlife interests. We shall, therefore, be looking to English Nature to provide advice on the need for closures and restrictions on conservation grounds.

Rent Levels

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's system of monitoring the rent levels of local authority *(a)* leased property and *(b)* allocated bed-and-breakfast accommodation. [86890]

Ms Armstrong *[holding answer 16 June 1999]:* Our system of monitoring local authority rents does not cover these types of property, which would fall outside an authority's Housing Revenue Account.

South West Water

Sir Peter Emery: To ask the Secretary of State for the Environment, Transport and the Regions if he will take action to ensure that South West Water reduces its increase in consumer bills. [87138]

Mr. Meacher *[holding answer 16 June 1999]:* Under the Water Industry Act 1991, the regulation of water and sewerage undertakers' price limits is for the Director General of Water Services. Changes in average charges for water and sewerage services must remain within limits set by the Director General for each company for each year. The price limits governing South West Water in 1999–2000 are those determined on appeal in 1995 by the Monopolies and Mergers Commission (RPI + 1% on average).

The Director General is currently conducting his periodic review of prices for the period 2000 to 2005. The Government have given guidance to the Director General on the environmental and water quality improvements to be delivered by 2005. We believe that these can be secured while offering reductions of around 10 per cent. in average water and sewerage bills. The Director General expects to announce draft price limits for each undertaker in July.

Regional Development Agencies

Mr. John Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the Regional Development Agencies. [86510]

Mr. Meale: The Regional Development Agencies (RDAs) inherited the main part of their staff and programmes on 1 April 1999, so it is too early for a formal assessment of their impact. However, early indications are that the RDAs are making good progress on building partnerships with regional stakeholders. They are also on target for producing draft regional strategies for consultation over the summer.

British Waterways

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to appoint a new Chairman for British Waterways; and if he will make a statement. [87636]

Mr. Meale: Dr. George Greener, ex-group chief executive, Hillsdown Holdings, will succeed Bernard Henderson as Chairman of British Waterways (BW) on 10 July. The appointment will be for three years.

The new Chairman's main priority will be to steer BW in its new direction following my right hon. Friend the Deputy Prime Minister's announcement on 18 February about the Government's decision on the future status and direction for BW. Dr. Greener will need to ensure that BW develops successful and innovative partnerships with the public, private and voluntary sectors and maximises its contribution towards the Government's objectives for transport, regeneration, conservation and amenity.

Dr. Greener's strong commercial background and previous experience of strategic leadership will be invaluable at what is a significant time for BW. He will continue to hold a small number of non executive directorships.

I would like to acknowledge the commitment and enthusiasm Bernard Henderson has brought to BW over the past five years and the important contribution he has made during the Government's review of options for the future of BW.

I am issuing a news release today announcing Dr. Greener's appointment.

TRADE AND INDUSTRY

Small Businesses

17. **Mr. Kidney:** To ask the Secretary of State for Trade and Industry if he will make a statement on his proposals for reducing the burdens on small businesses. [86511]

Mr. Wills: My right hon. Friend the Secretary of State has recently announced a number of deregulatory measures which will benefit small business:

the draft National Minimum Wage regulations were amended to reduce record keeping requirements;

supplementary guidance will be produced on the Working Time Regulations to make it clear that for the vast majority of British businesses, existing documentation and systems already meet the record-keeping requirements;

we will consider using sunset clauses in some future regulations causing them to lapse after a fixed term unless renewed; and

in addition I have today published a consultation paper which sets out our proposals for a new service to help small employers get to grips with running a payroll.

These measures will benefit thousands of businesses, in particular small businesses, and significantly reduce their costs. My right hon. Friend has made clear his intention to announce further measures to reduce burdens on business over the coming weeks.

Renewable Energy

18. **Mr. Hopkins:** To ask the Secretary of State for Trade and Industry what representations he has received in response to his Department's paper on renewable energy. [86512]

Mr. Battle: We have received well over 200 written responses from a wide variety of interests including Members of Parliament, the renewable energy and electricity industries, renewable energy trade associations, academia and business institutions, developers and designers, environmental lobby groups, and members of the public. The responses are presently being analysed.

Part-time Work Directive

19. **Mr. Browne:** To ask the Secretary of State for Trade and Industry what progress his Department has made on the implementation of the part-time work directive. [86514]

Mr. Ian McCartney: The Employment Relations Bill contains powers for the Secretary of State to make regulations and issue codes of practice which will implement the Directive. The Department will consult on implementation over the summer, with a view to bringing the measures into force by the deadline of 7 April 2000.

EU Energy Markets

20. **Mr. Win Griffiths:** To ask the Secretary of State for Trade and Industry what steps he is taking to ensure that United Kingdom companies can compete in European Union energy markets. [86515]

Mr. Battle: We are driving forward the agenda to create a single European market in gas and electricity. At the Energy Council on 11 May I stressed the importance of creating a single open and competitive market in Europe rather than 15 individual and separate open markets for each member state. I also stressed the need for the Council to regularly review progress and the Commission resolved to provide progress reports.

Competition

21. **Mr. White:** To ask the Secretary of State for Trade and Industry what steps he is taking to ensure fair and open competition between companies in the United Kingdom. [86516]

Mr. Ian McCartney: The Competition Act 1998 will introduce tough new powers to deal with anti-competitive agreements and abuses of market dominance when its main provisions are brought into force on 1 March 2000. These include strong powers of investigation, a power to take interim measures where necessary pending the completion of an investigation, powers to direct undertakings to bring infringements to an end and powers to impose penalties for breaches of the prohibitions. The Director General of Fair Trading has the main responsibility for enforcement of the new Act and extra resources have been provided to the Office of Fair Trading for that purpose.

British Manufacturers

22. **Mr. Mitchell:** To ask the Secretary of State for Trade and Industry how he plans to improve the international competitiveness of British manufacturers. [86517]

Mr. Ian McCartney: The 77 commitments of Government action in the Competitiveness White Paper published last December are aimed at increasing the competitiveness of all business and many are directly relevant to manufacturers. Fifteen commitments have already been delivered and work is well underway on all the others, which collectively represent a long-term agenda for Government and industry. Manufacturing will play a key role in this work.

European Directives (Business Costs)

23. **Mr. Brady:** To ask the Secretary of State for Trade and Industry what estimates his Department has made of the cost of the *(a)* social chapter's parental leave directive, *(b)* works councils directive and *(c)* part-time work directive to British business. [86518]

Mr. Ian McCartney: The Regulatory Impact Assessment for the Employment Relations Bill estimated the recurring compliance costs to business of the Parental Leave to be £28.8 million.

A Compliance Cost Assessment was attached to the Explanatory Memoranda submitted to this House and another place on 28 October 1997 in relation to the European Works Councils Directive. The Government are carrying out further work to update and refine those estimates which will be published shortly as part of a consultation exercise on the implementation.

A Compliance Cost Assessment was attached to the Explanatory Memorandum submitted to this House on 17 March 1998 in relation to the part-time work directive. As stated in the Regulatory Impact Assessment for the Employment Relations Bill, there is evidence to suggest that discrimination is not wide

spread and costs should therefore be low. A Regulatory Impact Assessment will accompany the draft Regulations.

National Minimum Wage

24. **Mr. Plaskitt:** To ask the Secretary of State for Trade and Industry what plans he has to ensure the prosecution of employers paying their staff less than the national minimum wage. [86519]

Mr. Ian McCartney: The Inland Revenue enforce the national minimum wage on behalf of this Department. Inspectors have powers to inspect records and to issue enforcement and penalty notices. They can prosecute the worst offenders for the criminal offence of 'refusal or wilful neglect' to pay the minimum wage, and for offences relating to record keeping and obstruction of officers. The decision to prosecute in a particular case will be a matter for the Revenue.

Enforcement Officers respond to complaints from workers and from other employers, and will shortly begin targeted inspections of low-paying employers.

25. **Mr. Rammell:** To ask the Secretary of State for Trade and Industry if he will make a statement on his actions to enforce the minimum wage. [86521]

Mr. Ian McCartney: The Secretary of State has made arrangements with the Inland Revenue to enforce the national minimum wage on behalf of this Department. Enforcement is carried out through a helpline, a compliance co-ordination team and by a network of minimum wage inspectors in the regions.

Officers respond to complaints from workers and employers, and will shortly begin proactive inspections of low-paying employers.

E-commerce

26. **Miss McIntosh:** To ask the Secretary of State for Trade and Industry if he will make a statement about Government proposals in respect of encryption in electronic commerce. [86522]

Mr. Wills: Encryption technology, whether used for authentication or confidentiality purposes, has a significant role to play in the emerging importance of electronic business and electronic government. I intend to give a boost to the use of these important technologies in the legislation on electronic commerce I will shortly bring before the House.

27. **Mr. McWilliam:** To ask the Secretary of State for Trade and Industry if he will make a statement on his plans to regulate electronic commerce. [86523]

Mr. Wills: I am pleased to say our recent consultation—Building Confidence in Electronic Commerce—announced by my right hon. Friend the Secretary of State for Trade and Industry on 5 March 1999, *Official Report*, columns 928–29, resulted in over 240 responses, from industry and other interested parties.

The Government intend to introduce legislation on electronic commerce during the current session.

British Steel Industry

28. **Mr. MacShane:** To ask the Secretary of State for Trade and Industry if he will make a statement on recent developments in the British steel industry. [86525]

Mr. Battle: The UK steel industry remains one the most productive and competitive in the world.

If my hon. Friend's question refers to the recent announcement by British Steel that it intends to merge with the Dutch steel producer, Koninklijke Hoogovens, I should advise him that the proposed merger is likely to be subject to European competition rules. Given the UK's part in any competition investigation, it would be inappropriate for me to comment further.

British Aerospace

29. **Mr. St. Aubyn:** To ask the Secretary of State for Trade and Industry what discussions he has had with British Aerospace on future prospects for the aircraft industry; and if he will make a statement. [86527]

Mr. Battle: I and my officials maintain regular contact with British Aerospace and other companies involved in the aerospace and defence industries. Indeed I was happy to attend the Paris Air show earlier this week when I enjoyed constructive discussions with many of industry's key players. Our discussions cover a wide range of issues relevant to the future success of these sectors, including the need to play a leading role in international restructuring and to maintain global competitiveness.

Manufacturing Competitiveness (English Regions)

30. **Mr. Simon Hughes:** To ask the Secretary of State for Trade and Industry what steps he is taking to increase the *(a)* export success and *(b)* manufacturing competitiveness of the English regions. [86528]

Mr. Wills: The Competitiveness White Paper published last December set out 77 commitments for Government action aimed at increasing the export success and competitiveness of all businesses, including manufacturing, throughout the UK. We recognise that each region has different needs. The Regional Development Agencies have therefore been asked to identify measures in their forthcoming economic strategies which are aimed at improving business competitiveness. I have made funds available to Regional Development Agencies to address the priorities they identify. Pending the establishment of the London Development Agency next year, my Department is supporting similar work being undertaken by the London Development Partnership.

British Trade International, the new unified DTI/FCO operation for trade promotion, will place greater emphasis on effective delivery of export services in the English regions. The regional and local network, currently in Government Offices and Business Links, will be integral to the new service and under the effective control of the Chief Executive, Sir David Wright. British Trade International will work closely with the Small Business Service and Regional Development Agencies as the new trade promotion organisation takes shape.

I have also given my backing to the CBI's "Fit for the Future" campaign which aims to help to improve business competitiveness by the adoption of "best practice" techniques.

Small Business Service

31. **Mr. Cotter:** To ask the Secretary of State for Trade and Industry what progress has been made in implementing the Small Business Service. [86529]

Mr. Wills: The Government announced their plans to set up the Small Business Service in the Budget statement. The Secretary of State for Trade and Industry reinforced this in his statement to the House on 10 March, 1999, *Official Report*, columns 367-69.

We will be publishing a consultation document shortly on the specific role and functions of the Small Business Service. I will be welcoming views from all interested parties.

Car Prices

Mr. Hoyle: To ask the Secretary of State for Trade and Industry if he will make a statement on progress made with his inquiry into UK car prices. [86496]

Dr. Howells: The Director General of Fair Trading referred the market for new cars to the Competition Commission on 17 March this year. The conduct of the inquiry is entirely a matter for the Commission. The Commission is due to report on 16 December; the Government await its conclusions with interest.

Ministerial Visit (USA)

Mr. Redwood: To ask the Secretary of State for Trade and Industry which companies the Minister for Science visited during his most recent visit to the USA; and what was discussed. [87034]

Mr. Battle: My noble Friend, Lord Sainsbury, visited Boston on 8–10 June as part of a fact-finding mission to examine the growth of biotechnology clusters and how Britain can improve its competitive position.

Details of all the organisations visited by my noble Friend and the accompanying team of leading business people and academics were set out in a DTI Press Notice of 8 June (P/99/45) which was sent to the right hon. Member. A copy of the DTI Press Notice was also provided automatically to the Library of the House.

Lead-free Solders

Mr. Randall: To ask the Secretary of State for Trade and Industry what financial assistance his Department has given to the Welding Institute in relation to research into lead-free solders. [87268]

Mr. Battle: The Department has no record of recent support having been given to the Welding Institute, TWI as it is now known, to carry out such research but in the past my Department has given considerable support to TWI for research work in many areas.

Tin

Mr. Randall: To ask the Secretary of State for Trade and Industry what plans his Department has to aid the International Tin Research Institute in its development of *(a)* the use of tin as an alternative to lead-based products and *(b)* lead-free solders [87267]

Mr. Battle: My Department has no current plans to provide assistance to the International Tin research institute to develop either the use of tin as an alternative to lead-based products or lead-free solders. There is no sound scientific evidence, or comprehensive analysis, that clearly shows a need to replace uses of lead with tin but I am aware there are some environmental concerns about the continuing use of lead-based solders in electrical and electronic equipment.

TUPE

Mr. Rendel: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of public sector employees who may be eligible for compensation because of the delay in implementing the Transfer of Undertakings (Protection of Employment) Regulations. [87279]

Mr. Ian McCartney: This will depend on how many people can show that they suffered damage as a result of the breach of the Directive. Legal action was brought on behalf of 1,473 people. However, no statement has yet been made of any damage caused to any of them, or the circumstances in which it may have been caused, which could lead to a decision on whether they are due compensation.

Manufacturing Industry

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what action he plans to take to reduce the administrative burdens placed on manufacturing industry. [86910]

Mr. Battle: Earlier this month my right hon. Friend the Secretary of State announced a number of new measures to reduce burdens on business, including the manufacturing sectors. These measures include consultation on raising the audit threshold for companies and new guidance on the Working Time Regulations which will make it clear that for the vast majority of British businesses, existing documentation and systems already meet the record-keeping requirements. They are part of our ongoing effort to reduce burdens on business.

Small Employers (Payroll Service)

Mr. Anthony D. Wright: To ask the Secretary of State for Trade and Industry what plans he has for providing the payroll service for small employers, announced at the time of the Budget. [87068]

Mr. Wills: I have today published a consultation paper, 'Developing a Payroll Service for Small Businesses', which sets out our proposals for a new service to help small employers get to grips with running a payroll. Comments are being sought from a number of interested parties and the closing date for responses is Tuesday 7 September.

Copies of the consultation paper have been placed in the Libraries of both Houses.

Parental Leave Directive

Mr. Boswell: To ask the Secretary of State for Trade and Industry what evaluation he has made of the use by each member state of the European Union of the protective provisions for small businesses under the Parental Leave Directive. [87361]

Mr. Ian McCartney: Information we have been able to access suggests that there are some limited variations on some aspects of the provisions for small businesses across EC member states. For example, in Belgium, where there is a requirement to allow employees to take their leave on a part-time basis for six months, there is an exemption applying to companies with fewer than 10 employees. In the Netherlands, parental leave can be postponed in a small company if a replacement cannot be found.

Energy Use

Mr. Boswell: To ask the Secretary of State for Trade and Industry what research he has *(a)* commissioned and *(b)* evaluated into trends in energy use in the office and commercial business sectors. [87362]

Mr. Battle: My Department and the Department of the Environment, Transport and the Regions (DETR) have commissioned work on services sector energy consumption in recent years.

At the request of officials in my Department the Building Research Establishment (BRE) has been commissioned to investigate methods for estimating energy consumption in the office and commercial business sectors. The report on this work is in progress and is expected to be completed during the summer of 1999.

In order to assess the pattern of energy end uses and what emission reductions may be achieved to tackle climate change the DETR has commissioned BRE to carry out work to improve the understanding of energy use in non-domestic buildings. This ongoing project resulted in the publication in January 1998 of the "Non-Domestic Building Energy Fact File". The results of this project underpin the work described in the previous paragraph.

Statisticians in DTI have produced an analysis of trends in services sector energy consumption. This provided information for the private commercial sector as a whole and was published in December 1997 by the Stationery Office in "Energy Paper 66: Energy Consumption in the United Kingdom". Information on services sector energy consumption is also routinely published in the "Energy Report Volume 2" and in the "Digest of United Kingdom Energy Statistics".

British Nuclear Fuels

Mr. Chaytor: To ask the Secretary of State for Trade and Industry how much his Department has spent in each of the last five years in supporting British Nuclear Fuels plc's efforts to secure foreign contracts (i) in total and (ii) for the reprocessing of spent nuclear fuel in the United Kingdom. [86967]

Mr. Battle: There is no specific financial assistance for BNFL to support its efforts to secure foreign commercial contracts.

EU Structural Funds

Mr. Andrew George: To ask the Secretary of State for Trade and Industry what plans he has to ensure that adequate match funding arrangements are in place in Objective 1 areas. [86508]

Mr. Wills: Match funding will continue to be the responsibility of the grant applicant. This ensures local ownership and commitment to the projects. There are numerous possible sources for match funding including local authorities, TECs, government schemes, the voluntary sector and also the private sector. Organisations such as the European Investment Bank can make loans to local authorities for use as match funding. In some areas innovative loan and equity funds such as the Merseyside Special Investment fund have been set up to draw in resources from commercial banks.

NORTHERN IRELAND

Mrs. Rosemary Nelson

Mr. Corbyn: To ask the Secretary of State for Northern Ireland how many officers of what ranks and from which police force make up the inquiry team into the murder of Mrs. Rosemary Nelson. [85452]

Mr. Ingram *[holding answer 25 May 1999]:* The make-up of the team investigating Rosemary Nelson's murder is a matter for Deputy Chief Constable, Colin Port. He is leading the investigation. The Chief Constable of the Royal Ulster Constabulary has given him authority to draw together whatever team he requires. The number of officers making up the inquiry team varies as the needs of the investigation dictate. Officers from up to nine police forces, other than the Royal Ulster Constabulary, have been involved in this investigation.

Mr. Corbyn: To ask the Secretary of State for Northern Ireland if the Royal Ulster Constabulary sought the permission of Mr. Paul Nelson, husband of the late Rosemary Nelson, before publishing on the RUC web site, the home address of the Nelson family. [85454]

Mr. Ingram *[holding answer 25 May 1999]:* The RUC judged it as essential to give these details, which were already in the public domain, to attract possible witnesses with the aim of catching those responsible for murdering Mrs. Nelson.

Housing

Mr. McNamara: To ask the Secretary of State for Northern Ireland what rules and guidelines govern the decision-making process of the Northern Ireland Housing Council in its nominations to the board of the Northern Ireland Housing Executive; what was the breakdown of those nominated by *(a)* perceived community origin and *(b)* gender in each year that nominations have been made; and what actions she will take to promote parity of esteem and equality in this area. [87170]

Mr. Paul Murphy *[holding answer 16 June 1999]:* Under paragraph 1 of Schedule 1 to the Housing (Northern Ireland) Order 1981, three members of the Northern Ireland Housing Executive (the Executive) shall be persons nominated by the Northern Ireland

Housing Council (the Council) from its members. Under paragraph 2 of Schedule 2 of the same Order, the Council may regulate its own proceedings.

Since its inception in 1973, except in 1995 when an SDLP member, perceived to be from the minority community was nominated, the Council has always nominated Unionist members, who are perceived to be from the majority community. In 1996, the first woman member, perceived to be from the majority community, was nominated for appointment, was re-nominated in 1997, and served until the Department received notification of her resignation on 2 June 1998, to stand in the election to the new Northern Ireland Assembly. In 1998, all three nominations were male, perceived to be from the majority community.

Draft legislation in preparation would allow the Department to regulate the nomination process in order to achieve a broader balance. Progress of any legislation will, however, be a matter for consideration by the devolved Administration.

Parades Commission

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to her answer to the hon. Member for Lagan Valley (Mr. Donaldson) of 29 March 1999, *Official Report*, column *479*, if she will provide a breakdown of the moneys spent under the heading, media and publicity advice and services, listing the consultancies and individuals providing services and the moneys received by each and describe the process of selection of consultants and purchased services. [87169]

Mr. Ingram *[holding answer 16 June 1999]: (a)*

£

Item (financial years 1997–98 and 1998–99)	*Amount*
Fees	103,170.90
Expenses	3,683.70
Printing	2,353.97
Work relating to the website/database	5,544.23
Hire of locations (for press conferences, etc.)	3,511.72
Transportation (Commission briefings in USA)	2,466.27
Sundries	1,595.73
Total	122,326.52

(b) The Media Adviser contracted to the Parades Commission is Gordon Corporate Communications Ltd. The firm arranges for all the Commission's work relating to media and publicity advice and services, sub-contracting work as necessary.

(c) The Parades Commission uses the services of the Government Purchasing Agency in establishing contracts for the provision of goods and services. Standard procedures are used for all aspects of the contracting process.

Reconciliation (Funding)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what plans she has to meet the Irish Prime Minister to agree a joint British-Irish funding body for organisations involved in reconciliation between Northern Ireland and the Republic of Ireland. [86151]

Marjorie Mowlam: None. I refer the right hon. Gentleman to the reply given to him by the Under-Secretary, my hon. Friend the Member for Dumbarton (Mr. McFall) on 15 June 1999, *Official Report*, column *67*.

Nursery Units

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland at which locations nursery units have been provided under the first tranche of the childhood funds; how many of these units are associated with the Council of Catholic Maintained Schools; and what assessment she has made of the extent to which the EU peace package for peace and reconciliation is being used for cross-community nursery units. [86312]

Mr. McFall: 19 nursery units have been provided in the following locations:

West Winds Primary School, Newtownards
Kilcooley Primary School, Bangor
Old Warren Primary School, Lisburn
Bushmills Primary School
Harpur's Hill Primary School, Coleraine
St. James' Primary School, Whiteabbey
St. John's Primary School, Carnlough
College Farm Nursery School, Armagh
St. Patrick's Primary School, Newry
St. Patrick's Primary School, Dungannon
St. Patrick's Primary School, Crossmaglen
St. Patrick's Primary School, Cullyhanna
St. Joseph's Primary School, Newry
Barrack St. Boys Primary School, Strabane
St. Ronan's Primary School, Lisnaskea
St. Patrick's Primary School, Castlederg
Ashlea Primary School, Londonderry
Enniskillen Nursery School
Glendermott Primary School, Londonderry

Twelve of the units are located at schools in the Catholic-maintained sector.

All nursery provision is open to all children regardless of religious denomination and a number of the projects under tranche 1 of the EU Peace and Reconciliation Programme have been approved with the specific aim of making cross-community provision. Several have been developed on neutral sites and through partnerships in order to secure places which can be attended by children from all religious backgrounds, and management structures have been established to reflect this.

DEFENCE

Warships

Mr. Hancock: To ask the Secretary of State for Defence when *(a)* HMS Fearless and *(b)* HMS Intrepid will be taken out of service; and if he will make a statement. [85961]

Mr. Doug Henderson *[holding answer 8 June 1999]*: On current plans, Fearless and Intrepid are due to be payed-off in 2001 and 2002, respectively. However, the pay-off dates are linked to the acceptance of the LPD(R)s,

the replacement vessels, HMS Albion and HMS Bulwark. In the light of delays to the LPD(R)s, the pay-off dates for Fearless and Intrepid are under review.

Mr. Hancock: To ask the Secretary of State for Defence how much has been spent on HMS Brave over the last two years; what is the cost of holding her in a state of extended readiness over the next 12 months; and if he will make a statement. [86372]

Mr. Spellar: Maintenance work on HMS Brave in the two years to June 1999 has cost about £1.9 million. This includes the cost of preparations for extended readiness and the cost of the tow from Devonport to Portsmouth where the ship is now berthed. The estimated cost of maintaining HMS Brave at extended readiness for the next 12 months is about £0.4 million.

Medical Officers Pay

Mr. Reed: To ask the Secretary of State for Defence if he will make a statement about the pay of medical and dental officers in the armed forces. [87664]

Mr. George Robertson: The Armed Forces Pay Review Body has made recommendations on the pay of medical and dental officers in the armed forces. In view of the particular retention difficulties in the Defence Medical Services, the Review Body recommends that all medical and dental officers should receive a general 4.5 per cent. increase in basic pay. The Review Body also recommends, in order to achieve greater comparability with equivalent personnel in the NHS, an increase to Trainers' Pay and the activation of a Distinction Award scheme.

The Government have decided to accept the Review Body's recommendations and these will be payable in full from 1 April 1999.

LORD CHANCELLOR'S DEPARTMENT

Family Law Act 1996

Dr. Stoate: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the Government's plans to implement Part II of the Family Law Act 1996. [87637]

Mr. Vaz: The Government will not now implement Part II of the Family Law Act 1996 in 2000. Before implementing Part II, the Government must be satisfied that the new arrangements for divorce which it would put in place will work. The pilot projects which have been run to test the provision of information meetings under Part II were concluded at the end of May. The preliminary research results are disappointing, in view of the Government's objectives of saving saveable marriages and encouraging the mediated settlement of disputes. A summary of the research results so far will be published today, and copies will be placed in the Libraries of both Houses. The full research results from the pilots will not be ready until early next year, when the Government will consider whether further research is necessary.

The Government will therefore bring forward amendments today to the Welfare Reform and Pensions Bill currently before Parliament to ensure that its pension sharing provisions can take effect under the existing divorce law or under the divorce law as reformed by Part II of the Family Law Act. A set of supplementary explanatory notes for the Bill will be available from today.

SCOTLAND

Human Rights Act 1998

Sir Robert Smith: To ask the Secretary of State for Scotland what steps the Government have taken to ensure that the Judiciary and the Procurator Fiscal Service is equipped to deal with the implementation of the Human Rights Act 1998; what material has been produced to assist with this process; and if he will place copies of it in the Library. [86209]

Dr. Reid *[holding answer 15 June 1999]:* The Judicial Studies Committee established in 1997 under the Chairmanship of the right hon. Lord Ross has undertaken a comprehensive programme of training on human rights issues for all Judges, Sheriffs Principal, Sheriffs and Temporary Sheriffs. This includes the provision of specially commissioned briefing material, texts and reports produced by commercial publishers and a series of seminars held at various locations for all Judges and Sheriffs, with particular emphasis on the human rights issues arising immediately in Scotland as a result of the Scotland Act 1998. The normal programme of Court business has been adjusted to allow attendance at these events. Following the Government's recent announcement of the commencement date of the Human Rights Act 1998, the Judicial Studies Committee will shortly be embarking on the detailed planning necessary to ensure that appropriate further Judicial education is provided in good time before that date.

The Lord Advocate is responsible for the Procurator Fiscal Service. His Department is now trained and equipped to deal with the implementation of the Human Rights Act 1998. Early last year his officials prepared a detailed action plan for his Department on implementation of Convention rights in Scotland. A full time Working Group of 4 senior lawyers was established in June 1998 and has conducted a comprehensive review of prosecution policy and practice in Scotland. The most extensive training exercise in the history of the Department commenced in February 1999 and was completed on 3 June 1999 with all lawyers in the Department receiving three days training on the European Convention on Human Rights, the Scotland Act and the Human Rights Act. Further practical workshops and training for support staff will take place during the summer of 1999 and the Human Rights Act will, in future, form part of the core training of all prosecutors in Scotland. This training was accompanied by detailed and extensive training material and guidance. The materials produced for the Procurator Fiscal Service contain prosecution policy and are confidential.

Since 20 May 1999 prosecution in Scotland is a matter for the Scottish Parliament.

The other matters will also be for that Parliament from 1 July 1999.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Scotland how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87318]

Dr. Reid: Since 15 April, thirty-two parliamentary questions have been tabled to my Department for answer on a named day. Of these, forty-seven per cent. received a substantive reply on the nominated day.

Ministerial Responsibilities

Mr. David Stewart: To ask the Secretary of State for Scotland what effect devolution will have on ministerial responsibilities for forestry. [87666]

Dr. Reid: From 1 July 1999, Scottish Ministers in the Scottish Parliament will have responsibility for forestry in Scotland, the National Assembly for Wales will have responsibility for forestry in Wales, while the Minister of Agriculture, Fisheries and Food will continue to have responsibility for forestry in England.

The Prime Minister has agreed that the Minister of Agriculture, Fisheries and Food will also, from 1 July, assume responsibility for forestry issues affecting Great Britain as a whole. The Minister will, of course, consult Scottish Ministers and the National Assembly on such matters.

My right hon. Friend the Secretary of State for Northern Ireland has responsibility for forestry in Northern Ireland.

AGRICULTURE, FISHERIES AND FOOD

Agriculture Council

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 14–15 June; and if he will make a statement. [87373]

Mr. Nick Brown: I represented the United Kingdom at a meeting of the European Union Agriculture Council in Luxembourg on 14–15 June.

Concluding a negotiation launched under the UK Presidency last year, the Council reached a unanimous landmark agreement (Spain abstaining) on battery cages for laying hens, the farming system which is most heavily criticised on grounds of animal welfare. From 1 January 2003, any new battery cages must meet new and more welfare-friendly standards. Conventional battery cages will be banned altogether after the end of 2011.

One of my aims was to accommodate non-cage systems of the kind which many UK producers have voluntarily adopted out of concern for animal welfare, and I am pleased to have secured terms which will allow producers who have such systems to keep them, without significant change also until 31 December 2011.

I regard it as important that, as we raise standards of animal welfare in the European Union, our producers should not be undermined by producers in third countries operating on lower standards. This week's agreement includes a firm undertaking from the Commission to seek wider international agreement on animal welfare standards in the next round of World Trade Organisation negotiations which starts early next year.

The Council also reached unanimous agreement on standards for organic livestock, ending nearly three years' discussion. Consumers and producers will benefit from knowing that all livestock products sold as organic must in future conform to a minimum set of requirements applicable throughout the EU. It remains open to each member state to set stricter (but not less strict) standards for its own producers. I intend that there should be early discussion between Government and UK organic farming organisations about the implementation of the new rules.

In the light of the problem of dioxin contamination in Belgium, the Council agreed on the urgent need to improve the monitoring and control of foodstuffs, and in particular invited the Commission to carry out a thorough review of feedingstuffs legislation and labelling.

The Council also agreed the 1999 CAP price proposals by qualified majority, Italy voting against. This largely prolongs the status quo for the 1999–2000 marketing year, in advance of the Agenda 2000 price cuts beginning next year. As part of the deal, I secured an important Commission commitment to allow member states to apply more flexible set-aside rules where this brought environmental benefits, as well as their agreement to correct an anomaly which prevented fruit and vegetable producer groups including non-grower members on their Boards.

Ministers also registered the importance they attach to milk consumption by school children and undertook to reflect further on how to encourage such consumption in a cost-efficient way.

Genetically Modified Crops

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food when the report on organic farming and gene transfer from genetically modified crops commissioned from the John Innes Centre will be published. [87296]

Mr. Rooker: The report is being published today. Copies have been placed in the Library.

Quarantine

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* the criteria he used to exempt the pet of William Dowell from quarantine and *(b)* the powers under which the exemption was granted. [86629]

Mr. Rooker: This is a wholly exceptional and very tragic case, and in the circumstances it would have been heartless not to make an exemption from the quarantine rules.

The power to be used is contained in Article 2(1) of the Animals (Miscellaneous Provisions) Order of 1927 (SR & O 1927, No. 290).

Common Fisheries Policy

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will list total United Kingdom

permitted landings, in tonnes, of fish under the present Common Fisheries Policy distributions; and if he will estimate discards, by tonne, of each fish type in the past 12 months. [86730]

Mr. Morley: The United Kingdom's quota share of the Total Allowable Catch (which need not be landed in the UK) for 1999 is set out in the table:

Tonnes

Stock and ICES reporting area	*1999 UK quota*
Sandeels IIa, IV	20,000
Herring I, II	25,190
Herring IVa, b	40,570
Herring IVc, VIId	1,693
Herring Vb, VIaN, VIb	39,240
Herring VIa (Clyde)	1,000
Herring VIIa	4,880
Herring VIIe, f	500
Herring VIIg-k	30
Herring IIa, IV Industrial by catch	550
Cod IIa, IV	56,260
Cod Vb, VI, XII, XIV	5,690
Cod VIIa	1,585
Cod VIIb-k, VIII, IX, X	1,570
Megrim IIa, IV	2,880
Megrim Vb, VI, XII, XIV	1,520
Megrim VII	3,210
Dab and Flounder IIa, IV	2,590
Anglers IIa, IV	17,960
Anglers Vb, VI, XII, XIV	2,650
Anglers VII	4,800
Haddock IIa, IV	57,045
Haddock Vb, VI, XII, XIV	15,110
Haddock VII, VIII, IX, X	2,220
Haddock VIIa	2,390
Whiting IIa, IV	24,590
Whiting Vb, VI, XII, XIV	4,060
Whiting VIIa	1,720
Whiting VIIb-k	2,680
Hake IIa, IV	350
Hake Vb, VI, XII, XIV	5,550
Lemon sole and Witch IIa, IV	7,330
Blue Whiting IIa, IV	1,070
Nephrops IIa, IV	13,165
Nephrops Vb, VI	12,305
Nephrops VII	7,545
Plaice IIa, IV	28,070
Plaice Vb, VI, XII, XIV	1,450
Plaice VIIa	885
Plaice VIId, e	2,150
Plaice VIIf, g	205
Plaice VIIh, j, k	170
Pollack Vb, VI, XII, XIV	400
Pollack VII	2,960
Saithe IIa, IIIb, c, d IV	8,830
Saithe Vb, VI, XII, XIV	3,125
Saithe VII, VIII, IX, X	1,350
Turbot and Brill IIa, IV	1,390
Skates and Rays IIa, IV	3,920
Mackerel IIa (EC) III, IV	1,390
Mackerel IIa (non EC), Vb, VI, VII, VIIIa, b, d, e, XII, XIV	165,480
Sole II, IV	945
Sole Vb, VI, XII, XIV	30
Sole VIIa	200
Sole VIId	905
Sole VIIe	410
Sole VIIf, g	270
Sole VIIh, j, k	120
Sprat IIa, IV	5,900
Sprat VIId, e	6,300
Horse mackerel IIa, IV	5,840
Horse mackerel Vb, VI, VII, VIIIa, b, c, d, e, XII, XIV	25,310

International Council for the Exploration of the Sea

Information on discards is not collected on a comparable stock by stock basis. From research work involving observers on fishing vessels, scientists estimate that the level of discarding varies according to number and age of fish available, season, mesh size used and anticipated market conditions as perceived by fishermen. We understand that discarding tends to be very low for pelagic species and for some demersal fish such as sole but can be significantly higher for gadoids such as cod, haddock and whiting.

MAFF is contributing funds to an international project to study the economic causes of discarding at sea and to consider alternative management measures to reduce discarding in EU fisheries. The majority of fish discarded is undersize or considered uneconomic.

Sandeels

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy towards sandeel conservation; what are the present estimated total stocks in UK waters; and what is the present allowable catch. [87342]

Mr. Morley: I remain concerned to ensure that an appropriate Total Allowable Catch is established each year for sandeels. I am also concerned to ensure that effective conservation measures are put in place to ensure that sandeels are available to those sea birds that depend on them at certain times of the year.

Figures for estimated total sandeel stocks in UK waters are not available. The main sandeel fishery off the UK is in the North Sea. In October 1998 the International Council for the Exploration of the Sea advised that the North sea spawning stock biomass of this short lived species stood at 1.8 million tonnes. On this advice the Council of Ministers set a Total Allowable Catch of 1 million tonnes. A further 7,000 tonnes may be taken in the tightly regulated local fishery at Shetland.

CULTURE, MEDIA AND SPORT

Communications Regulation

Judy Mallaber: To ask the Secretary of State for Culture, Media and Sport how the Government are implementing the proposals in the Green Paper regulating communications, approaching convergence in the information age. [87773]

Mr. Chris Smith: My right hon. Friend the Secretary of State for Trade and Industry and I have today published a report 'Regulating Communications: The Way Ahead', setting out the way forward on the regulation of the converging industries.

The Government's proposals for an evolutionary approach to the regulation of the converging communication sectors to take account of convergence proposed in last July's Convergence Green Paper received widespread support in the consultation it initiated.

The new statement makes clear the Government's determination to ensure that the UK can take advantage of the opportunities convergence of telecommunications, broadcasting and informatio chnology will bring. It shows how the Government are adapting the UK's regulatory framework to take account of changes in markets and technology, notably through modernisation and strengthening of competition law and deepening co-operation between OFTEL, the ITC and the Office of Fair Trading.

Changes in these fast moving markets will eventually amount to a transformation and so demand new approaches to regulation to achieve policy goals. But the pattern and timing are far from clear. Our rejection of a big bang approach to reforming communications regulation in favour of the evolutionary approach outlined in last year's Convergence Green Paper has received widespread support. Most of those who commented supported this approach, recognising the uncertainties about the pace and direction of change. We believe that the changes we have made and continue to make will ensure that consumers and businesses alike are well served by flexible and effective regulation.

The document announces a number of important new initiatives to promote UK competitiveness and protect the consumer interest in the converging communications sectors. In particular it:

proposes new models for a reformed system of telecommunications regulation, including the possibility of ending licensing, to take account of the fact that we now have many different operators;

announces a detailed assessment of the regulation of commercial TV broadcasting to ensure that the differences in regulation between different commercial broadcasters are no more than is necessary to protect the public interest;

sets out a number of measures to take account of developments in commercial radio broadcasting;

details the steps to be taken in implementing the lifting of restrictions on BT's provision of entertainment services including the amendment of local cable licenses to remove "build obligations" in certain circumstances.

Copies of the report have been placed in the Libraries of the House.

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. Stinchcombe: To ask the Attorney-General what steps have been taken to implement Recommendations 4 and 9 of the Review of the Crown Prosecution Service in respect of research on discontinuances and downgrading of charges by the CPS. [86908]

The Solicitor-General: Recommendations 4 and 9 of the Glidewell Report are being considered by the CPS with the inter-agency Criminal Justice Information Working Group. The first part of Recommendation 9 was accepted by the Government in November 1998, and has been implemented. The Attorney-General will be announcing the Government's decisions on Recommendation 4 and the second part of Recommendation 9 later this month as part of a wider statement on the Glidewell Report.

HOME DEPARTMENT

CS Spray

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many people required hospital treatment following the application of CS spray by a police officer in the most recent year for which figures are available. [87347]

Mr. Boateng: This information is not maintained centrally and could be obtained only at disproportionate cost. Arrangements are being made by the Association of Chief Police Officers to gather information from forces on the use of CS spray, as part of their monitoring of police use of force.

Carnivals (Police Cover)

Mr. Bob Russell: To ask the Secretary of State for the Home Department what instructions he has issued to police forces on providing police cover for carnival processions. [87357]

Mr. Boateng: None. The assessment of the policing needs of carnivals and similar events is an operational matter for chief officers of police, who will generally consult event organisers, local authorities and other agencies.

The Association of Chief Police Officers issued advice and guidance on public safety at organised events in April 1999, which recommends a multi-agency approach to public safety issues.

Jury Trial

Mr. Stinchcombe: To ask the Secretary of State for the Home Department (1) of the defendants who exercised their right to elect jury trial in 1998, how many were *(a)* acquitted in the Crown Court of all the charges against them, *(b)* convicted in the Crown Court following a jury trial and *(c)* convicted in the Crown Court on pleas of guilty and without going to jury trial; [86909]

(2) in respect of the most recent period for which information is available, what proportions of defendants tried in the Crown Court following election for jury trial were *(a)* acquitted, or otherwise not convicted, in relation to all of the charges against them, *(b)* convicted, following jury trial, on all or some of the charges against them and *(c)* convicted, following pleas of guilty, and without going to jury trial, on all or some of the charges against them; [86960]

(3) in respect of the most recent period for which information is available, what proportions of defendants convicted in the Crown Court following an election for jury trial were *(a)* convicted on all of the same charges with which they were originally charged and *(b)* convicted of fewer or lesser charges than those with which they were originally charged. [86961]

Mr. Boateng: This information is not collected centrally.

Age of Consent

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department what discussions he has

had with the Scottish Executive to ensure that any changes to legislation relating to the age of consent in Scotland are introduced and proceeded with simultaneously in the House of Commons and the Scottish Parliament. [87172]

Mr. Straw: I have discussed this issue with my right hon. Friend the Scottish First Minister. This is a devolved issue, but one which is complicated by the consideration being given by the United Kingdom Government to the use of the Parliament Acts 1911 and 1949. I fully support the conclusions reached on this by the Scottish Executive, as set out in the First Minister's statement to the Scottish Parliament on 9 June 1999, *Official Report of the Scottish Parliament*, columns 358–60, in which he said:

"The Sexual Offences (Amendment) Bill is a United Kingdom measure designed to equalise the age of consent for homosexuals and heterosexuals, and to introduce a new offence of abuse of trust. It was introduced to the Westminster Parliament in December last year and defeated in the House of Lords in April this year. The United Kingdom Government is likely to reintroduce the Bill, making use of the Parliament Acts to ensure its passage. That means that the Bill that is re-introduced would have to be identical to the one that was defeated. Therefore, even if it were thought desirable, it will not be possible to remove Scotland from the Bill's scope if the Parliament Acts are invoked. Until the United Kingdom Government and Parliament have concluded the existing legislative process, it is logical to regard it as unfinished Westminster business. However, these are devolved matters of some sensitivity. It is essential that this Parliament should have the opportunity to debate the Scottish provisions of the Bill. We shall therefore provide for a debate in Executive time. I and my colleagues in the Executive will argue in that debate that the powers under the Parliament Acts should be used if that is thought appropriate by the United Kingdom Government. We have reached that conclusion in the knowledge that this Parliament will have the power, if it so wishes, to amend or repeal any Scottish provision enacted by the passage of the Sexual Offences (Amendment) Bill."

Firearms Compensation Scheme

Sir Peter Emery: To ask the Secretary of State for the Home Department (1) how much compensation has been paid out under Option A Code 3001 of the Firearms Compensation Scheme to *(a)* Firearms Certificate holders and *(b)* firearms dealers; and what proportion of the amount paid out under that part of the scheme this represents; [86905]

(2) how many claimants under Option A Code 3001 of the Firearms Compensation Scheme *(a)* are still awaiting payment and *(b)* have been paid, broken down by (i) Firearms Certificate holders and (ii) firearms dealers; [86906]

(3) how much compensation has been paid by the Firearms Compensation Scheme under the Large Calibre Handgun Compensation Scheme; [86907]

Mr. Boateng: A total of £80.87 million has been paid in compensation under the large calibre scheme. Of this, £51,450 has been paid to 536 firearm certificate holders and £1.23 million has been paid to 475 registered firearms dealers under Option A Code 3001 of the scheme. These payments represent 9.2 per cent. of the total paid under Option A. There should be no qualifying claims outstanding under this code.

Criminal Inquiries Compensation

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department how many claims were submitted to the Criminal Injuries Compensation Authority (i) in total and (ii) by the victims of rape and incest; and what percentage in each case were *(a)* processed, *(b)* awarded and *(c)* rejected, in each of the last five years. [83266]

Mr. Boateng *[pursuant to his reply, 5 May 1999, c. 377–78]:* The figures for the total number of claims received under the criminal injuries compensation schemes in 1996–97 and 1997–98 should have read 75,414 and 77,743 respectively.

TREASURY

Foreign Exchange Executory Contracts

Mr. Maude: To ask the Chancellor of the Exchequer if he will make a statement on his policy with regards to longer term foreign exchange executory contracts following the judgment of the European Court in the First National Bank of Chicago case (Case C-172/96). [85678]

Dawn Primarolo: Following the judgment of the European Court in the First National Bank of Chicago case, policy is that all foreign exchange transactions are supplies of services. Where these transactions take place within the EU, the services are exempt from VAT and therefore taxpayers are not able to recover the VAT incurred on related costs. Where the transaction is with a party belonging outside the EU, however, the VAT incurred is recoverable. The recoverable amount is determined on a basis agreed between the taxpayer and Customs.

Financial Services and Markets Committee Reports

Mr. Sheerman: To ask the Chancellor of the Exchequer when the Government expects to respond to the first and second reports from the Joint Committee on Financial Services and Markets. [87669]

Ms Hewitt: The Government are today publishing their response to the Joint Committee's reports to coincide with the introduction of the Financial Services and Markets Bill in the House of Commons. Copies of the Government's response are available in the Vote Office and the Library of the House. It will also be published on the Treasury's Internet website (http://www.hm-treasury.gov.uk). The Government very much appreciate and welcome the work of the Joint Committee.

VAT

Mr. Maude: To ask the Chancellor of the Exchequer, pursuant to his answer of 8 June 1999, *Official Report*, column 289, on the European Court judgment in the First National Bank of Chicago case, how many claims HM Customs and Excise have received as a consequence of the judgment; and what is their total value. [86965]

Dawn Primarolo: As at 31 May 1999 Customs and Excise had received 64 claims with a total value of £36.8 million, excluding interest.

Mr. Maude: To ask the Chancellor of the Exchequer, pursuant to his answer of 8 June 1999, *Official Report*, column 289, on the European Court judgment in the First National Bank and Chicago case, how many claims

received from businesses as a consequence of the judgment HM Customs and Excise are monitoring; and what is the total value of the claims. [87023]

Dawn Primarolo: As at 31 May 1999 Customs and Excise had received and are monitoring 64 claims with a total value of £36.8 million, excluding interest.

Tobacco Smuggling

Mr. Gardiner: To ask the Chancellor of the Exchequer what discussions he has had with retailers about the losses sustained by their industry as a result of tobacco smuggling. [86500]

Dawn Primarolo: Customs continue to work with industry representatives on estimating the scale of tobacco smuggling and finding new ways to tackle the problem. Several retail trade associations contributed to the review of alcohol and tobacco fraud and smuggling published in July last year. The Government accepted the review findings and Customs are now progressing the recommendations in partnership with the trade.

Interest Rates

Dr. Harris: To ask the Chancellor of the Exchequer what representations he has received on the introduction of a statutory maximum interest rate. [86526]

Ms Hewitt: The Government gave the Bank of England operational independence to set interest rates to ensure the Government's commitment to low inflation is delivered in practice. Setting a maximum interest rate would limit the Bank of England's ability to meet the Government's inflation target.

EDUCATION AND EMPLOYMENT

Fair Trade Products

Ms Ward: To ask the Secretary of State for Education and Employment what plans he has to introduce fair trade products at *(a)* meetings, *(b)* events and *(c)* catering facilities within his Department. [82872]

Mr. Mudie: The Department of Education and Employment has sought prices for both fair trade and non-fair trade products from catering suppliers during a recent tender exercise. The Department will continue to do so. In line with Government procurement policy, the evaluation of tenders will take into account value for money considerations having due regard to propriety and regularity. Furthermore, we work closely with our current catering providers and encourage them to offer fair trade products as an option to customers in staff restaurants. Discussions are taking place to ensure that fair trade products are considered for inclusion in product specification sent out for tender.

Employment Service (New Deal)

Mr. Russell Brown: To ask the Secretary of State for Education and Employment what targets the Government have set the Employment Service in respect of the New Deal; and if the Employment Service has passed targets on to individual employment centres and New Deal advisers. [87294]

Mr. Andrew Smith: The Employment Service has been set a target of helping 100,000 young people into employment, through the New Deal, in this financial year. This national target is disaggregated to local Jobcentre level. Planning to meet local targets is the responsibility of each Jobcentre Manager, including, where appropriate, further disaggregation of office targets to New Deal personal Advisers.

DLA Claimants

Mr. Field: To ask the Secretary of State for Education and Employment if people in receipt of disability living allowance will be exempt from attending the ONE interview for the single work-focused gateway. [87280]

Mr. Andrew Smith: In twelve ONE pilot areas from April next year, subject to the passage of the Welfare Reform and Pensions Bill through Parliament, anyone of working age, who is working for less than sixteen hours per week and claiming one or more of the income replacement benefits listed in the Bill, will be required to participate in a work-focused interview as a condition of receiving that benefit. Disability Living Allowance (DLA) is not specified as one of these benefits, as it is not an income replacement benefit. Accordingly, this means that anyone receiving only DLA, and no other benefits, will not be required to participate in an interview. Claimants of DLA only will continue to claim directly via the regional Disability Benefits Centre.

WALES

Higher Education Funding

Mr. Barry Jones: To ask the Secretary of State for Wales what is the estimated increase in the budget for the current financial year, expressed in cash and percentage terms of the Higher Education Funding Council; and if he will make a statement. [86337]

Mr. Hain: The recurrent grant for the Higher Education Funding Council for Wales for 1999-2000 is £263.341 million. This represents an increase of £32.119 million (almost 14 per cent.) over 1998-99. In addition £5.362 million of capital has been provided to support the research and teaching infrastructure and to provide new teaching equipment.

The funding represents an excellent settlement for the Welsh higher education sector.

Responsibility for higher education funding will transfer to the National Assembly from 1 July.

Mr. Barry Jones: To ask the Secretary of State for Wales what representations he has received on higher education funding. [86342]

Mr. Hain: A very small number of representations have been received since my right hon. Friend the Secretary of State announced the funding allocation for higher education in Wales following the Comprehensive Spending Review.

The real terms increase in resources for the Welsh HE sector has been welcomed.

Responsibility for higher education funding will transfer to the National Assembly from 1 July.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Wales if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [86998]

Mr. Michael: The women's organisations consulted over proposed legislation during this session are: the National Federation of Women's Institutes, Welsh Women's Aid, Merched y Wawr and the Wales Assembly for Women. Some consultation exercises are ongoing. To date one response from Welsh Women's Aid has been published.

Consultation has also taken place with the Equal Opportunities Commission. This offered further opportunity for consulting women's organisations through the EOC's support of the Wales Women's National Coalition which is made up of representatives of women's organisations including, in addition to those mentioned above, Chwarae Teg, Mewn Cymru, Wales Women's Euro Network, and the Wales TUC Women's Advisory Committee.

The Welsh Office is committed to ensuring that its policies are inclusive and take account of the views and experience of those who will be affected by them. The National Assembly for Wales, through its Equalities Committee, will play a significant role in future, in co-orporation with the Office of the Secretary of State.

HEALTH

Tobacco Advertising Directive

Mr. Barron: To ask the Secretary of State for Health when he will publish the draft regulations to implement the Tobacco Advertising Directive 98/43/EC; and if he will make a statement. [87363]

Mr. Dobson: I have today published draft regulations to implement Directive 98/43/EC banning tobacco advertising and sponsorship. Copies will be placed in the Library.

CABINET OFFICE

Joint Consultative Committee

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if he will list the maximum and minimum durations of meetings of the Joint Consultative Committee and the number of agenda items in each case. [87036]

Dr. Jack Cunningham: Details of the proceedings of the Joint Consultative Committee are exempt from disclosure under the internal discussion and advice exemption of the "Code of Practice on Access to Government Information".

Written Questions

Mr. Brady: To ask the Minister for the Cabinet Office how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87320]

Dr. Jack Cunningham: Between the period of 15 April 1999–11 June 1999 there have been 21 named day parliamentary questions tabled to my Department, of which 90.5 per cent. received a substantive reply on the day specified.

FOREIGN AND COMMONWEALTH AFFAIRS

EU Charter of Rights

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library the Presidency draft of an EU Charter of Rights; and if he will make a statement. [86720]

Ms Quin: No such draft exists. The Cologne European Council agreed a declaration setting out the process for developing the Charter. An initial draft will be prepared over the next 18 months according to the process described in the Cologne Conclusions (Annexe N), which have been deposited in the Library.

Sudan

Mr. Green: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions the Government are taking to bring about a ceasefire in Southern Sudan; and if he will make a statement. [87607]

Mr. Hoon: During a visit by the late Minister of State, Derek Fatchett, to Nairobi and Khartoum last July, the SPLA and Government of Sudan agreed a three-month ceasefire in Bahr el Ghazal. This limited ceasefire has been extended and both parties again committed themselves to it at a recent meeting in Oslo.

Peace in the Sudan remains a priority. We shall continue to call for a comprehensive ceasefire in the Sudan and shall continue to be active in pursuit of peace, working closely with IGAD and the IGAD Partners Forum.

Arms Registration

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs when the United Kingdom submitted its 1998 return to the UN Register of Conventional Arms; and if copies of the return will be placed in the Library. [87101]

Mr. Tony Lloyd: The 1998 return to the UN Register of Conventional Arms, covering transfers during calendar year 1997, was submitted on 7 May 1998. The 1999 return, covering transfers in calendar year 1998, was submitted on 27 May 1999. Copies of both returns were placed in the Libraries of the House.

Iran

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will urge Iran to grant free and equal rights to all citizens. [87132]

Mr. Hoon: We and our EU partners regularly raise our concerns with the Iranian authorities over the plight of minorities in Iran, in particular the Baha'i community. We

will continue to press the Iranians for improvements. Our position was again made clear in the EU sponsored UN Commission on Human Rights resolution on Iran adopted in April.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the level of anti-semitism in Iran. [87129]

Mr. Hoon: Judaism, along with Christianity and Zoroastrianism are recognised religions under the Iranian constitution. The Jewish community are represented in the Iranian Parliament (Majles) by a Jewish MP who represents the community as a whole rather than a constituency and whose seat is reserved by the constitution. The Iranian authorities have frequently stated that they recognise Judaism but not Zionism, a position also adopted by the Iranian Jewish community. The Jewish community in Iran has shrunk to approximately 27,000 from around 100,000 since the revolution in 1979. Those remaining do so through choice and have experienced occasional problems mainly related to the clash of cultures between Judaism and Islam (Jewish shopkeepers wishing to open on the Islamic weekend and other similar incidents). We welcome President Khatami's statement following the recent arrests of members of the Jewish communities that he is responsible for individuals of very religious persuasion in Iran.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will urge the Government of Iran to state the conditions under which the group of thirteen Jews from Shiraz who have been arrested are being held. [87130]

Mr. Hoon: We have sought assurances that the detained will be treated fairly under Iranian law.

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to take concerning the arrest and proposed trial of 13 members of the Jewish community in Iran; and if he will make a statement. [87159]

Mr. Hoon: We and our EU partners are concerned at reports of the arrest of 13 Iranian Jews. The German EU Presidency on a visit to Tehran on 20 May expressed the concern of EU member states at these detentions. This was before news broke of the detainees being charged with espionage on 7 June. This will be followed up with an EU demarche to the Iranian Ministry of Foreign Affairs. We have also told the Iranians of our concern bilaterally, both in London and Tehran, and have pressed for the detainees to be treated fairly under Iranian law, as have many of our EU partners. We will continue to watch developments closely and will take further action as necessary.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what instructions he has given to the British Ambassador in Teheran concerning the situation of members of the Baha'i community in Iran. [87128]

Mr. Hoon: We and our EU partners regularly raise with the Iranian authorities our concerns over the plight of the Baha'i community in Iran. I most recently raise the issue with the Iranian Ambassador on 24 May. Last October our then Chargé (now Ambassador), with partners in the EU Troika, spoke to the Iranian Ministry of Foreign Affairs about two Baha'is under sentence of death. So far that action appears to have been effective in preventing those executions. He and his EU colleagues regularly report on human rights issues including the Baha'is. I discussed these issues with Barnabas Leith, the Secretary General of the Baha'i Community of the United Kingdom, when we met on 14 June.

British Nuclear Fuels Plc

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs how much his Department has spent in each of the last five years in supporting British Nuclear Fuels plc's efforts to secure foreign contracts (i) in total and (ii) for the reprocessing of spent nuclear fuel in the United Kingdom. [86966]

Mr. Hoon: My Department, working with the DTI as British Trade International, provides wide-ranging, non-discriminatory support for all British companies, provided their products and services are mainly of UK origin and are legal. That support ranges from tailored market information to high-level political lobbying and multilateral work to liberalise markets.

British Nuclear Fuels plc has, like other British exporters, benefited from Government export support. The international market within which it operates is framed by inter-governmental nuclear co-operation agreements covering the export of nuclear materials and contracts for the reprocessing of spent nuclear fuel in the United Kingdom. No charge is made for the work necessary to conclude these. Records of this work and other support are not collated centrally and cannot be quantified in the way requested.

Written Answers to Questions

Friday 18 June 1999

HOME DEPARTMENT

Passports

Mr. Coaker: To ask the Secretary of State for the Home Department what advice his Department gives to persons who *(a)* need a passport urgently and *(b)* have not received their passport and are due to travel in the immediate future. [86971]

Mr. Mike O'Brien: The Passport Agency is currently processing applications by customers' declared travel dates, and is meeting those dates for 99.99 per cent. of passports issued.

In circumstances where a passport has not been received and an applicant is travelling within four days, the Agency's advice is to attend personally at the office to which the application was made. This should not be left to the last day in case there are problems with the application.

Where the travel need is less pressing but still urgent my letter to hon. Members of 10 June gave contact telephone and fax numbers that should be used for urgent inquiries by passport applicants. Alternatively and as indicated in the Agency's any problems leaflet, applicants can write to Kevin Sheehan, the Agency's Director of Operations at Passport Agency Headquarters, Room 201, Clive House, Petty France, London SW1H 9HD.

The Agency's policy is to reimburse applicants if unsatisfactory service causes them additional expense, for example through having to call personally at a passport office.

Postal Votes

Mr. Hoyle: To ask the Secretary of State for the Home Department what assessment he has made of the incidence of doctors *(a)* refusing to authenticate applications for postal votes on medical grounds and *(b)* charging a fee for signing postal votes; and if he will make a statement. [87463]

Mr. George Howarth: There is no way in which such an assessment could be made. The legal position is that, under paragraph 37 and Schedule 9 of the National Health Service (General Medical Services) Regulations 1992, a doctor must issue certain certificates to his or her patients free of charge. These include attestations for absent votes, provided that they are required on grounds of physical incapacity. Anyone who has been charged a fee should in the first instance discuss the situation with the doctor concerned to determine if a refund is appropriate. If the matter cannot be resolved satisfactorily in this way, the patient should contact the local Family Health Services Authority, which has powers to investigate such complaints.

Ballot Papers

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department if he will list the statutory requirements which require the Electoral Roll number to be written on the ballot paper at elections; and if he will make a statement. [87504]

Mr. George Howarth: The provisions of Rule 37 of the Parliamentary Elections Rules (Schedule 1 of the Representation of the People Act 1983), which is also applied to European Parliamentary and local elections, requires a voter's electoral registration number to be written on the counterfoil of the ballot paper issued to that voter. Writing that number on the ballot paper would cause the voter to be identified. Under rule 47(1)(c), such a ballot paper would be liable to be declared void when the votes were counted.

Deportation Orders

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many deportation orders were enforced in May. [87011]

Mr. Mike O'Brien: The information requested is not currently available from central data sources and could be obtained only at disproportionate cost.

British Nationality Act 1981

Mr. Bob Russell: To ask the Secretary of State for the Home Department if he will amend the British Nationality Act 1981 to allow those born abroad to British women prior to 1 January 1983 to be deemed to have British nationality; and if he will make a statement. [87356]

Mr. Mike O'Brien: Since February 1979, minors born abroad to British mothers have been able to acquire British nationality on application. Those born after 1 January 1983 are automatically British citizens at birth. It was decided in 1981 not to make these changes retrospective. We have no plans to alter the position.

Cycling (Fixed Penalty Offence)

Mr. Bob Russell: To ask the Secretary of State for the Home Department when he plans to implement the fixed penalty offence of cycling on the pavement; and if he will make a statement. [87358]

Mr. Boateng: We intend that it will come into force in August this year.

NORTHERN IRELAND

Robert Hamill

Mr. McNamara: To ask the Secretary of State for Northern Ireland on what date investigators ordered a transcript of police radio messages in the Portadown area on the night of the attack on Mr. Robert Hamill; what measures have been taken to ensure the security of the original tape; if the transcript was made available to *(a)* prosecution lawyers and *(b)* defence lawyers, *(c)* the legal representatives of the Hamill family and *(d)* herself; and if she will place a copy in the Library. [86141]

Mr. Ingram *[holding answer 9 June 1999]:* The RUC have advised that the investigators obtained the original radio tape on 9 May 1997 and this was made available to the Director of Public Prosecutions as part of the RUC prosecution case. Transcripts were made available to the DPP and, under disclosure rules in criminal cases, to defence lawyers in the case R -v- Hobson. No transcripts have been made available to any other parties, including the Secretary of State's office. The original tape will be secured for future reference by the Chief Constable on its return to the RUC.

Mrs. Rosemary Nelson

Mr. McNamara: To ask the Secretary of State for Northern Ireland on what dates US Federal Bureau of Investigation personnel have been in Northern Ireland in connection with the investigation of the death of Rosemary Nelson; and what has been their role in the investigation. [86142]

Mr. Ingram *[holding answer 9 June 1999]:* I refer my hon. Friend to the reply I gave my hon. Friend the Member for Islington, North (Mr. Corbyn) on 16 June 1999, *Official Report*, column *140*.

Paramilitary Violence

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list for the week ended Saturday 5 June the number of violent incidents involving paramilitary groups which took place in Northern Ireland, indicating how many involved *(a)* Loyalist and *(b)* Republican groups. [87161]

Mr. Ingram: The number of security incidents during the period 30 May-5 June 1999 are shown:

	Number
Deaths	1
Shooting incidents	2
Bombing incidents	7

The number of casualties as a result of paramilitary-style attacks during the period are as follows:

	Loyalist	*Republican*
Assaults	2	2
Shootings	0	1
Total	2	3

Notes:

1. The shooting and bombing incidents cannot as yet be firmly attributed to a grouping.

2. Figures may be subject to minor amendment.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list for the week ended Saturday 29 May the number of violent incidents involving paramilitary groups which took place in Northern Ireland, indicating how many involved *(a)* Loyalist and *(b)* Republican groups. [87163]

Mr. Ingram: The number of security incidents during the period 23–29 May 1999 are shown:

	Number
Deaths	0
Shooting incidents	1
Bombing incidents	2

The number of casualties as a result of paramilitary-style attacks during the period are as follows:

	Loyalist	*Republican*
Assaults	0	0
Shootings	0	1
Total	0	1

Notes:

1. The shooting and bombing incidents cannot as yet be firmly attributed to a grouping.

2. Figures may be subject to minor amendment.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list for the week ended Saturday 29 May the number of *(a)* punishment beatings and *(b)* punishment shootings which took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups. [87164]

Mr. Ingram: The number of paramilitary attacks during the period 23–29 May are as follows:

	Loyalist	*Republican*
Assaults	0	0
Shootings	0	1
Total	0	1

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list for the week ended Saturday 5 June the number of *(a)* punishment beatings and *(b)* punishment shootings which took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups. [87162]

Mr. Ingram: The number of paramilitary attacks during the period 30 May-5 June are as follows:

	Loyalist	*Republican*
Assaults	2	2
Shootings	0	1
Total	2	3

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Northern Ireland how many parliamentary questions have been tabled to her Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87317]

Marjorie Mowlam: Between 15 April and 15 June my Department dealt with 58 named day questions of which 30, or 51.6 per cent., were given substantive answers on the day specified.

Sites of Special Scientific Interest

Mr. Randall: To ask the Secretary of State for Northern Ireland how many sites of special scientific interest there were in Northern Ireland on 31 March; and what was their total area in hectares. [87269]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Environment and Heritage Service under their acting chief executive, Mr. J. R. Lamont. I have asked him to arrange for a reply to be given.

Letter from J. R. Lamont to Mr. John Randall, dated 17 June 1999:

As Acting Chief Executive of the Environment and Heritage Service, I am responsible for operational aspects of protection of the natural heritage on behalf of the Department of Environment for Northern Ireland. I am responding to the Parliamentary Question you put down on 23 June 1999 about the number of Sites of Special Scientific Interest (SSSI) in Northern Ireland as at 31 March and their total hectarage.

In Northern Ireland SSSIs are known as Areas of Special Scientific Interest and at 31 March 1999 there were 159 covering a total area of 83441 hectares.

I trust you will find this helpful.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid Payments (Northern Ireland Solicitors)

Mr. William Ross: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the range of sums paid per hour to solicitors in Northern Ireland in respect of legal aid payments; and what is the average taxed rate. [87377]

Mr. Vaz: The hourly rate ranges from £24.25 in respect of travelling and waiting time for a Legal Advice and Assistance case to £64.50 in respect of advocacy by a senior solicitor in a Crown Court criminal case. The current hourly rate in civil cases is £66.50. Additionally for care and conduct these rates are subject to a percentage uplift which is normally in the range of 50 per cent. to 100 per cent.

AGRICULTURE, FISHERIES AND FOOD

Lindane

Mr. Stinchcombe: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the use of lindane as a pesticide. [87944]

Mr. Rooker: The Government have noted the concerns raised about this compound and the assessment made by the Austrian authorities under the EU review of agricultural pesticides. The Government therefore asked the independent experts of the Advisory Committee on Pesticides to examine all the issues which have been raised.

The Committee advised that lindane does not pose an unacceptable risk to consumers but that the exposure of operators using lindane to treat seed was above acceptable levels. Ministers have therefore decided that the use of lindane as a seed treatment should cease immediately and that further conditions should be applied to some other agricultural and non-agricultural uses. Companies have until 28 June to make representations on the action proposed.

The Committee advised that more data are needed on the environmental effects of lindane. This point will be pursued as a priority.

SOCIAL SECURITY

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Social Security if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [86994]

Angela Eagle: We are committed to making sure that policies are inclusive and take full account of the needs and experiences of all those affected by them. Guidelines on Policy Appraisal for Equal Treatment, published in November 1998, commit policy makers to assessing how proposals affect different groups of people.

We are making use of consultation, research projects and disaggregated statistics to identify the impact of policy on women. We routinely consult a wide variety of organisations on policy proposals. Within that process we are committed to including women's groups to ensure that the women's perspective is taken into consideration. As an example, a number of women's organisations, including the Women's National Commission, were consulted in connection with our proposals for ONE (formerly the Single Work-focused Gateway) and a summary of responses has been placed in the House of Commons Library.

SCOTLAND

Ministerial Cars

Mr. Swayne: To ask the Secretary of State for Scotland (1) how many ministerial cars there were for the use of his Department's Ministers in May 1997; and how many ministerial cars there currently are for the use of (i) his Department's Ministers and (ii) the Ministers of the new Scottish Executive; [86458]

(2) how many cars have been purchased for the use of Ministers of the new Scottish Executive. [86394]

Dr. Reid: The Government Car Service in Scotland provides or arranges the provision of transport for Ministers of UK Government Departments when in Scotland, senior members of the Scottish judiciary, and the most senior Departmental officials. Following the establishment of the Scottish Parliament and the appointment of Ministers of the Scottish Executive, the service has been made available

also to the Presiding Officer of the Scottish Parliament, to Ministers of the Scottish Executive, and to Deputy Ministers.

No cars have been purchased for the sole use of any users of the Government Car Service in Scotland. In May 1997 the Government Car Service in Scotland comprised 8 cars. However, to handle increased demand for services the fleet was expanded earlier this year by the addition of 3 cars, taking the total number to 11.

From 1 July the provision of cars for the Scottish Executive by the Government Car Service in Scotland will be a matter for the Scottish Parliament.

Parliamentary Questions

Mr. Bercow: To ask the Secretary of State for Scotland how many (i) written and (ii) oral questions were answered by his Department in 1998; and how many of them were on matters which will be the responsibility of the Scottish Parliament. [86360]

Dr. Reid: 2,131 written and oral questions were answered by my Department in 1998. A breakdown in the format requested is not readily available and could be provided only by incurring disproportionate cost.

My Department has indicated in written and oral replies to parliamentary questions answered after 26 January 1999 whether, following the transfer of functions, the issue will be a matter for the Scottish Parliament.

WALES

Ministerial Responsibilities

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on his future role. [86341]

Mr. Michael: I refer my hon. Friend to the reply I gave to the hon. Member for Guildford (Mr. St. Aubyn) on 9 June 1999, *Official Report*, column *358*.

Correspondence

Mr. John M. Taylor: To ask the Secretary of State for Wales when he will reply to the letter dated 30 March addressed to him and other Ministers by the hon. Member for Solihull. [86848]

Mr. Michael: After a thorough search, I regret that my Department could find no record of my having received a letter dated 30 March from the hon. Member.

I have written to the hon. Member inviting him to send me a copy of the letter. I will then ensure that it is answered as quickly as possible.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Wales how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87332]

Mr. Michael: Forty five, of which 87 per cent. received a substantive response on the named day.

Inward Investmen (American Companies)

Mr. Ruane: To ask the Secretary of State for Wales if he will list the companies based in the USA which have a presence in Wales indicating in each case the location and number of workers employed. [87459]

Mr. Hain: I have asked for the information to be prepared. I will write to my hon. Friend as soon as possible and place a copy of my reply in the Library of the House.

Waterhouse Inquiry

Ann Clwyd: To ask the Secretary of State for Wales when he expects to publish the findings of the Waterhouse Inquiry into Child Abuse in North Wales. [87457]

Mr. Michael: The Tribunal of Inquiry has not yet submitted its report. It will be presented to Parliament as quickly as possible as soon as it is received.

Tourism

Mr. Ruane: To ask the Secretary of State for Wales if he will list in rank order by country the number of international overnight visits to Wales in each of the past 10 years. [87458]

Mr. Hain: The readily available information is for the years 1990 to 1997. The figures are estimates compiled by the Wales Tourist Board, based on sample survey results from the International Passenger Survey supplemented with estimates for the Irish Republic.

Top 10 generating countries	*Number*
1990	
Total overseas visits to Wales	680,000
1. USA	145,000
2. West Germany	96,000
3. Australia	75,000
4. Canada	51,000
5. Republic of Ireland	50,000
6. France	47,000
7. Netherlands	37,000
8. New Zealand	19,000
9. Italy	16,000
10. Belgium/Luxembourg	14,000
1991	
Total overseas visits to Wales	650,000
1. USA	122,000
2. Germany	101,000
3. France	54,000
4. Republic of Ireland	54,000
5. Netherlands	48,000
6. Australia	48,000
7. Canada	33,000
8. Belgium/Luxembourg	22,000
9. Italy	20,000
10. New Zealand	13,000
1992	
Total overseas visits to Wales	670,000
1. USA	131,000
2. Germany	103,000
3. France	69,000
4. Republic of Ireland	53,000
5. Australia	47,000
6. Canada	36,000
7. Netherlands	33,000
8. Belgium/Luxembourg	26,000
9. Switzerland	16,000
10. Spain	14,000

Top 10 generating countries	Number
1993	
Total overseas visits to Wales	690,000
1. USA	131,000
2. Germany	107,000
3. France	78,000
4. Republic of Ireland	52,000
5. Netherlands	43,000
6. Australia	42,000
7. Canada	36,000
8. Belgium/Luxembourg	24,000
9. Italy	24,000
10. Sweden	17,000
1994	
Total overseas visits to Wales	680,000
1. USA	140,000
2. Germany	109,000
3. France	53,000
4. Republic of Ireland	53,000
5. Australia	48,000
6. Canada	40,000
7. Netherlands	35,000
8. South Africa	18,000
9. Belgium/Luxembourg	17,000
10. Italy	17,000
1995	
Total overseas visits to Wales	730,000
1. USA	143,000
2. Germany	101,000
3. France	66,000
4. Republic of Ireland	64,000
5. Australia	45,000
6. Netherlands	41,000
7. Canada	36,000
8. Italy	25,000
9. Belgium/Luxembourg	20,000
10. Switzerland	16,000
1996	
Total overseas visits to Wales	830,000
1. USA	148,000
2. France	87,000
3. Germany	79,000
4. Australia	67,000
5. Republic of Ireland	66,000
6. Netherlands	61,000
7. Canada	41,000
8. Spain	25,000
9. Italy	22,000
10. New Zealand	14,000
1997	
Total overseas visits to Wales	920,000
1. USA	154,000
2. Germany	145,000
3. France	84,000
4. Republic of Ireland	80,000
5. Australia	77,000
6. Netherlands	66,000
7. Canada	45,000
8. Belgium/Luxembourg	27,000
9. Italy	27,000
10. Spain	25,000

Following the transfer of functions, this issue will be a matter for the National Assembly.

Foreign Consulates

Mr. Ruane: To ask the Secretary of State for Wales if he will list the countries which have *(a)* established consulates in Wales and *(b)* made inquiries about establishing consulates in Wales; and if he will make a statement. [87460]

Mr. Hain: The Republic of Ireland has recently established a Consulate in Cardiff. The following countries have established Honorary Consulates in Wales: Belgium, Brazil, Denmark, Finland, France, Germany, Italy, Japan, Malta, Netherlands, Norway, Sweden, Tunisia, and Turkey. I understand there are no requests at present from other countries to establish a Consulate in Wales.

The establishment of a Consular presence in Wales by a particular country is a matter for the Government of that country. I can see that a Consular presence could bring many advantages to both countries. I would welcome any proposals to establish Consulate offices in Wales.

EDUCATION AND EMPLOYMENT

Training

Mr. Healey: To ask the Secretary of State for Education and Employment if a participant on a European Social Fund course of training is covered by the Department's Analogous Industrial Injuries Compensation Scheme. [85755]

Mr. Andrew Smith: Unemployed people participating in DfEE funded work-based training schemes which are receiving ESF assistance are covered by the DfEE's Analogous Industrial Injuries Scheme. Unemployed people who are participating in Work Trials, or the new deal, programmes supported by the Employment Service, are also covered by the scheme.

The Analogous Industrial Injuries Scheme applies only to ESF courses where the matched funding comes from DfEE funding for programmes for which my right hon. Friend the Secretary of State has already decided it may apply. People participating in other courses supported by ESF are not covered by the scheme.

Mr. Healey: To ask the Secretary of State for Education and Employment what is the maximum number of hours per week that a trainee on a European Social Fund training course can undertake without affecting his entitlement to receive jobseeker's allowance. [85752]

Mr. Andrew Smith: A jobseeker may undertake a training course, whether or not part-funded by ESF, providing he is not a full-time student and he continues to meet the Jobseeker's Allowance entitlement conditions. An Employment Service Adjudication Officer will determine, in each case, whether the jobseeker is a full-time or a part-time student.

Under the Jobseekers Act 1995, a person must be available for employment in order to be entitled to JSA, and under regulation 11 of the Jobseeker's Allowance Regulations 1996, a part-time student may, in prescribed circumstances, be available for employment. The maximum number of hours of study a student can undertake and still be considered a 'part-time' student is not fixed by the Regulations in every case. 'Full-time student' is defined in regulation 1(3). Paragraph (b)(ii) of that definition specifies an FEFC funded course of more than 16 hours a week, but paragraph (b)(i) which deals with non-FEFC funded courses, does not specify a number of hours.

Class Sizes

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will list, by local authority, *(a)* the number of pupils in classes of more than 30, *(b)* the percentage of pupils in classes of 31 or more, *(c)* the average class size and *(d)* the total number of pupils in maintained (i) primary and (ii) secondary schools in January 1997. [86975]

Ms Estelle Morris: The information is shown in the following table:

Number and percentage of pupils in classes of 31 or more taught by one teacher and pupils on roll in maintained primary and secondary schools by Local Education Authority area in England January 1997

	Primary schools Pupils in class				*Secondary schools Pupils in class*			
	Pupils in classes of 31 or more	*(%)*	*Average size of class*	*Pupils on roll*	*Pupils in classes of 31 or more*	*(%)*	*Average size of class*	*Pupils on roll*
England	1,344,231	33	27.5	4,429,043	245,420	9	21.7	3,041,584
North East	68,173	30	27.2	248,434	14,665	9	22.0	177,905
Hartlepool	2,833	30	28.0	10,538	413	7	22.0	6,176
Middlesbrough	3,700	24	26.5	17,267	349	4	22.0	8,608
Redcar and Cleveland	4,576	31	27.4	16,680	549	6	22.2	10,161
Stockton-on-Tees	4,507	24	26.8	20,531	415	3	22.2	12,517
Durham	21,429	41	28.5	57,442	3,398	10	22.5	37,976
Northumberland	8,314	43	27.0	21,839	3,959	15	22.6	30,052
Gateshead	2,112	13	25.8	18,566	662	6	20.4	11,745
Newcastle upon Tyne	6,904	34	27.6	22,220	1,569	10	21.5	17,378
North Tyneside	4,779	31	27.1	17,027	1,419	11	21.9	14,369
South Tyneside	3,996	28	27.0	16,175	758	8	22.7	9,724
Sunderland	5,023	18	26.0	30,149	1,174	7	21.3	19,199
North West and Merseyside	242,764	39	27.9	686,676	42,673	10	21.8	437,763
North West	201,712	41	28.1	539,526	34,935	11	22.0	341,745
Cheshire	33,630	39	27.5	92,808	7,140	12	21.3	65,767
Cumbria	11,984	29	26.3	44,895	3,406	11	21.2	32,372
Bolton	11,422	49	28.9	28,512	2,324	14	22.1	17,798
Bury	7,178	44	28.3	18,095	1,510	14	23.1	11,100
Manchester	10,615	25	27.2	46,356	1,801	9	22.4	22,233
Oldham	10,645	48	29.3	25,111	1,048	7	22.2	16,676
Rochdale	9,004	45	29.6	22,354	1,325	11	22.8	13,168
Salford	7,043	31	27.3	23,828	501	4	22.1	12,078
Stockport	9,446	37	27.8	26,941	947	6	23.1	15,677
Tameside	11,566	53	29.3	23,830	1,195	9	23.0	14,220
Trafford	9,693	50	28.9	21,462	609	5	21.7	13,225
Wigan	11,098	42	28.5	30,276	1,311	7	21.5	19,984
Lancashire	58,388	47	28.8	135,058	11,818	14	22.5	87,447
Merseyside	41,052	31	27.1	147,150	7,738	9	20.9	96,018
Knowsley	5,820	33	27.7	19,788	579	6	22.1	9,670
Liverpool	12,581	27	26.8	49,345	2,936	10	21.1	31,767
St. Helens	6,270	41	27.8	18,027	1,265	11	19.9	11,873
Sefton	9,634	38	27.6	28,115	1,269	7	21.1	19,630
Wirral	6,747	23	26.3	31,875	1,689	8	20.5	23,078
Yorkshire and Humberside	159,744	37	27.9	482,447	27,167	9	21.9	334,065
East Riding of Yorkshire	10,254	40	28.3	27,126	1,148	6	21.0	20,789
City of Kingston-upon-Hull	10,164	39	28.8	28,446	1,345	9	24.3	15,082
North East Lincolnshire	6,228	40	28.1	17,265	1,445	14	23.2	11,185
North Lincolnshire	4,932	36	27.7	14,972	1,281	13	22.5	10,398
York	4,961	35	27.6	14,905	670	8	21.6	9,320
North Yorkshire	15,129	34	26.3	47,927	2,174	6	20.6	37,039
Barnsley	9,082	44	28.9	22,216	726	6	23.2	12,932
Doncaster	10,052	35	28.1	31,343	979	5	21.5	20,734
Rotherham	8,094	34	27.7	25,822	1,276	8	21.6	19,150
Sheffield	11,261	28	26.9	46,380	2,054	8	22.7	27,447
Bradford	13,443	39	28.3	42,327	5,771	14	23.2	46,179
Calderdale	6,185	33	28.0	20,605	884	7	20.9	14,067
Kirklees	15,730	48	29.0	38,649	2,504	11	22.5	25,564
Leeds	22,031	35	28.3	71,508	2,819	7	20.7	44,423
Wakefield	12,198	41	28.2	32,956	2,091	11	22.2	19,756
East Midlands	133,725	39	27.8	377,257	18,359	7	21.6	272,020
Derbyshire	44,864	55	29.3	89,507	6,067	11	22.2	58,890
Leicestershire	22,862	30	26.7	83,027	3,489	6	22.3	61,800
Lincolnshire	14,644	29	26.9	53,619	1,525	4	20.2	39,997
Northamptonshire	13,015	26	27.0	54,701	2,034	5	21.0	45,934

Number and percentage of pupils in classes of 31 or more taught by one teacher and pupils on roll in maintained primary and secondary schools by Local Education Authority area in England January 1997

	Primary schools				Secondary schools			
	Pupils in class				Pupils in class			
	Pupils in classes of 31 or more	(%)	Average size of class	Pupils on roll	Pupils in classes of 31 or more	(%)	Average size of class	Pupils on roll
Nottinghamshire	38,340	44	28.7	96,403	5,244	9	21.7	65,399
West Midlands	152,230	33	27.4	511,667	37,160	11	22.0	350,644
Hereford and Worcester	12,527	25	26.0	52,887	6,286	14	22.0	47,636
Shropshire	13,545	38	27.4	38,067	2,778	12	21.9	26,109
Staffordshire	31,492	35	27.5	96,437	9,818	15	22.2	71,712
Warwickshire	17,493	43	28.5	43,662	2,397	9	22.2	30,280
Birmingham	24,848	26	27.7	109,673	7,776	13	21.8	66,867
Coventry	8,641	31	27.6	30,478	1,846	10	22.6	19,738
Dudley	6,904	27	26.5	30,884	671	4	23.1	18,912
Sandwell	12,606	44	28.9	32,962	1,343	7	21.7	19,087
Solihull	8,478	43	27.9	21,581	1,141	8	21.9	14,387
Walsall	7,527	32	26.2	28,743	1,813	10	20.7	20,078
Wolverhampton	8,169	38	26.9	26,293	1,291	9	21.0	15,838
Eastern	121,738	29	26.9	448,359	22,874	7	21.3	348,217
Bedfordshire	12,890	33	27.4	44,748	3,330	8	22.5	46,378
Cambridgeshire	20,831	36	28.2	60,924	3,793	10	22.1	42,018
Essex	38,831	30	27.3	136,385	8,263	9	21.7	97,649
Hertfordshire	27,264	33	27.1	92,397	5,291	8	20.3	70,982
Norfolk	13,402	22	25.9	66,666	919	2	20.2	41,583
Suffolk	8,520	19	25.9	47,239	1,278	3	21.1	49,607
London	117,578	22	27.1	624,655	22,096	7	21.7	375,145
Inner London	15,393	8	26.3	226,370	3,992	4	22.4	117,536
City of London	0	0	26.0	208	—	—	—	—
Camden	698	8	27.1	11,294	188	2	20.3	10,932
Hackney	824	6	26.1	18,141	312	5	22.3	7,347
Hammersmith and Fulham	1,106	14	25.3	9,365	511	10	22.6	6,040
Haringey	851	5	26.9	21,610	290	3	21.6	10,069
Islington	702	5	26.6	16,232	270	4	24.0	7,580
Kensington and Chelsea	219	4	25.3	6,568	161	6	20.2	3,313
Lambeth	1,192	8	25.2	19,193	252	4	21.9	6,589
Lewisham	1,207	7	26.1	21,984	0	0	20.7	10,857
Newham	3,021	13	27.9	28,543	313	2	24.5	15,655
Southwark	1,748	9	26.4	23,182	639	8	24.4	9,157
Tower Hamlets	1,047	6	26.2	22,472	197	2	24.0	13,060
Wandsworth	2,299	15	25.8	17,874	691	9	22.6	9,280
Westminster	479	7	24.2	9,604	168	3	21.5	7,657
Outer London	102,185	30	27.5	398,285	18,104	8	23.4	257,609
Barking and Dagenham	2,022	13	27.0	17,883	840	9	20.8	10,143
Barnet	2,456	11	26.2	25,981	689	4	19.8	19,783
Bexley	9,314	45	28.8	22,223	1,982	14	21.8	15,317
Brent	2,383	13	26.5	22,478	353	3	20.5	13,565
Bromley	13,110	55	28.5	24,292	1,844	11	20.4	18,648
Croydon	7,042	26	28.3	30,432	1,339	9	22.2	15,481
Ealing	5,258	22	27.1	27,213	894	7	22.4	14,182
Enfield	9,965	46	29.1	26,028	1,751	10	20.7	18,959
Greenwich	2,126	12	26.0	21,608	469	4	22.5	13,644
Harrow	3,663	22	27.5	19,971	98	1	22.9	8,304
Havering	5,763	29	27.9	21,001	981	7	21.7	14,703
Hillingdon	5,212	28	27.2	22,440	1,457	10	21.1	15,010
Hounslow	4,907	29	26.8	19,828	1,052	8	21.0	15,286
Kingston-upon-Thames	6,682	66	29.4	11,530	912	12	20.2	8,184
Merton	3,676	29	27.3	16,159	542	8	22.7	7,619
Redbridge	8,074	46	28.4	21,103	1,415	10	21.0	16,842
Richmond-upon-Thames	2,671	25	27.2	12,074	194	3	24.0	7,688
Sutton	5,222	40	28.1	14,630	791	7	20.7	12,416
Waltham Forest	2,639	15	26.6	21,411	501	5	23.6	11,835
South East	205,178	33	27.5	653,419	32,106	8	21.3	454,813
Berkshire	18,680	32	27.5	64,851	3,846	8	20.7	49,652
Buckinghamshire	23,085	38	27.9	66,291	3,453	10	21.3	38,312
East Sussex	23,330	46	28.2	55,821	2,093	6	21.4	36,281
Hampshire	47,671	36	27.9	139,425	5,211	6	22.2	86,211
Isle of Wight	1,639	23	25.9	7,387	853	8	22.3	10,969
Kent	47,339	36	28.0	137,962	4,523	5	20.3	104,812
Oxfordshire	13,090	31	27.2	44,733	3,975	12	22.2	36,531
Surrey	15,007	20	26.2	78,781	4,846	10	21.7	51,703
West Sussex	15,337	27	26.8	58,168	3,306	9	21.6	40,342

Number and percentage of pupils in classes of 31 or more taught by one teacher and pupils on roll in maintained primary and secondary schools by Local Education Authority area in England January 1997

	Primary schools Pupils in class				Secondary schools Pupils in class			
	Pupils in classes of 31 or more	(%)[1]	Average size of class[2]	Pupils on roll[3]	Pupils in classes of 31 or more	(%)[1]	Average size of class[2]	Pupils on roll[3]
South West	143,101	38	27.5	396,129	28,320	10	21.7	291,012
Bath and NE Somerset	3,579	29	27.0	13,111	766	7	20.7	11,483
City of Bristol	9,905	32	27.2	33,642	672	4	21.1	16,518
North Somerset	4,675	33	27.8	14,775	816	8	20.4	11,882
South Gloucestershire	9,563	45	28.5	22,596	1,599	12	21.5	15,216
Cornwall	16,082	40	27.3	41,862	2,756	10	22.0	29,815
Isles of Scilly	33	21	17.3	160	0	0	21.0	108
Devon	31,181	38	27.4	84,938	6,039	11	21.4	62,047
Dorset	22,462	50	28.2	48,479	4,544	11	21.8	43,583
Gloucestershire	15,280	34	27.4	46,248	3,677	11	21.5	34,961
Somerset	14,096	38	27.6	38,509	3,840	14	23.2	28,854
Wiltshire	16,245	32	27.2	51,809	3,611	11	21.7	36,545

[1] Pupils in classes of size 31 or more expressed as a percentage of all pupils in classes taught by one teacher
[2] All classes taught by one teacher
[3] Includes pupils in classes taught by more than one teacher and pupils not in class
[4] Not applicable (no schools of this type)

Departmental Expenditure

Helen Jones: To ask the Secretary of State for Education and Employment what proposals there are to amend the departmental expenditure limit and gross running costs limit for 1999–2000. [86982]

Mr. Mudie: Subject to Parliamentary approval of the necessary Supplementary Estimates for Class 1, Vote 1 (Department for Education and Employment: programmes and central services and Vote 4 (Office of Her Majesty's Chief Inspector of Schools), the Departmental Expenditure Limit for 1999–2000 (excluding Welfare to Work) will be decreased by £30,800,000 from £15,702,326,000 to £15,671,526,000.

The decrease is the result of a transfer of £30,800,000 to Class XIV, Vote 1 (the Welsh Office) to take account of the change to student support arrangements following the Dearing Review.

The voted element of the Departmental Expenditure Limit (excluding Welfare to Work) will be increased by £46,200,000 from £14,350,774,000 to £14,396,974,000 as a result of the transfer mentioned above and a switch of £77,000,000 from credit approvals to Class 1, Vote 1 in connection with the provision of schools capital. The increase of £77,000,000 will be offset by a matching reduction in the non-voted element of the Departmental Expenditure Limit from £1,351,552,000 to £1,274,552,000.

The Supplementary Estimates also include a transfer of £500,000 from Vote 1 to Vote 4 in connection with the inspection of nursery education for three-year olds. This transfer has no effect on the Departmental Expenditure Limit.

The Departmental running costs limit (excluding Welfare to Work) will be reduced by £200,000 from £1,042,410,000 to £1,042,210,000 as a result of a switch of that amount into the Youth Advocates programme.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Education and Employment how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87329]

Mr. Mudie: Between 15 April and 15 June, 132 parliamentary questions have been tabled to the Department for written answer on a named day; 81 per cent. received a substantive reply on that day.

Higher Education (International Students)

Mr. Coaker: To ask the Secretary of State for Education and Employment what plans there are to promote overseas the quality of further and higher education in the United Kingdom and ease arrangements for international students to enter the United Kingdom and support themselves while studying. [87667]

Mr. Blunkett: My Department has been co-ordinating the Prime Minister's initiative to attract more international students to the United Kingdom. My right hon. Friends the Secretaries of State for Scotland, Wales and Northern Ireland have joined with me to develop a strategy that will help our institutions to compete in an increasingly competitive global marketplace, enhance the image of the UK overseas and help position the UK as a knowledge-driven economy.

The strategy includes four main components. The first is the development of a "UK Education Brand" and marketing materials to promote the high quality of UK education. A world-wide marketing campaign will begin early in 2000. Second, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs aims to expand the Chevening Scholarship Scheme, increasing by at least 500 the number of scholarships awarded each year. Third, we will ease procedures on permission for students to work part-time and in vacations. With effect from 21 June 1999 international students will no longer be required to seek permission from Jobcentres to work

part-time and in vacations, and sandwich course students will no longer require a work permit from my Department for their placement year. Fourth, updated guidance notes, designed to make entry requirements clearer, will be available for students and posted on the Internet. The British Council will work with entry clearance posts in a number of countries to streamline the visa application process for students who qualify to come here for study.

Through this package of measures the Government will help UK education institutions to increase their marketing capability overseas and thereby increase international student enrolments. For international students from outside the European Union, the Government hope that these measures will allow institutions to increase the UK's market share of higher education students in relation to the major competitors of USA, Australia and Canada from 17 per cent. in 1996–97 to 25 per cent. in 2005 and to increase the number of further education students by 100 per cent. from some 25,000 in 1996–97 to 50,000 by 2005.

Consultants (Teacher Appraisal)

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the consultants employed over the past 18 months in connection with the Government's plans for teacher pay and teacher appraisal, indicating the terms of reference in each case and the total sum of consultancy fees paid; and how many of the consultants were paid over £50,000 for carrying out a research project. [87596]

Ms Estelle Morris: Two consultancy contracts have been let in the last 18 months. The first was let to PricewaterhouseCooper. I refer the hon. Member to the replies I gave to the hon. Member for Maidenhead (Mrs. May) on 25 May 1999, *Official Report*, columns *101–02*. The cost of this work is commercial in confidence.

We have subsequently issued a letter of intent to Hay McBer in respect of research into teacher effectiveness pending finalisation of the contract. This sets out the work to be undertaken. I have arranged for an extract from the letter to be lodged in the Library.

The cost is commercial in confidence.

ENVIRONMENT, TRANSPORT AND THE REGIONS

River Access

Mr. Gareth R. Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to increase access to non-tidal navigable rivers by non-motor-powered river craft. [86863]

Mr. Meale: The Government sponsored Environment Agency and British Waterways, which between them are responsible for the majority of the country's navigable rivers and canals, continue to manage their waterways with all users in mind, as do other navigation authorities.

The Environment Agency has successfully acted as honest broker on a number of rivers in England and Wales to help secure access agreements. The Agency continues to encourage the development of access agreements and currently chairs the Angling and Canoeing Liaison Group, which is developing a guide to the negotiation of access agreements. The guide will provide information for all likely parties who are seeking to achieve new access for canoeists, and other water sports and activities, to private waters. The Liaison Group expects to publish the guide in July.

The Countryside Agency, Countryside Council for Wales and the Forestry Commission have been asked to consider access to other categories of open countryside, including river and canal banks, as part of the Government's commitment to introducing a statutory right of access on foot to the countryside. Their reports are expected to focus on the case for an extension of access on foot, but may also take into account access for other types of recreational users in the countryside, such as people using boats, cycles or horses.

London Economics

Mr. Gray: To ask the Secretary of State for the Environment, Transport and the Regions if he will name the non-governmental consultees and advisers engaged by his Department to advise on the conduct of the research by London Economics into the Environmental Costs and Benefits of Aggregate Supply; and what his Department has paid to each for their services. [87098]

Mr. Caborn: Following the recommendation of an independent review of the initial work by London Economics, the Phase 2 research was assisted by an international group of experts on those aspects of research design involving contingent valuation techniques.

The group comprised: Ian Bateman of the University of East Anglia; Nick Hanley of the University of Edinburgh; Michael Hanemann of the University of California at Berkeley; Susana Mourato of Imperial College; Richard Ready of the University of Oslo; Toby Taper of MORI; and Ken Willis of Newcastle University.

The total amount paid to members of the group was £41,898 including fees and travel expenses. Their contracts do not provide for publication of their individual remuneration without consent.

Mr. Gray: To ask the Secretary of State for the Environment, Transport and the Regions when he received the final report by London Economics on the Environmental Costs and Benefits of Aggregates Supply. [87097]

Mr. Caborn: Copies of the final report were submitted to the Department on 26 May 1999.

Mr. Gray: To ask the Secretary of State for the Environment, Transport and the Regions how many contracts were awarded to London Economics for their study of the environmental effect of mineral extraction; and what has been the total sum of money, including expenses, paid by his Department to London Economics for each of the contracts. [87195]

Mr. Caborn: London Economics was paid £107,815 under a contract to carry out the study of the Environmental Costs and Benefits of the Supply of Aggregates published in April 1998. Further research, Phase 2 to be published in July 1999, has been undertaken under two contracts. £108,495 was paid under the first of

these and £301,665 under the second contract. The latter includes over £200,000 paid to sub-contractors for survey work. The contract sums exclude VAT.

Airbags

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of cars sold in Britain in each of the past five years have been fitted with *(a)* airbags in the driver's seat only, *(b)* airbags in the driver's and front passenger seats, *(c)* airbags for rear passengers and *(d)* side-impact air bags. [86999]

Ms Glenda Jackson: Vehicle registration statistics do not yield this information. I understand that the majority of new cars sold in the UK now have drivers airbags fitted as standard equipment.

Tele-conferencing

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the need to amend the law to provide for the validity of meetings of public bodies, and their subsequent decisions, conducted by tele-conferencing and related technology. [87134]

Mr. Meale: I am not aware of any problems in this area at present, but I will keep the position under review.

Recycling

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to increase the recycled content in soft tissue paper products. [87253]

Mr. Meale: In July 1998, the Government established a Market Development Group to consider the measures that could be taken to enhance the markets for recycled materials, including paper, and to develop proposals to help overcome any barriers. The Group considered a range of measures, including the use of economic instruments, quality standards and specifications for recycled goods and materials, and whether it is desirable to set mandatory levels of recycled content for specified goods.

The Group has now finished its work and its report and recommendations for action will be published for consultation at the same time as the draft waste strategy.

Advisory Committee on Releases to the Environment

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce the new membership of the Advisory Committee on Releases to the Environment; and if he will make a statement. [87766]

Mr. Meacher: The new Advisory Committee on Releases to the Environment (ACRE) has been appointed today. The committee consists of highly regarded scientists and technical experts (listed). Together they will form a well-balanced committee with the necessary range of expertise and views to provide sound advice on the risks to the environment and human health from the release of genetically modified organisms.

I announced my intention to review the membership and remit of ACRE in a statement to the House of Lords on 21 October 1998. The remit of the committee was subsequently widened—5 November 1998, *Official Report*, column *638*—and the new committee now has an extended range of expertise. This has strengthened ACRE in areas such as ecology, wildlife/biodiversity and farming practice. These extensions to ACRE's competence will allow it to advise in greater depth on the possible impacts of widespread cultivation of GM crops on our countryside and wildlife. In addition, I will also be including for the first time on ACRE a place for the Chair of the Advisory Committee on Novel Foods and Processes in an ex-officio capacity. This is in recognition of the importance of close communication between our key advisory committees.

The selection of the new Chair of ACRE is being conducted as a separate appointment and will be announced in the Autumn. Additional members will be appointed in due course and details published in line with guidance from the Office of the Commissioner for Public Appointments.

I have placed further details of the new Members in the House of Commons Library and the information is also published on the DETR Website (www.environment.detr.gov.uk/acre/wildlife/index.htm).

I would like to take this opportunity to thank the outgoing members of ACRE for their hard work and sound advice. My fellow Ministers and I are very grateful.

New Members of ACRE

Dr. Mark Bailey

Institute of Virology and Environmental Microbiology

Expertise: Molecular biology, Microbiology

Principle Scientist and Leader of the Molecular Microbial Ecology Group at the NERC[1] Institute of Virology and Environmental Microbiology. Dr. Bailey is a member of the BBSRC[2] Microbial Genetics Working Party, and until recently served as a member of the NERC Terrestrial Sciences Peer Review Committee and the Society for General Microbiology's Environmental Microbiology Group. He has been an adviser for HSE[3] and the former DOE[4] as well as working for the Organisation for Economic Co-operation and Development.

Mr. Edward Cross

Farmer, Abbey Farm, Norfolk

Expertise: Farming practice

Mr. Cross currently jointly manages a substantial farming concern in the East of England. He has a strong commitment to farming and the Environment and is Director of the Farmer's Link Sustainable Agriculture & Rural Development Working Group.

Professor Alan Gray (acting ACRE Chairman)

Institute of Terrestrial Ecology—Furzebrook

Expertise: Farmland ecology

Head of ITE Furzebrook and, from next year, of the combined Institute of Terrestrial Ecology and the Institute of Freshwater Ecology's Laboratory in Dorset, Professor Gray has been a highly regarded and productive member of ACRE for five years. He has more than 30 years' research experience in pure and applied ecology and genetics. He is a past Vice-President of the British Ecological Society and holds a Visiting Professorship at Southampton University.

Dr. Susan Hartley

Institute of Terrestrial Ecology—Banchory

Expertise: Ecology, Entomology

Principle Scientific Officer and Head of the Community Ecology Section at the Institute of Terrestrial Ecology's Banchory Research Station. Dr. Hartley is a leading plant ecologist specialising in herbivory and is on the Science Advisory Board

for Scottish Natural Heritage, the Steering Committee of the Heather Trust and an Honorary Senior Lecturer at the Department of Plant and Soil Science at the University of Aberdeen.

Dr. Penelope Hirsch

Institute of Arable Crop Research, Rothamsted

Expertise: Molecular Biology, Microbiology

Principal Research Scientist at the Institute of Arable Crop Research, Rothamsted. Dr. Hirsch is recognised as an outstanding molecular biologist whose current area of research concentrates on soil microbial ecology. Dr. Hirsch is a member of the Technical Sub-Committee of the Advisory Committee on Genetic Manipulation.

Dr. Mike Mayo

Scottish Crop Research Institute, Dundee

Expertise: Plant virology

Senior Principal Scientist at the Scottish Crop Research Institute. Dr. Mayo is a leading research scientist working on the molecular biology of plant viruses. He is a member of the Executive Committee of International Committee on Taxonomy of Viruses.

Professor Christopher Pollock

Institute of Grassland and Environmental Research, Aberystwyth

Expertise: Plant breeding, Molecular biology

Research Director at the Institute of Grassland and Environmental Research. He is a member of the BBSRC's Strategy board and Chair of the Plants and Microbial Sciences Committee. In 1996 he was a member of DOE's Climate Change Impacts Review Group. Professor Pollock is currently Chair of the steering committee for the programme of farm-scale evaluations.

Mr. Jules Pretty

University of Essex

Expertise: Sustainable development

Director of the Centre for Environment and Society, University of Essex. Mr. Pretty is an acknowledged expert on sustainable agricultural systems and farming practice. He is a Consultant for DfID[5] projects and the US Agency for International Development. He is also a Member of the advisory committee for DfID on Biodiversity Policy and Practice Project.

Dr. Mark Rees

University of London

Expertise: Weed ecology, Plant biology

Lecturer at Imperial College, University of London. Dr. Rees has an excellent international reputation for his research on plant population dynamics and its application to the biological control of weeds. Dr. Rees was awarded the Founders Prize of the British Ecological Society in 1997.

Dr. Christopher Spray

Northumbrian Water

Expertise: Biodiversity and Conservation

Environmental Manager at Northumbrian Water responsible for conservation and Biodiversity issues. Dr. Spray has produced Northumbrian Water's environmental strategy and Biodiversity Action Plan. He is a member of DETR's Conservation, Access and Recreation in the Water Industry committee, a member of the England Local Issues Subgroup (of the England Biodiversity Group) and Chairman of Water UK's Network on Conservation, Access and Re creation in the Water Industry.

Professor Ingrid Williams

Institute of Arable Crop Research-Rothamsted

Expertise: Entomology

Principle Research Scientist at the Institute of Arable Crops Research at Rothamsted. Professor Williams is currently the entomology expert on ACRE, Chair of the International Commission for Plant-Bee Relationships and Council member of the International Bee Research Association.

Chair of the Advisory Committee on Novel Foods and Processes (*ex-officio* seat)

Professor Janet Bainbridge

University of Teesside

Professor Bainbridge is the Director of Science and Technology at the University of Teesside. She is Chair of Advisory Committee on Novel Food and Processes (ACNFP) and their sub group on Long Term Monitoring. Professor Bainbridge has many years experience of committee work and is a leading authority on GM Food Safety.

[1] National Environmental Research Council

[2] Biotechnology and Biological Sciences Research Council

[3] Health and Safety Executive

[4] Department of the Environment

[5] Department for International Development

Planning Regulations (Telecommunications Development)

Mr. Hepburn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend planning regulations for telecommunications development. [87776]

Mr. Caborn: I have today laid before Parliament an Order to make the amendments to the telecommunications permitted development rights granted under the Town and Country Planning (General Permitted Development) Order 1995 (GPDO), which I announced on 16 November 1998, *Official Report*, column *343*, in response to a question from my hon. Friend the Member for Barnsley, East and Mexborough (Mr. Ennis). These include a new 42-day prior approval procedure for ground based masts and strengthened planning controls in Sites of Special Interest. Subject to Parliamentary procedures, the Order will enter into force on 9 July 1999.

A Departmental circular, "Planning for Telecommunications", is being issued to accompany the changes made to the GPDO. The circular sets a clear policy framework for planning for telecommunications development to keep environmental intrusion to a minimum. We look to both local planning authorities and the industry to adopt a proactive approach to identifying the best environmental solutions for telecommunications development. Pre-application discussions between the parties will allow a constructive examination of different siting and design solutions for accommodating telecommunications development at the least environmental cost. The guidance also explains the scope of telecommunications permitted development rights and the operation of the revised procedures.

Copies of the Order, the accompanying Regulatory Impact Assessment and the circular have been placed in the Library.

HEALTH

Disabled Children

Mr. Ben Chapman: To ask the Secretary of State for Health in what ways Quality Protects management action plans will improve the quality of services for children with disabilities in England and Wales. [86377]

Mr. Hutton: Last September, we announced new Government objectives for children's social services, one of which addressed the needs of disabled children. In their Quality Protects Management Action Plans (MAPS), local authorities were required to set out how they would address these national objectives and to set their own local objectives. All MAPs have now been evaluated by

regional social services inspectorate. We shall shortly be publishing a National Overview Report setting out the key messages from this evaluation.

We also consulted on the detailed sub-objectives supporting the main Government objectives, and I am grateful to those parents, voluntary and strategy organisations that responded. We plan to publish revised sub-objectives, including more addressing the needs of disabled children, later in the summer.

The Department has commissioned the Council for Disabled Children to analyse this year's MAPS from the perspective of services for disabled children with a view to recommending further work to enable local authorities to achieve their Quality Protects targets. We are determined to raise standards in the provision of services for disabled children under the Quality Protects Programme. This is an important means of achieving the successful implementation of the Carers National Strategy as it affects parents and carers of disabled children.

Mr. Ben Chapman: To ask the Secretary of State for Health what performance indicators his Department has developed to quantify improvements in services for disabled children. [86382]

Mr. Hutton: Later this year, the Department will publish sub-objectives for children's services as part of the implementation of Quality Protects. These will include sub-objectives for disabled children. Performance indicators for disabled children will be developed in partnership with all those with an interest, as improved statistical information becomes available. The Department is introducing a new data collection around children in need from February 2000, which could provide the basis for such indicators.

Children's Homes

Mr. David Heath: To ask the Secretary of State for Health how many children's homes accommodating fewer than four children there are in *(a)* the Somerton and Frome constituency and *(b)* Somerset. [87047]

Mr. Hutton *[holding answer 17 June 1999]:* Statistics are collected once every three years on the numbers of children's homes. At 31 March 1997, the most recent date that statistics were collected, there were no children's homes accommodating fewer than four children in the former shire county of Somerset. We do not have more recent information on voluntary children's homes in this category. Our latest information is that there are seven homes in Somerset, two of which are in the town of Somerton.

Mr. David Heath: To ask the Secretary of State for Health what the arrangements are for the inspection and registration of children's homes accommodating fewer than four children; to whom the reports of routine and unannounced inspections are made available; how many unresolved concerns have arisen in such reports since May 1997, and what steps are taken to notify home authorities of concerns arising from such inspections which would affect children who are the legal responsibility of the home authority. [87048]

Mr. Hutton *[holding answer 17 June 1999]:* Children's homes accommodating fewer than four children are not registered and inspected if they are run for profit by private organisations. Homes which are run on a not-for-profit basis by voluntary organisations are registered and inspected by my right hon. Friend the Secretary of State.

Voluntary children's homes are inspected by the social services inspectorate at least twice a year. One visit is announced in advance. The report of the announced inspection is published annually and the letter to the home reporting on the last unannounced visit is included in this publication. If there are any concerns about a home, additional inspections may be made.

Statistical records are not kept of the unresolved concerns that have arisen in the reports of individual inspections of voluntary children's homes. The social services inspectorate follows up any unresolved concerns with the home concerned. Social services inspectors may inform the local authority which is looking after the child of any concerns which subsequently remain outstanding.

Mr. David Heath: To ask the Secretary of State for Health on how many occasions at a children's home accommodating fewer than four persons powers under section 47 of the Children Act 1989 have been used so that a child has been returned to the care of the home authority or to another institution. [87049]

Mr. Hutton *[holding answer 17 June 1999]:* The Department is not aware of any such occasions. A child that is looked after by a local authority and is placed in a children's home remains the responsibility of that local authority, irrespective of whether the child is placed in a children's home within or outside that local authority. The local authority may move a child without the need to refer to these powers.

FOREIGN AND COMMONWEALTH AFFAIRS

Fishing (Southern Oceans)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the Parliamentary Under-Secretary of State's letter of 6 January, what action has been taken to prevent illegal and unregulated fishing in the Southern Oceans by means of *(a)* direct action through management of the fisheries around South Georgia and *(b)* the United Kingdom's involvement in the Convention on the Conservation of Antarctic Marine Living Resources with particular reference to the South Atlantic tooth-fish. [87182]

Mr. Tony Lloyd: The Government of South Georgia and the South Sandwich Islands (GSGSSI) continue to enforce rigorously the fisheries licensing regime in the waters of its maritime zone, through a variety of means, including the presence of Fisheries Protection Vessels and aerial surveillance. The GSGSSI incorporates into its fishing licence conditions regulatory measures agreed under the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR).

New measures adopted in November 1998 at CCAMLR XVII, to address illegal and unregulated fishing, came into effect in time for the current fishing season in South Georgia. CCAMLR Parties are negotiating a catch documentation scheme to track international trade in tooth-fish and prevent imports of fish taken illegally. This scheme, plus additional measures, will be discussed

further at CCAMLR XVIII in October. The UK has been actively involved in these negotiations. We will press for an early introduction of such a scheme.

Sudan

Mr. Laurence Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Sudan about separatism in south Sudan; and if he will make a statement. [87505]

Mr. Hoon: Although we do not currently have British staff permanently in Khartoum, we maintain a regular dialogue with the Government of Sudan on a wide range of issues. The peace process in the Sudan is a priority for us and the issue of separatism arises in that context.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received on reported bombing raids in southern Sudan; and if he will make a statement. [87117]

Mr. Hoon: We have recently received reports by NGOs of aerial bombing in southern Sudan by Government of Sudan aircraft.

In Oslo on 25–26 May, the Government of Sudan and the SPLA both confirmed their commitment to maintain the current humanitarian ceasefire in Bahr el Ghazal. We shall continue to press the case for peace in Sudan.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning raids by Arab militia in southern Sudan; and if he will make a statement. [87116]

Mr. Hoon: We have had a number of reports from UN agencies and other NGOs working in the field, of raids conducted by Arab militia groups in southern Sudan.

In Oslo on 25–26 May, the Government of Sudan and the SPLA both confirmed their commitment to the basic humanitarian principles of Operation Lifeline Sudan as well as the need to maintain the current humanitarian ceasefire in Bahr el Ghazal. We shall continue to press the case for peace in Sudan.

British Nuclear Fuels plc

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many employees of British Nuclear Fuels plc are employed by, or attached to, the British Embassy in the United States. [86959]

Mr. Tony Lloyd: No employees of British Nuclear Fuels plc are employed by, or attached to, the British Embassy in Washington.

Iran (Human Rights)

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Government of Iran concerning the arrest of thirteen rabbis, teachers and other members of the Jewish community of Shiraz. [87126]

Mr. Hoon: We and our EU partners are concerned at reports of the arrest of 13 Iranian Jews. We have made our concerns known to the Iranian authorities and have stressed that we expect the detainees to be treated fairly under Iranian law. We and our EU partners will continue to watch developments closely and will take further action if necessary.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make improved relations with Iran dependent on the release of the group of thirteen Jews from Shiraz arrested by the Iranian Government. [87133]

Mr. Hoon: We and our EU partners regularly raise human rights issues with the Iranian authorities. We have made our concerns about the recent arrest of 13 Iranian Jews known to the Iranian government and sought assurances that they will be treated fairly under Iranian law. We will continue to use our improved relationship with Iran to press for improvements in Iranian policies, on human rights and other issues, which cause us concern.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the actions he has taken since March to secure the release of the group of thirteen Jews from Shiraz who have been arrested. [87127]

Mr. Hoon: We first heard some weeks ago that a number of Jews had been detained without charge in Iran. We have been in regular contact with the Agudas Israel Organisation, both here in the UK and in the US through our mission in New York, and with other agencies involved. The more reliable accounts now agree that 13 people have been detained. Last week it became apparent, first through media reports from Iran and then officially, that they had been accused of espionage.

Before this news broke on 7 June, the German EU Presidency on a visit to Tehran on 20 May had already expressed the concern of EU member states at these detentions. This was followed up with an EU demarche on 16 June. We have also told the Iranians of our concern bilaterally and pressed for the detainees to be treated fairly under Iranian law, as have many of our EU partners. We and our EU partners continue to monitor the situation, and will take further action as necessary.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the level of human rights abuses in Iran. [87131]

Mr. Hoon: We and our EU partners continue to have serious concerns over certain human rights issues in Iran. We continue to raise these concerns with the Iranian authorities both bilaterally and multilaterally.

We remain particularly concerned over the continued use of torture and the lack of transparency in the judicial system; both are at odds with the stated aim of the Iranian government to establish a civil society based upon the rule of law. We shall continue to engage the Iranian authorities on these issues with the intention of securing further improvements.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what commitments he received from the Iranian Government concerning human rights prior to the exchange of ambassadors between the United Kingdom and Iran. [87125]

Mr. Hoon: The exchange of ambassadors with Iran was agreed in principle during my right hon. Friend the Foreign Secretary's meeting with his Iranian counterpart, Dr. Kharrazi, at the United Nations on 24 September last year, when Dr. Kharrazi gave important assurances that the Iranian government would take no action to threaten the life of Mr. Salman Rushdie, or encourage or assist anyone else to do so.

We and our EU partners remain concerned over certain human rights policies in Iran. We shall continue to raise these concerns with the Iranian authorities.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87188]

Mr. Tony Lloyd: The FCO has not introduced any new legislation during this session.

EC Working Groups

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a list of the European Community's working groups, stating in each case the number of times each group has met, the nature of the UK delegation, the documents submitted to the Council and the working group's purpose. [86761]

Ms Quin: A full list of European Community's working groups will be placed in the Library once it has been received from the Council Secretariat.

There is no centrally held record of the number of times that working groups have met. The UK is usually represented in working groups by officials from the relevant government department or the UK's Permanent Representation.

Working groups make reports and recommendations on legislative proposals from the Commission. These are then passed to the Council of Ministers for a final decision. The working group reports are not normally published, but the legislation, once enacted, is published in the Official Journal and is also available on the CELEX database.

Stability Pact

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library a copy of the draft Stability Pact for South-East Europe. [86721]

Mr. Tony Lloyd: A copy of the Stability Pact for South-East Europe is being placed in the Library of the House.

Supervision of Children (USA)

Mr. Willis: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to review the guidance given to British families when visiting the USA, relating to the supervision of children. [86679]

Mr. Hoon: FCO Travel Advice warns British nationals of the risks to their personal safety when travelling overseas. The situation in each country is monitored closely and the advice revised when necessary. However, FCO Travel Advice is not intended to reflect all the laws and customs of a country and travellers should not rely exclusively upon it.

British Council

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will list the previous chairmen of the British Council and their salaries since 1969; [87264]

(2) what salary has been agreed for the current chairman of the British Council. [87265]

Mr. Hoon: The position of the chair of the British Council has never been salaried, though an honorarium has been paid in the past. The honorariums paid to the last Chairman, Sir Martin Jacomb, have been declared in the British Council's annual report and accounts since 1995–96 and amounted to:

1997–98: £10,850
1996–97: £10,560
1995–96: £10,250

I understand that an honorarium for the current chair is under discussion, but not yet agreed.

DEFENCE

Health Trusts

Mr. Viggers: To ask the Secretary of State for Defence how much was paid by his Department to each of the health trusts in which MDHUs operate for the treatment of military personnel in each of the last three years. [80572]

Mr. Doug Henderson *[pursuant to his reply, 23 April 1999, c. 718–19]:* In respect of the amounts paid to health trusts for the treatment of military personnel, I regret that some of the information given was incorrect. For the year 1997–98 the amount my Department paid to Plymouth Hospitals NHS Trust (Derriford) was £1.558 million not £1.381 million.

Mr. Hancock: To ask the Secretary of State for Defence what was the total number of departmental personnel treated at NHS hospitals; how many operations were carried out on them; and what was the cost to his Department in each of the last five years. [65780]

Mr. Doug Henderson *[pursuant to his reply, 4 February 1999, c. 732]:* In respect of the cost of treating departmental personnel at NHS hospitals, I regret that some of the information given was incorrect. Treatment costs for 1996–97 were £10.304 million not £12.050 million, and for 1997–98 treatment costs were £9.297 million not £8.622 million.

Duke of York's Headquarters

Mr. Hood: To ask the Secretary of State for Defence if he will make a statement on the future of the Duke of York's Headquarters, Chelsea. [87836]

Mr. Spellar: On 8 July 1998, in connection with the publication of the Strategic Defence Review (SDR) we announced that the Duke of York's HQ in Chelsea would be sold and that its occupants, primarily the Territorial, Auxiliary & Volunteer Reserve Association for Greater London and Territorial Army units, would be re-accommodated as necessary. Since then, my Department has been considering how it might secure the optimum receipt for this prestigious site.

Following negotiations, and supported by advice from independent consultants, we have decided to proceed with a private treaty sale of the freehold of the site to Cadogan Estates, who own the principal adjoining site and are a special purchaser. The sale contract will be subject to Cadogan Estates achieving planning consent for an agreed planning application.

The agreed terms specify vacation of a considerable part of the site by March 2000. We require a longer period to finalise and prepare alternative locations for the affected units and we will vacate a further part of the site over the three years to 2003. Under the deal we have negotiated with Cadogan Estates, MOD retains an option for TA and cadet occupation in a small enclave within the site beyond 2003. However, we have not come to a decision yet on whether or not to exercise this option.

Military Deployment

Mr. Keith Simpson: To ask the Secretary of State for Defence what is the current proportion of *(a)* the Army and *(b)* Land Command (i) committed and (ii) warned to deploy for operations. [85913]

Mr. Doug Henderson *[holding answer 8 June 1999]:* As at 11 June, some 47 per cent. of the Army and some 72 per cent. of Land Command personnel were committed to operations. These figures include those preparing for and recovering from operations.

Figures for those "warned to deploy" do not meaningfully reflect the current level of operational commitment because the notice given to units depends on the circumstances of the individual unit and the commitment involved. They are a reflection of the current state of the administrative planning process used to identify suitable units to replace those currently on operations and some would be included in the figures for those committed to operations. However, if calculated on the same basis as my Answer of 22 April 1999, *Official Report*, column *633*, the figures for those warned to deploy on operations would be some 24 per cent. of the Army and some 37 per cent. of Land Command.

Women (Armed Forces)

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on his policy on (i) retention and (ii) deployment of women in the armed forces. [86368]

Mr. Doug Henderson: All three Services are wholly committed to maximising employment opportunities for women in the armed forces, except where it is assessed that this could undermine combat effectiveness. 73 per cent. of posts in the Naval Service, 70 per cent. of posts in the Army and 96 per cent. of posts in the Royal Air Force are open to women.

The Secretary of State commissioned a review into those posts closed to women on the ground of combat effectiveness; that is, the Royal Marines General Service, the Infantry, the Royal Armoured Corps and the RAF Regiment. Following the review it was decided that 1,300 specialist posts in the Royal Marines filled by Royal Navy and Army personnel would be opened to women. The results of the review were set out in the report of the Strategic Defence Review (Comd 2999) published in July last year.

Studies are also being undertaken to assess the impact on combat effectiveness of increasing, to 70 per cent. the number of posts open to women in the Army and of allowing women to serve in "attached billets" in the Royal Marines. This work is due to complete in 2001.

As I said on 24 February 1999, *Official Report*, columns *300–01*, we have decided that, following a review into the employment of women in submarines and in mine clearance diving branches, posts in these areas should remain closed on medical grounds.

Servicewomen currently represent around 7.7 per cent. of the total strength of the armed forces. In the 12 months to 1 April 1999, 12 per cent. of all new recruits were women; exit rates for women have remained relatively stable at 10 per cent.

Navy Crews

Mr. Hancock: To ask the Secretary of State for Defence how many Royal Navy ships currently at sea or operational have a shortfall in crew size broken down by (i) ship and (ii) discipline; and if he will make a statement. [86380]

Mr. Doug Henderson: The shortfalls for the Royal Navy Surface Flotilla ships currently at sea or operational as at 11 June 1999 are:

		Gaps by branch			
HM Ship	*Complement*	*Total Warfare*	*Engineering*	*Supply*	*Ship's company*
Alderney	38	2	—	—	36
Atherstone	42	1	—	—	41
Bicester	41	1	—	—	40
Birmingham	241	9	1	—	231
Boxer	238	7	—	1	230
Bridport	33	3	—	—	30
Campbeltown	226	7	1	—	218
Cardiff	241	6	2	—	233
Chiddingfold	44	—	1	—	43
Cottesmore	38	1	—	—	37
Coventry	229	8	—	—	221
Cromer	36	2	—	—	34

HM Ship	Complement	Gaps by branch: Total Warfare	Engineering	Supply	Ship's company
Dasher	2	1	-	-	1
Dumbarton Castle	53	1	-	-	52
Exeter	232	8	1	-	223
Fearless	535	13	5	6	511
Glasgow	239	3	3	-	233
Gloucester	244	9	1	-	234
Grafton	163	5	-	-	158
Grimsby	35	1	-	-	34
Guernsey	40	3	-	-	37
Hurworth	40	1	-	-	39
Illustrious	643	13	6	2	622
Inverness	36	-	1	-	35
Invincible	670	7	4	1	658
Iron Duke	165	1	1	-	163
Leeds Castle	40	4	1	-	35
Lindisfarne	39	-	-	1	38
Marlborough	166	3	-	-	163
Middleton	43	1	-	-	42
Monmouth	166	3	-	-	163
Montrose	166	4	1	-	161
Newcastle	226	11	-	-	215
Norfolk	165	3	-	-	162
Northumberland	165	6	-	-	159
Orwell	26	2	-	1	23
Pembroke	35	-	-	1	34
Penzance	36	1	1	-	34
Quorn	40	4	-	-	36
Richmond	165	2	1	-	162
Sandown	37	1	-	-	36
Sheffield	229	16	3	1	209
Shetland	39	1	-	-	38
Sutherland	163	6	-	1	156
Walney	37	1	-	-	36
Westminster	165	2	1	-	162

There are no submarines operating below their full crew complement.

Royal Navy Ships

Mr. Hancock: To ask the Secretary of State for Defence which Royal Navy ships have been deployed for more than six months in the last two years and in each case for how long they were deployed; and if he will make a statement. [86383]

Mr. Doug Henderson: Royal Navy ships deployed for more than six months in the period 31 May 1997 to 31 May 1999 are as follows:

Ship	Days deployed
HMS Brave	220
HMS Coventry	217
HMS Liverpool	195
HMS Newcastle	196
HMS Nottingham	214
HMS Westminster	198
HMS London	194
HMS Northumberland	199
HMS Leeds Castle	284
HMS Alderney	188
HMS Guernsey	199
HMS Shetland	188
HMS Cumberland	234
HMS Grafton	204
HMS Sheffield	203
HMS Sutherland	204
HMS Dumbarton Castle	365
HMS Scott	219
HMS Orkney	188

These figures represent the total number of days that the various ships were deployed, but in a number of cases the crews were changed during the course of the deployment.

Army Complement

Mr. Bob Russell: To ask the Secretary of State for Defence if he will list, by regiment and other section headings *(a)* the official complement and *(b)* the actual numbers in post in the Army. [87005]

Mr. Doug Henderson: Different Service Arms attach the term "Regiment" to varying sizes of formation, and not all of them further divide their "official complement" (referred to internally as the Liability, or the "Manpower Planning Target"). The following information is provided in terms of Arm/Service.

The following table provides details of each Service Arm's Strength and Liability, and the difference between the two, as at 1 April 1999. In line with our normal practice, the figures provided include the UK Trained Adult Personnel and Gurkhas, but exclude the Royal Irish (Home Service) Regiment and officers and soldiers under training. The figures shown for the Gurkhas include some three hundred men who form the Gurkha reinforcement companies which are attached to three infantry regiments, and a number of Gurkhas held over Liability to fill key posts elsewhere. I should also point out that the figures do not include 98 officers and 485 soldiers from the Reserves who are mobilised in Bosnia, or 226 Full Time Reservist Service personnel.

The liability and trained strength, by Arm/Service, of the Army

Arm/Service	*Liability*[1]	*Strength*	*+/-*
Staff Officers	689	725	+36
Household Cavalry/Royal Armoured Corps	5,949	5,492	–457
Royal Artillery	8,621	7,869	–752
Royal Engineers	8,336	8,653	+317
Royal Signals	9,045	8,174	–871
Infantry	27,321	24,972	–2,349
Army Air Corps	1,706	1,540	–166
Royal Army Chaplain's Department	137	135	–2
Royal Logistic Corps	15,860	15,224	–636
Royal Army Medical Corps	2,720	2,720	–328
Royal Electrical and Mechanical Engineers	10,069	9,560	–509
Adjutant General's Corps	6,954	7,034	+80
Royal Army Veterinary Corps	165	132	–33
Small Arms School Corps	140	149	+9
Royal Army Dental Corps	428	350	–78
Intelligence Corps	1,216	1,095	–121
Army Physical Training Corps	393	386	–7
Queen Alexandra's Royal Army Nursing Corps	882	667	–215
Corps of Army Musicians	1,161	1,051	–110
General List	0	2	+2
Unallocated	0	125	+125
Long Service List	597	573	–24
Gurkhas	2,882	3,374	+492
Total	105,271	99,674	–5,597

To implement the Post-SDR force structure the Army's Manpower Requirement (Liability) for Regular Forces (including Gurkhas, but excluding R IRISH (HS) Full Time, Territorial Army and Full Time Reserve Personnel) will increase to 108,439 by 1 April 2005.

Mr. Bob Russell: To ask the Secretary of State for Defence what was the shortfall in the official complement of the Army on 1 May *(a)* 1997 and *(b)* 1998. [87035]

Mr. Doug Henderson: The shortfall of UK Trained Army Personnel as at 1 May 1997 and 1 May 1998 was 5,406 and 5,438 respectively, and for Gurkha Trained Personnel, a surplus of 473 existed on both dates. These figures exclude Royal Irish (Home Service), and reserve personnel mobilised for duties associated with Bosnia, Full Time Reserve Personnel and Locally Employed Personnel.

Defence Evaluation and Research Agency

Mr. Hancock: To ask the Secretary of State for Defence what estimate he has made of the potential cost savings from co-operation between the Defence Evaluation and Research Agency and Government-funded defence research and development organisations based in NATO member states. [86332]

Mr. Spellar: The Defence Evaluation and Research Agency is involved in programmes with agencies of NATO Governments which provide access to complementary research which, if carried out unilaterally, could be unaffordable. These programmes may also provide access to novel technology and techniques, scientific peer review of UK activities, and access to broader technology-based relationships.

International collaboration in defence research brings substantial benefit to MOD financially, technically and operationally.

Mr. Hancock: To ask the Secretary of State for Defence what brief the Defence Evaluation and Research Agency has been given for joint defence research and development with organisations from other member states of NATO. [86333]

Mr. Spellar: The Defence Evaluation and Research Agency, DERA, is encouraged to seek opportunities for research collaboration with other nations, and for specified activities in support of Memoranda of Understanding between UK Government and other nations.

Army Cadets (Safety)

Mr. Kidney: To ask the Secretary of State for Defence what arrangements will be in place for the safety of cadets at the army cadets' annual camp in July. [86355]

Mr. Doug Henderson: Cadet safety is of paramount importance to my Department. Cadet training activities are strictly governed by rules and regulations, which are in line with Health and Safety at Work practice, and which stress the need for supervision by adults suitably qualified or authorised to plan, organise and conduct the activity concerned. Detailed instructions are distributed to every Combined Cadet Force (CCF) Contingent, each Army Cadet Force (ACF) Detachment, and personally to every cadet officer, Staff Sergeant Instructor and Adult Instructor in the CCF and ACF. These instructions are to be carried at all times during training and this will remain the case for all Cadet Camps in 1999.

Colchester Garrison

Mr. Bob Russell: To ask the Secretary of State for Defence when he will announce the name of the preferred bidder for the Colchester Garrison PFI project. [87006]

Mr. Doug Henderson: The detailed evaluation of the bids from the three shortlisted consortia, competing for the Colchester Garrison PFI project, is now complete. A recommendation for the preferred bidder is currently being considered by my Department and I hope to be in a position to make a formal announcement sometime later in the summer.

Defence Systems and Equipment International Exhibition

Mr. Fitzpatrick: To ask the Secretary of State for Defence, pursuant to his answer to my hon. Friend the Member for Newport West of 15 February 1999, *Official Report*, column *482*, if he will list the countries from which buyers will be invited to the Defence Systems and Equipment International Exhibition being held in Chertsey and London Docklands from 14 to 17 September. [87136]

Mr. Spellar: The full list of official invitees is still being completed. I will write to my hon. Friend as soon as it has been finalised and a copy of my letter will be placed in the Library of the House.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Defence if he will list the women's organisations which

have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87276]

Mr. Doug Henderson: No women's organisations have been consulted so far this session on any legislative proposals.

Regimental Insignia

Mr. McNamara: To ask the Secretary of State for Defence what rules and guidelines govern the use of Army regimental insignia; in what circumstances regimental insignia may be used for commercial and political advertising; and what penalties may be incurred by use of insignia for such purposes without permission. [87158]

Mr. Doug Henderson *[holding answer 16 June 1999]:* The Badges, Crests and Insignia of Her Majesty's Armed Forces are subject to Crown Copyright. The rights associated with Crown Copyright are vested by Royal Letters Patent in the Controller of Her Majesty's Stationery Office personally. Specific nominees in individual Government Departments, including the Ministry of Defence, have authority to act on behalf of the Controller to give or withhold permission to reproduce certain categories of Crown Copyright material, and to collect fees levied according to a scale of charges set by Her Majesty's Stationery Office. The infringement of all Crown Copyright is investigated fully, and should legal action be pursued, penalties could include the seizure of all infringed goods, patterns and designs, payment of Royalties due and damages.

Dublin and Monaghan Bombings

Mr. McNamara: To ask the Secretary of State for Defence if he will release documents and records covered by the Official Secrets Acts in order to assist an investigation of allegations of British and Irish military intelligence involvement in the 1974 Dublin and Monaghan bombings. [87462]

Mr. Doug Henderson: We would give consideration to a request for assistance from the appropriate authorities.

Political and Security Committee

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on the nature, formation and activities of the Political and Security Committee established at the Cologne Council. [87304]

Mr. Tony Lloyd: I have been asked to reply.

The proposal for a Political and Security Committee was made in a Presidency report on strengthening of the common European policy on security and defence to the Cologne European Council. The European Council approved and adopted the report. The report notes that for the EU to decide and conduct effectively the so-called "Petersberg tasks", it may require a permanent body in Brussels (Political and Security Committee) consisting of representatives of member states with political/military expertise. No decisions have yet been taken on the nature, formation and activities of such a Committee.

EU Institute for Security Studies

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on his policy towards the proposed establishment of an EU Institute for Security Studies. [87299]

Mr. Tony Lloyd: I have been asked to reply.

The proposal for an Institute for Security Studies was made in a Presidency report on strengthening of the common European policy on security and defence to the Cologne European Council. The European Council approved and adopted the report. The report notes that for the EU to decide and conduct effectively the so-called "Petersberg tasks", it may require an Institute for Security Studies. There is, at present, an Institute for Security Studies established in the WEU. This might be taken over by the EU as appropriate.

Written Answers to Questions

Monday 21 June 1999

HOME DEPARTMENT

Kosovan Asylum Seekers

Mr. Bercow: To ask the Secretary of State for the Home Department what measures he is planning to prepare for the return of Kosovan temporary asylum seekers to their original places of residence. [87303]

Mr. Mike O'Brien: Officials in my Department and other Government Departments are meeting today with representatives from the United Nations High Commissioner for Refugees, the International Organisation for Migration, the Refugee Council, the British Red Cross and Refugee Action to discuss how best to facilitate the voluntary return of Kosovar Albanians back to Kosovo. A number of these organisations in the voluntary sector have played a leading role in the reception, care and resettlement of the Kosovar Albanians and are, therefore, clearly well placed to advise on a number of the issues involved in returning them home. I believe we will be in a better position to devise a strategy for return once these initial discussions have taken place.

Prisoner Costs

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will list the annual cost of keeping *(a)* adults and *(b)* juveniles in prisons and young offenders' institutions broken down by category of prisoner. [87255]

Mr. George Howarth: The Prison Service does not calculate separately the cost of imprisonment by category of prisoner.

The information in the table shows the average establishment cost per place in 1998–99 broken down by category of prison. Prisons with multiple functions (for example an adult male prison with a separate young offender wing) are categorised according to their dominant category.

Establishment costs exclude capital expenditure and head office overheads. For this reason, the figures in the table are not comparable with the provisional Prison Service cost per place Key Performance Indicator figure for 1998–99 of £25,096.

Figures are provisional and subject to validation by prisons.

Cost per place for prison establishments

£

Establishment function type	*Average cost per place 1998–99*
Male local	23,257
Dispersal	32,991
Category B	20,819
Category C	17,142
Male open	14,753
Male remand centre	21,582
Male closed young offender	18,186
Male open young offender	18,975
Male juvenile	26,079
Female local	28,443
Female closed	26,860
Female open	16,018

Mental Health Act 1983 (Deportations)

Mr. Stringer: To ask the Secretary of State for the Home Department how many detained patients have been removed from the United Kingdom since 1983 under Section 86 of the Mental Health Act 1983. [87468]

Mr. George Howarth: Up to the end of 1995, 25 detained patients in all categories had been removed under section 86. Since then, one restricted patient has been removed. Figures for the removal of other categories of detained patients in the same period are not held, and the information sought could be obtained only at disproportionate cost.

Prisoner Drug Testing

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the prisons in England and Wales where mandatory drug testing of inmates takes place. [87289]

Mr. George Howarth: All prisons in England and Wales undertake mandatory drug testing of prisoners.

European Committee for the Prevention of Torture

Mr. Mullin: To ask the Secretary of State for the Home Department on what date the European Committee for the Prevention of Torture responded to his request for clarification regarding its report on the handling of deaths in police custody; and when he expects the reports to the published. [87343]

Kate Hoey: The President of the Committee replied on 8 March 1999 to a letter of 16 October 1998 from a Foreign Office official. We expect the report to be published if and when we have reached agreement with the Committee on the publication of material subject to legal professional privilege; and we are actively pursuing this.

Police Helicopters

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what guidance he has issued to chief constables concerning the use of police helicopters over built-up areas during the hours of darkness. [87345]

Mr. Boateng: None. Regulations covering the use of police helicopters are set out in the Police Air Operations Manual (POAM) issued by the Civil Aviation Authority.

Ministerial Meetings (Ireland)

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department how many Ministers in his

Department have held meetings with Ministers and officials of the Irish Government since 1 January 1998, indicating the dates and locations of each meeting, the Ministers involved at each meeting and the names of the Irish Ministers and officials at each meeting. [87383]

Mr. Straw: The information requested is given in the table. There will additionally have been meetings, such as European Union Justice and Home Affairs Council meetings, at which both Home Office and Irish Ministers and officials would also have been present.

Ministerial meetings with Irish ministers and officials since 1 January 1998

	10 July 1998	*10 December 1998*	*19 May 1999*
Minister:	Lord Williams of Mostyn	Paul Boateng	Lord Williams of Mostyn
Location:	Home Office	Home Office	Home Office
Irish Minister:	Mr. Frank Fahey	Mr. Frank Fahey	
Irish officials:	Mr. Mulligan (Irish Embassy in London)	Mr. David Smith (Department of Health and Children) Mr. John Kelly (Department of Education and Science) Mr. Paul Murray (Department of Justice, Equality and Law Reform) Ms Caitriona Ryan (Private Secretary to Mr. Fahey)	Mr. Gerry Kearney (Department of Finance)
Purpose of meeting:	Meeting to discuss death of Edward Walsh	Meeting to discuss youth justice and child prostitution	Meeting of Freedom of Information Advisory Group

Drug Treatment Programmes

Mr. Beith: To ask the Secretary of State for the Home Department for the latest year for which information is available, how many arrested persons were *(a)* referred to and *(b)* entered drug treatment programmes; and if he will make a statement. [87434]

Mr. George Howarth: This information is not currently held centrally. At present, there are around 127 face-to-face arrest referral schemes in England. The targets set recently under the drugs strategy by the United Kingdom Anti-Drugs Co-ordinator include doubling the number of such schemes in the current year.

European Elections (Costs)

Mr. Bercow: To ask the Secretary of State for the Home Department what was the total cost of publicity for the European Elections Vote Encouragement Project; what amount was spent on the Balloon Project; and what plans he has for the future use of the balloon. [87336]

Mr. George Howarth: The cost of the Government publicity campaign prior to the European Parliamentary elections was £3.5 million. The money was spent on television and press advertising and the leaflet drop to every household.

The campaign did not include a balloon. The London Office of the European Parliament ran separate publicity events in which a balloon was used.

NORTHERN IRELAND

Down High School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland for the school year 1998–99, how many pupils were enrolled at Down High School; how many were *(a)* Protestants, *(b)* Roman Catholics and *(c)* of other religions; and how many applicants for entry to the High School at the beginning of this year were refused. [87184]

Mr. McFall: The information derived from the Annual School Census as at October 1998 in relation to Down High School is as follows:

School year 1998–99

	School census
(a) Protestant pupils	698
(b) Roman Catholic	46
(c) Other pupils	69
Total enrolment	813

Thirty-three applicants were refused admission in September 1998.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland in the transfer procedure for 1999, how many pupils from *(a)* integrated, *(b)* controlled and *(c)* maintained primary schools have been accepted into Down High School; and how many of these pupils were in each of the grades of the transfer procedure. [87183]

Mr. McFall: The information in relation to admissions to Down High School in September 1999 is as follows:

(a) 2 pupils from integrated primary schools, 1 Grade A, 1 Grade B1;

(b) 114 pupils from controlled primary schools; 97 Grade A, 12 Grade B1, 1 Grade B2, 1 Grade C2;

(c) 9 pupils from maintained primary schools, 8 Grade A, 1 Grade B1; and 3 pupils from independent schools, 3 Grade A.

Bloody Sunday Inquiry (Solicitors' Rates)

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is the hourly rate paid to solicitors acting for the families of those persons killed by the Army in Londonderry on 30 January 1972; by what procedures this sum was negotiated and agreed, and under which budget sub-headings provision for these sums is made. [87376]

Marjorie Mowlam *[holding answer 18 June 1999]:* Hourly rates for the work of the solicitors acting for the families of those killed by the Army in Londonderry on 30 January 1972 have yet to be agreed. The Bloody Sunday Inquiry's independent costs assessor is currently in negotiation with the solicitors, and the Tribunal awaits his advice on reasonable rates.

CULTURE, MEDIA AND SPORT

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Culture, Media and Sport if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87274]

Mr. Chris Smith: The Department for Culture, Media and Sport has brought forward no legislation during the current session.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for Culture, Media and Sport how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87324]

Mr. Chris Smith: Between 15 April 1999 and 16 June 1999, a total of 61 named day parliamentary questions were tabled for answer by my Department. Of these 27 (44 per cent.) received a substantive reply on the day requested.

TRADE AND INDUSTRY

MMC Reports

Mr. Luff: To ask the Secretary of State for Trade and Industry if he will list each Monopolies and Mergers Commission report received by his Department since June 1994 and give in each case *(a)* the date on which it was received, *(b)* the date on which it was published and *(c)* the date on which the Secretary of State's decision was announced, where it is different from *(b)*. [87313]

Dr. Howells: I am placing in the Library of the House a list of the reports received in the Department from the Monopolies and Mergers Commission and the Competition Commission since June 1994, together with the dates on which they were received and the date on which they were published and a decision was announced.

I am also making available a list of reports delivered by the Monopolies and Mergers Commission to sectoral regulators during the same period of time.

Plutonium and Uranium Stocks

Mr. Borrow: To ask the Secretary of State for Trade and Industry if he will publish figures for the United Kingdom's stocks of plutonium and uranium at 31 December 1998. [87837]

Mr. Battle: I have today placed in the Library of the House figures for the United Kingdom showing national holdings of civil plutonium and uranium at 31 December 1998. These figures are published as part of the UK's continued commitment to improve transparency and openness in its management of our national holdings of civil plutonium and uranium.

In accordance with our commitment under the international "Guidelines for the Management of Plutonium"—an agreement among an informal group of nine countries to publish national holdings of plutonium—I have today sent a copy of the figures to the Director-General of the International Atomic Energy Agency, who will be circulating it to member states in due course.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Trade and Industry if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [86991]

Dr. Howells: The Government are committed to making sure that policies are inclusive and take full account of the needs and experience of all those affected by them. Guidelines on Policy Appraisal for Equal Treatment, published in November 1998, commit policy makers to assess how proposals affect different groups of people.

Application of the guidance has been the responsibility of individual Departments. Within this Department we increasingly make use of consultation, research projects and disaggregated statistics to identify the impact of policy upon women. As an example, over 300 respondents commented on the family friendly employment rights proposals in the White Paper "Fairness at Work", including women's organisations and other groups with a strong interest in women's issues such as the Equal Opportunities Commission, Maternity Alliance, the Fawcett Society and the Women's National Commission. Responses were not made public but a list of respondents was placed in the Libraries of the House.

Informal consultation is continuing prior to publishing the Parental and Maternity Leave regulations. Maternity Alliance, Parents at Work, the Equal Opportunities Commission, and TUC Equal Opportunities representatives have contributed to this process. There will be further public consultation on the draft regulations.

Working Time Directive

Mr. Bercow: To ask the Secretary of State for Trade and Industry what consultations he has held with the Ministry of Agriculture, Fisheries and Food, on extension of the Working Time Directive to include maritime sectors; what assessment he has made of the impact of the Directive on fisheries; and if he will make a statement. [87341]

Mr. Ian McCartney: The DTI has overall policy responsibility for working time and co-ordinates the Government's response to EC proposals in this area.

DETR, which is responsible for marine safety issues including fishing vessels, has been extensively involved in developing Government policy on the proposals to extend the Working Time Directive to seafarers and sea fishing. MAFF has been extensively involved in developing Government policy on the proposals to extend the Working Time Directive to sea-fishing.

A copy of the Regulatory Impact Assessment produced for the Working Time Directive has been laid in the Libraries of the House. That was an assessment of the impact on all sectors of the UK economy, including sea-fishing.

Anglo-Irish Trade

Mrs. Ellman: To ask the Secretary of State for Trade and Industry what measures his Department takes to encourage businesses to trade with Northern Ireland and the Republic of Ireland. [87626]

Mr. Wilson: The services of British Trade International are available for exporters to the Republic of Ireland as they are for exporters to other West European countries. Activities include the Export Explorer scheme to encourage first-time exporters to visit the Republic; an Export Promoter to inform companies of the opportunities in the market and encourage them to trade with the Republic; and sectoral activities such as the provision of information stands at trade fairs in Ireland. Northern Ireland companies are eligible to use these services.

British companies trade with Northern Ireland as they would with other parts of the United Kingdom.

Plutonium Sea Shipments

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 14 June 1999, *Official Report*, column 5, relating to sea shipment of MOX fuel, if he will list *(a)* the dates on which the meetings to which he referred were held and *(b)* the officials who participated in the meetings. [87424]

Mr. Battle: Preparation of the transport plan took place over a period of several years and involved many meetings between officials of the Government Governments involved. It would not be possible to provide a detailed list of these meetings without incurring disproportionate cost. The UK officials who participated were drawn from the DTI, the Foreign and Commonwealth Office and the Directorate of Civil Nuclear Security.

Oil and Gas Industry Task Force

Mr. Anthony D. Wright: To ask the Secretary of State for Trade and Industry what plans he has to change the membership of *(a)* the Oil and Gas Industry Task Force and *(b)* its working groups. [87510]

Mr. Battle: We do not expect to change the membership of the Oil and Gas Industry Task Force, which is now preparing its report for publication in September. The Task Force has agreed that a successor group will be needed to ensure that continuing progress is made with the initiatives it is pursuing and it will be discussing what membership would be appropriate for its successor. The discussions will involve those with an interest in the Task Force's work. The Task Force will of course take account of representations made about membership.

The membership of the workgroups is a matter for their joint industry and Government sponsors from the Task Force. Changes are made from time to time to reflect the particular issues that a workgroup is addressing.

Mr. Anthony D. Wright: To ask the Secretary of State for Trade and Industry what measures are in place to ensure representation on the Oil and Gas Industry Task Force of parties working in the southern sector of the North Sea oil and gas industry. [87511]

Mr. Battle: The persons invited to join the Task Force were chosen to ensure the membership included a wide range of oil companies, contractors, supplies companies and trade unions active in all sectors of the UK Continental Shelf (UKCS). This certainly includes the southern North Sea, where a number of the members have significant interests.

The Task Force is developing proposals for reducing the cost base of UK oil and gas operations against the background of low oil prices and the particular characteristics of the various sectors of the UKCS. The initiatives developed and advantages gained will be relevant to oil and gas activity in all sectors and, furthermore, will improve the international competitiveness of the UK industry.

Mr. Anthony D. Wright: To ask the Secretary of State for Trade and Industry what are the criteria for the selection of personnel serving on the Oil and Gas Industry Task Force. [87509]

Mr. Battle: The Task Force has a high level membership drawn from industry and key Government Departments, including oil companies, contractors, suppliers, unions, DTI, Treasury, DETR and the Scottish Office. The membership was intended to reflect the broad spectrum of interest, while also being of manageable size.

A key objective of the Task Force is to stimulate new oil and gas projects on the UK Continental Shelf; it was therefore necessary to ensure the participation of different types of oil companies with significant UK interests. The choice of the contractors and supplier companies reflects the breadth of the industry, with large, medium and smaller companies contributing at managing director level.

HOUSE OF COMMONS

National Minimum Wage

Mr. Rowlands: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many staff and contracted staff have benefited from the introduction of a national minimum wage. [87613]

Mr. Kirkwood: All House of Commons rates of pay are higher than the national minimum wage. Therefore, no staff of the House have benefited from the introduction of the national minimum wage. It is not possible to state how many contractors staff may have benefited, as the House does not keep records of the rates of pay of staff employed by contractors.

Staff Salaries

Mr. Hoyle: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what was the largest percentage increase in

(a) salary and *(b)* bonus payments paid to staff earning over £50,000 in the House of Commons in the last year for which figures are available. [87464]

Mr. Kirkwood *[holding answer 18 June 1999]: (a)* In the year 1999–2000, the highest percentage increase in salary to a member of staff earning over £50,000, including a special performance award, was 10.2 per cent. *(b)* The highest bonus or special performance award was equal to 5.4 per cent. of salary.

Mr. Hoyle: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many House of Commons staff in the £50,000 to £200,000 salary range in the financial years *(a)* 1998–99 and *(b)* 1997–98 received percentage pay awards in excess of those given to non-Senior Civil Service grades. [87466]

Mr. Kirkwood *[holding answer 18 June 1999]:* There are four groups of House of Commons staff covered by separate pay settlements each year. They are the Senior Commons Staff (SCS), staff in the main structure (Pay Bands A to E), the Refreshment Department Catering Staff and the Works Directorate Craft Staff.

The pay of the Senior Commons Staff is directly linked to that of the Senior Civil Service. The pay of the other groups is kept broadly in line with civil service rates of pay. The pay awards for staff in the SCS and Pay Bands A to E are performance related, whereas staff in the Craft and Catering Bands are paid a rate for the job.

In the years 1997–98 and 1998–99, the percentage increases for most of the staff in Pay Bands A to E were higher than those for the SCS Staff. No staff in the SCS pay bands received a percentage increase higher than the highest percentage increases paid in Pay Bands A to E.

In 1997–98 and 1998–99, the average percentage increases for staff in the Catering and Craft pay bands were higher than the average non-performance (new money) increases, excluding the self-financing performance elements, for the SCS and Bands A to E. Because of the operation of the performance systems, it is not possible to make meaningful comparisons of percentage increases on an individual basis.

Mr. Hoyle: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many House of Commons staff earn more than £100,000 per year. [87465]

Mr. Kirkwood *[holding answer 18 June 1999]:* Only one member of staff of the House earns more than £100,000 a year. This information is published in the Commission's Annual Report.

INTERNATIONAL DEVELOPMENT

Debt Write-offs

Ann Clwyd: To ask the Secretary of State for International Development, pursuant to her answer to the hon. Member for Tooting (Mr. Cox), of 19 April 1999, *Official Report*, columns *420–21*, regarding debt write-offs for outstanding loans, if she will list the loans written-off for Indonesia, in each case stating *(a)* the nature of the aid project, *(b)* the date on which the loan was written-off and *(c)* the reason for the loan being written-off. [85849]

Clare Short: I refer my hon. Friend to the answer provided on 22 June 1998, *Official Report*, column *397*. Balances of all Indonesian aid loans were written off in 1979. This was in support of a resolution by the United Nations Conference on Trade and Development (UNCTAD) in 1978, a statement on which was made to the House on 31 July 1978, *Official Report*, column 25. However, the consequential amount of annual debt relief is currently reported as expenditure in the year in which the payments would have been due. Details are set out in the publication 'Statistics on International Development', a copy of which is available in the Library of the House.

Heavily Indebted Poor Countries

Mr. Cox: To ask the Secretary of State for International Development if she will list the countries included in the Heavily Indebted Poor Countries Initiative. [87291]

Clare Short: The list of countries eligible for the Heavily Indebted Poor Countries (HIPC) debt Initiative was agreed by the international community in 1996, and identified the 40 poorest, most indebted countries. However, others may be included in HIPC if a good case can be made. For example, Malawi will now be considered for HIPC debt relief. Being on the list, however, entitles a country only to be considered for HIPC debt relief. Countries which are not part of HIPC can still obtain debt relief from official bilateral creditors who form the Paris club.

Angola
Benin
Bolivia
Burkina Faso
Burma
Burundi
Cameroon
Central African Republic
Chad
Democratic Republic of Congo
Congo
Equatorial Guinea
Ethiopia
Ghana
Guinea
Guinea-Bissau
Guyana
Honduras
Kenya
Laos
Liberia
Madagascar
Malawi
Mali
Mauritania
Mozambique
Nicaragua

Niger
Rwanda
Sao Tome Principe
Senegal
Sierra Leone
Somalia
Sudan
Tanzania
Togo
Uganda
Vietnam
Yemen
Zambia.

WALES

Parliamentary Questions (National Assembly)

Mr. Bercow: To ask the Secretary of State for Wales how many (i) written and (ii) oral questions were answered by his Department in 1998; and how many of them were on matters which will be the responsibility of the National Assembly for Wales. [86361]

Mr. Michael: Ministers at the Welsh Office answered 1,676 written and oral questions in 1998. A breakdown in the format requested is not readily available and could be provided only at disproportionate cost.

In written and oral replies to parliamentary questions answered after 27 January 1999 we have indicated those matters which will become a matter for the National Assembly on 1 July.

NHS Reform

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has for reform of the NHS; and if he will make a statement. [86343]

Mr. Jon Owen Jones: My right hon. Friend's vision for the NHS was set out in his statement to the House of Commons on 3 December 1998, *Official Report*, columns 1053–66, and in the measures that have been taken to improve the health of the population, devolve decision taking and encourage co-operation in the planning and provision of services.

From 1 July, responsibility for this issue will fall to the National Assembly for Wales.

Sites of Special Scientific Interest

Mr. Randall: To ask the Secretary of State for Wales how many Sites of Special Scientific Interest there were in Wales on 31 March; and what was their total area in hectares. [87270]

Mr. Jon Owen Jones: On 31 March 1999 there were 962 Sites of Special Scientific Interest in Wales covering some 223,000 hectares, approximately 10.6 per cent. of the land area in Wales.

Following the transfer of functions, this issue will be a matter for the National Assembly.

FOREIGN AND COMMONWEALTH AFFAIRS

European Commission Staff

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many senior grades at the European Commission hold secondary employment; if he will list the directors-general so engaged, with the nature of their additional employment; and if he will make a statement. [86726]

Ms Quin: We do not have information about individual cases. But officials working in the European Commission may not hold any secondary employment, whether gainful or not, without first obtaining permission. Staff regulations state that permission would be refused if the nature of the work would impair the official's independence or be detrimental to the work of the Communities.

Chinese Prisoners

Dr. Desmond Turner: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what reports Her Majesty's Government have received on the welfare of the following prisoners *(a)* Ye Kensheng (Xinyang Municipal Labour Educational Camp), *(b)* Xiao Minghai (Xinyang Municipal Labour Educational Camp), *(c)* Xu Dajiang (Xinyang Municipal Labour Educational Camp), *(d)* Zhang Jinchen (Xinyang Municipal Labour Educational Camp), *(e)* Wang Xuehua (Xinyang Municipal Labour Educational Camp), *(f)* Li Zhongchang (Nanhu Labour Educational Camp, Anhui), *(g)* Zhan Guohua (Hefei Labour Educational Camp, Anhui), *(h)* Li Liya (Nanhu Labour Educational Camp, Anhui), *(i)* Hou Feng (Nanhu Labour Educational Camp, Anhui), *(j)* Tian Lin (Nanhu Labour Educational Camp, Anhui), *(k)* Meng Qingli (Shangqiu Labour Educational Camp, Anhui), *(l)* Wu Guifang (Urumqi Labour Educational Camp, Xinjiang), *(m)* Guei Chuan-Lun (Bao-feng Labour Educational Camp, Xuan-zhou, Anhui), *(n)* Liu Hai-Kuan (Bao-feng Labour Educational Camp, Zuan-zhou, Anhui), *(o)* Zhang Wan-Bao (Bao-feng Labour Educational Camp, Xuan-zhou, Anhui), *(p)* Lin Ke-Wei (Nanhu Agricultural Labour Educational Camp), *(q)* Peng Shu-Xia (Women Labour Educational Camp in Hefei, Anhui) and *(r)* Wang Chuan-Bing (Qing-gang Detention Centre (of the PSB), Heilongjiang); and what representations Her Majesty's Government have made on their behalf to the Chinese authorities; [87257]

(2) what reports Her Majesty's Government have received on the welfare of the following prisoners *(a)* Huang Dehong (Baokkang prefectural Labour Educational Camp), *(b)* Huan Debao (Wuwei Labour Educational Camp, Gansu), *(c)* Hei Qunhu (Wuwei Labour Educational Camp, Gansu), *(d)* Dai Chenggang (Zhenglin Labour Educational Camp, Zhaoyang, Hubei), *(e)* Zhang Shangkui (Zhenglin Labour Educational Camp, Zhaoyang, Hubei), *(f)* Li Qingshu (Zhenglin Labour Educational Camp, Zhaoyang, Hubei), *(g)* Zhang Jun (Local township Labour Educational Camp, Hubei), *(h)* Brother Song (Local township Labour Educational Camp, Hubei), *(i)* Hu Shoubin (Shayang Labour Educational Camp, Hubei), *(j)* Jia Ping, (Shayang Labour Educational Camp, Hebei), *(k)* Huang Zhihai, (Tangshan Labour Educational Camp, Hebei), *(l)* Fan Jinxia (Tangshan Labour Educational Camp, Hebei), *(m)* Yang

Xiaofang (Tangshan Labour Educational Camp, Hebei), *(n)* Liang Fujuan (Tangshan Labour Educational Camp, Hebei), *(o)* Huang Xiaojuan (Tangshan Labour Educational Camp, Hebei), *(p)* Zhu Qin (Tongxian Labour Educational Camp, Hebei), *(q)* Zheng Fang (Shibalihe (18 miles River) Labour Educational Camp, Zhengzhou, Henan) and *(r)* Xu Ying, (Shibalihe (18 miles River) Labour Educational Camp, Zhengzhou, Henan); and what representations Her Majesty's Government have made on their behalf to the Chinese authorities. [87258]

Mr. Hoon: It is not possible to raise with the Chinese authorities each individual case of concern that is brought to our attention, such as those of the Christian "house church" worshippers listed by my hon. Friend. But we do take every opportunity to raise individual cases, both bilaterally and in conjunction with our EU partners.

My predecessor, the late Member for Leeds, Central, did so when he visited China in April. In addition, through our continuing bilateral and EU/China human rights dialogues, we have expressed our deep concern to the Chinese authorities about the harassment and detention of Christians who worship in "house churches". We will continue to encourage China to look upon religion as fulfilling a basic human need and not as a threat.

Yugoslav Embargo

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs which states have indicated their consent to the visit and search regime for merchant vessels suspected of breaching the Yugoslav embargo; what total proportion of global shipping tonnage this represents; what measures he is taking to increase the number of countries giving their consent; and if he will make a statement. [87335]

Mr. Tony Lloyd: NATO forces in the Adriatic continue to monitor shipping entering FRY ports, while the EU oil embargo remains in place. A number of non-EU and non-NATO states, including some of those frequently used for flags of convenience, have expressed their willingness to comply with the embargo. However, their consent to a visit and search regime will not be sought formally while NATO plans are kept under review in the light of recent political developments.

President Suharto

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to make submissions to the International War Crimes Tribunal in The Hague concerning actions carried out by order of former President Suharto of Indonesia in East Timor. [87494]

Mr. Hoon: We have no such plans.

Diplomatic Representation

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs with how many countries the UK *(a)* exchanges ambassadors or high commissioners and *(b)* maintains other types of representation; and if he will make a statement. [87418]

Mr. Hoon: The UK has resident Ambassadors or High Commissioners in 143 countries. We maintain diplomatic and consular relations with a total of 183 countries.

Ambassadors for British Business

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports are submitted by the Ambassadors for British Business. [87652]

Mr. Hoon: There is no requirement for the Ambassadors for British Business to submit reports. However, Ambassadors for British Business generally provide informal feedback to Ministers and officials on the events in which they have participated.

SCOTLAND

Sites of Special Scientific Interest

Mr. Randall: To ask the Secretary of State for Scotland how many sites of special scientific interest there were in Scotland on 31 March; and what was their total area in hectares. [87271]

Mr. Macdonald: On 31 March 1999 there were a total of 1,448 sites of special scientific interest in Scotland, covering 919,597 hectares.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mussel Fisheries

Mr. Maclennan: To ask the Secretary of State for Scotland what assessment he has made of the impact of his proposed extension of the Dornoch Firth and Morrich More sites as candidate special areas of conservation under the EC Habitats Directive on the Tain mussel fisheries. [87450]

Mr. Macdonald: The Scottish Office has assured the managers of this fishery that, as currently prosecuted, it forms a sustainable part of the management of the Dornoch Firth and Morrich More candidate Special Area of Conservation.

From 1 July 1999, this will be a matter for the Scottish Parliament.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Driving Tests

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions (1) for what reasons the Driving Standards Agency plans to recruit a further 85 examiners in 1999; [86247]

(2) what effect current trends in demand for driving tests are having on examiner staffing levels. [86245]

Ms Glenda Jackson: The Driving Standards Agency closely monitors demand for driving tests. The forecast level of demand for practical driving tests in 1999–2000 is similar to 1998–99, at 1.4 million. However, the introduction of the longer driving test, with examiners conducting seven rather than eight tests a day, means each

examiner conducts 12.5 per cent. fewer tests. Taking account of retirements, the Agency estimates that it will need to recruit 80 to 85 examiners during 1999–2000. They will be recruited on a contract basis to enable the Agency to respond flexibly to fluctuations in demand.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what future changes are planned for the driving test centre estate; and what assessment he has made of the effect of these on present levels of public service. [86223]

Ms Glenda Jackson: The Driving Standards Agency keeps the practical test centre estate under review as part of the business management. Any changes will be considered on their merits, with a view to increasing the efficiency of property use whilst improving customer service.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions how many contractual examiners are currently employed by the Driving Standards Agency; and under what circumstances they are used. [86244]

Ms Glenda Jackson: The Driving Standards Agency currently employs 157 contract driving examiners nationally, on a variety of three-yearly contracts. Some staff are guaranteed a minimum of one day's work per month, while others may be working full time. The amount of work on offer is determined by local demand for driving tests and the need to cover absences in the permanent examiner workforce. The Agency plans to standardise existing contracts as they come up for renewal.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if the Driving Standards Agency will conduct comparative studies of driving test arrangements in other countries in order to identify and evaluate best practice. [87153]

Ms Glenda Jackson: The Transport Research Laboratory is reviewing the practical car driving test. This includes an examination of arrangements in other countries. A final report is expected next year.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce arrangements for self-regulation in the driving test industry. [87151]

Ms Glenda Jackson: No. We regard it as essential that the public can have assurance that we issue driving licences only after candidates have passed statutory tests that are conducted in a fair, consistent and independent manner.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will establish mobile driving test centres for local areas whose test centres have been closed. [87152]

Ms Glenda Jackson: Occasional driving test centres are used in some of the more remote parts of the country where the demand for tests is very low. But we have no plans to use mobile centres in areas where permanent test centres have been closed. The decision to close a permanent test centre is taken only after careful consideration has been given to the availability of other centres in the locality.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will make financial compensation available to approved driving instructors whose businesses have been affected by driving test centre closures. [87148]

Ms Glenda Jackson: We have no plans to pay compensation to driving instructors when a test centre closes. The demand for their services relates to where their pupils live, rather than the particular location of a driving test centre.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the improvements his Department has made in local services provided by the Driving Standards Agency following closures of driving test centres. [87150]

Ms Glenda Jackson: Savings achieved from restructuring the test centre estate in 1998–99 have helped pay for eight new test centres and the new driving test booking system.

Independent Complaints Advisory Service

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reform the Independent Complaints Advisory Service. [86263]

Ms Glenda Jackson: The Department has appointed an independent complaints adviser to investigate complaints about the Department's agencies. There are no plans to change these arrangements.

Goods Vehicle Licences

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to permit the impounding of commercial vehicles used without a goods vehicle operator's licence; and if he will make a statement. [86395]

Ms Glenda Jackson: The Earl Attlee has introduced a Bill in another place which would give powers for the impounding of illegally operated heavy goods vehicles. A consultation exercise carried out by my Department last year showed that there was overwhelming support for an impounding scheme and the Government will therefore support this Bill.

Alleyways

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions if he will review the provisions of Section 116 of the Highways Act 1980 to allow local authorities to apply to magistrates for the closure of alleyways to reduce anti-social behaviour. [86867]

Ms Glenda Jackson: This matter is being considered in the context of an on-going review of road traffic regulation law.

A number of representations have also been received since the announcement by my right hon. Friend the Minister for the Environment on 8 March 1999, *Official Report*, columns 21–33, of the Government's intention to introduce legislation to improve the rights of way system. We expect to issue a consultation paper on rights of way shortly.

Allergenic Material

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what assessment the Environment Agency has made of the release of allergenic material caused by the movement of grain within the dock system at Seaforth. [86833]

Mr. Meale: It is presumed that the question relates to the release of allergenic material to air. The Environment Agency is responsible for assessing releases to air from processes requiring authorisation under Part I of the Environmental Protection Act 1990. The Agency confirms that at the present time there are no processes dealing with grain within the Seaforth dock area that are authorised under Part I of the Environmental Protection Act 1990.

Releases to the air from these processes would therefore fall within the remit of Sefton Borough Council Environmental Health Department and/or the Port Authority. The Agency is not involved in this process.

Strategic Rail Authority

Mr. Tony Clarke: To ask the Secretary of State for the Environment, Transport and the Regions what progress is being made in establishing the Strategic Rail Authority. [86989]

Ms Glenda Jackson: The shadow Strategic Rail Authority has been operational from 1 April. We are committed to establishing a statutory Strategic Rail Authority at the earliest legislative opportunity.

Lorries

Mr. Dafis: To ask the Secretary of State for the Environment, Transport and the Regions what is the average weight of a loaded lorry as found by the weighbridge inspectors *(a)* in the latest year for which figures are available, and *(b)* (i) five years, (ii) 10 years and (iii) 20 years before that year. [87012]

Ms Glenda Jackson: Enforcement officers from the Vehicle Inspectorate do not retain weight records of vehicles weighed, unless the vehicle is overloaded. The records held are not kept in a central database. It is not possible, therefore, to provide the information requested.

Railtrack

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what response he has received from the Rail Regulator on the merits or otherwise of direct funding for Railtrack; and if he will make a statement. [86749]

Ms Glenda Jackson *[holding answer 15 June 1999]:* The Deputy Prime Minister asked the Rail Regulator to advise on the advantages and disadvantages of direct funding. That advice has been received and we will announce our conclusions in due course.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the total investment planned by Railtrack, excluding moneys for maintenance and renewal, over the next five years intended to increase freight movements by rail. [86434]

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with Railtrack concerning the capital development plan and public investment in it; and if he will make a statement. [86892]

Ms Glenda Jackson *[holding answers 15 and 16 June 1999]:* Railtrack's proposals for investment in the rail network over the next 10 years—for both passenger and freight—were set out in its 1999 Network Management Statement (NMS), published in March. The Rail Regulator is currently considering whether the investment proposed in the NMS meets the reasonable requirements of the industry and its funders. In doing so the Regulator will take into account the views of the industry and the shadow Strategic Rail Authority.

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87326]

Mr. Meale: Since 15 April, 298 questions have to date been tabled for answer on a named day. 68 per cent. have received a substantive answer on that day.

Lapwings

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reverse the decline in the lapwing population; and if he will make a statement. [87277]

Mr. Meale: My Department is working with MAFF to assess the impact of changing farming practices on the lapwing. A 5-year project, involving collaboration between MAFF and the Royal Society for the Protection of Birds (RSPB), Game Conservancy Trust (GCT) and the Institute of Terrestrial Ecology, is investigating the role of pesticides and other factors in the decline of farmland bird species.

The Government also fund agri-environment and other schemes to encourage farmers to provide conditions which will benefit breeding lapwing. The Government are committed to a continuing expansion of areas under the major agri-environment schemes is making an extra £40 million available over three years for these schemes in England.

In addition MAFF has commissioned research into:

the possible relationship between farming practices over the last 20 years and the changes in the populations of a number of representative farmland birds,

the effects of agricultural change on bird populations

the effects on birds of changes in lowland grassland management.

Homelessness

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many London borough councils provide housing accommodation for homeless people within their borough. [87288]

Mr. Raynsford: Under the homelessness legislation, all local housing authorities must provide accommodation for eligible households who are unintentionally homeless and in priority need, if no suitable alternative accommodation is available in the district. Accommodation provided must be within the authority's own district, so far as is reasonably practical. Information about the location of accommodation provided under the homelessness legislation is not held centrally.

Trade Associations (Landlords)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number and percentage of private sector landlords who are members of a trade association of landlords. [87350]

Mr. Raynsford: The Department does not have this information.

However, we know that the National Federation of Residential Landlords has 42 affiliated landlord associations covering some 10,000 members and that the Residential Landlords Association has 560 individual landlord members. Additionally, the British Property Federation has over 500 members, which include companies, individuals and associations, who own, manage and invest in and develop property in the commercial and residential sector. Overall there are some 2 million privately renting households and the median number of lettings in a landlord's portfolio is seven.

Housing Stock (Lancashire)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the costs of bringing up to standard the housing stock in *(a)* Burnley, *(b)* Pendle, *(c)* Blackburn, *(d)* Hyndburn and *(e)* Rossendale. [87351]

Mr. Raynsford: The Department has not made specific estimates of the cost of bringing up to standard the housing stock in these areas.

As part of the annual Housing Investment Programme round, local authorities provides estimates of expenditure required on capital work to bring the housing stock they own into a satisfactory condition. The table provides these estimates for the above local authorities at 1 April 1998.

Authorities do not supply similar estimates for the private sector or stock owned by registered social landords.

Local Authority estimates of the need for capital work to the council housing stock, at 1 April 1998

Local Authority	*£000*
Burnley	35,965
Pendle	4,562
Blackburn with Darwen	90,599
Hyndburn	16,865
Rossendale	49,606

Source:
Housing Investment Programme—Annual Plan form

Unlicensed Tips

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many (i) successful and (ii) unsuccessful prosecutions have been brought against persons operating an unlicensed tip in each year since 1992. [87346]

Mr. Meale: Records for prosecutions by waste regulation authorities before their functions were transferred to the Environment Agency in April 1996 are not held centrally by the Agency. Whilst the results of prosecutions by the Agency since April 1996 are held centrally, the information is neither available on a database nor is it possible for the Agency, at reasonable cost, to distinguish between prosecutions for unlicensed tipping and other prosecutions under section 33 of the Environmental Protection Act 1990.

Sites of Special Scientific Interest

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions how many sites of special scientific interest there were in England on 31 March; and what was their total area in hectares. [87272]

Mr. Meale: As of 31 March, there were 4,045 Sites of Special Scientific Interest in England, covering 1,035,821 hectares.

Polegate Bypass

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions when he expects work to begin on the Polegate bypass scheme. [87174]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Nigel Waterson, dated 21 June 1999:

The Minister for Transport in London, Glenda Jackson, has asked me to reply to your recent Parliamentary Question asking when work is due to start on the A27 Polegate Bypass.

You will recall that Lord Whitty announced last December that we would start construction work on the scheme in the financial year 2000–2001, making it one of the first in the Targeted Programme of Improvements to start.

We are aiming to award the construction contract for this scheme next summer, although we are looking to see if a more optimistic target could be met. Some advance works have already taken place with the demolition of derelict buildings on the route and the planting of around 5,000 trees and shrubs that will help shield properties from the new road.

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions how much has been paid to contractors in respect of the Polegate bypass scheme to date. [87173]

Ms Glenda Jackson: The overall levels of compensation are close to being finalised with those tenderers who submitted tenders for the cancelled Weald and Downland DBFO Project, which included the Polegate Bypass scheme among others. Interim on-account payments totalling £5.0m (including VAT) have been made.

Northumberland National Park Authority (Parish Council Representatives)

Mr. Beith: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that the appointments of parish council representatives are confirmed in time for the annual meeting of the Northumberland National Park Authority on 23 June. [87507]

Mr. Meacher *[holding answer 18 June 1999]:* Results from the elections for parish council representatives in all seven English National Parks are currently being received in the Department. They will be considered by the Secretary of State as quickly as possible. It is unlikely that the appointments will be made by 23 June.

Wood Recovery

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on the review of the definition of wood recovery in respect of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 from 1 January 2000. [87683]

Mr. Meale: From 1 January 2000, wood packaging—including pallets and tea chests—will be covered by the Regulations. Obligated businesses will be required to recover a specified amount of wood packaging based on the quantity which they handled in the preceding year. There is no separate recycling obligation for wood.

The Environment Agency is currently considering the types of activity which may be regarded as 'recovery' in respect of wood packaging. It is anticipated that from 1 January 2000, a number of wood reprocessors will be accredited by the Agency and be able to issue Packaging Waste Recovery Note (PRNs) as evidence of recovery.

The Environment Agency is working with the Timber Packaging and Pallet Confederation (TIMCON) to establish the weight of wood packaging, providing an average figure for each of the common pallet types. Such agreement is necessary because of the moisture content of a pallet varies throughout its life sometimes by as much as 50 per cent. An agreement on weights will help to make the Regulations easier to work with for obligated businesses and regulators alike. It is anticipated that a protocol will be agreed during the summer.

Canal Towpaths (Cabling)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many miles of canal towpath are used by cable companies for their transmission network. [87649]

Mr. Meale: British Waterways manages 2,000 miles of canals and inland waterways in England, Scotland and Wales. There are 1,600 miles of canal towpath and around 450 miles are used by cable companies for a variety of communication purposes.

Local Government Commission

Mr. Dawson: To ask the Secretary of State for the Environment, Transport and the Regions what the outcome was of Stage II of the Financial Management and Policy Review of the Local Government Commission for England; and if he will make a statement. [87903]

Ms Armstrong: I have today placed in the Library a copy of the Report on Stage II of the Financial Management and Policy Review of the Local Government Commission for England (LGC), which I announced on 17 November 1997, *Official Report*, column 9. I have also placed in the Library a copy of the Action Plan for implementation of this Report's recommendations.

The report makes a number of detailed recommendations on the internal management of the LGC and the way the Periodic Electoral Reviews are carried out. These recommendations have been accepted and are being implemented as set out in the Action Plan.

Out-of-town Shopping Developments

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend Planning Policy Guidance Note 6 in respect of out-of-town shopping developments; and if he will make a statement. [87770]

Mr. Raynsford: None.

Local Government Finance

Gillian Merron: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on reviewing the local government finance system; and in particular what research is being undertaken in support of the review. [87965]

Ms Armstrong: My Department has let five contracts. Two cover research into the use of prudential indicators to regulate local authority borrowing, and a non-statutory scheme for debt provision. The other three contracts are in support of the review of the Revenue Grant Distribution System and comprise an opinion survey of local authorities, comparative lessons from approaches and developments in other countries, and potential new data sources for use in grant distribution. Further details of these projects are given in the Department's 1999/2000 Local and Regional Government Research programme Annual Newsletter, a copy of which has been placed in the Library.

The Government plan to publish a consultation paper on local government finance in spring 2000.

HEALTH

Autism

Mr. Öpik: To ask the Secretary of State for Health what funding his Department has allocated for each of the last three financial years for *(a)* research into and *(b)* the treatment of autism; and if he will make a statement. [87010]

Mr. Hutton: The Department has not directly commissioned national research on autism recently but a new research initiative on learning disabilities will be launched in the autumn which may attract proposals for research into autism.

The Department also manages the National Health Service research and development levy which is used to support research and development to the NHS in hospitals, general practice and other health care settings, and to fund the NHS research and development programme.

Management of much of the research supported by the NHS research and development levy is devolved and details of expenditure at project level are not collected routinely by the Department.

Project details of work directly funded by the Department or supported through the NHS research and development levy can be found on the National Research Register (NRR), copies of which are available in the Library. The NRR lists over 30 projects concerning autism for which the Department will be providing support funds.

In addition, the Medical Research Council (MRC)—which receives most of its income via grant-in-aid from the office of my right hon. Friend the Secretary of State for Trade and Industry—funds medical research as part of the Government's funding of the science and engineering base.

The figures for the expenditure by the MRC on autism over the last 3 years are:

Year	*£000*
1995-96	770
1996–97	825
1997–98	905

The MRC have also recently made 2 major awards to researchers in the field (spend for which will not yet be reflected in the figures). These are: Professor P. A. Jacobs (Universities of Cambridge and Southampton) £1,100,000 over five years; and Professor A. Bailey (Institute of Psychiatry) £1,800,000 over four years.

The Department does not specifically allocate resources for the treatment of autism. It is for health authorities to decide how best to use the resources that have been allocated to them.

Mr. Öpik: To ask the Secretary of State for Health what plans his Department has to investigate the use of the drug Secretin for treating sufferers from autism; and if he will make a statement. [87009]

Mr. Hutton: I understand that Secretin has been used by a number of professionals in the treatment of autism particularly in the United States. However, it is not licensed for use for that purpose either here or in the United States. We are keeping the developing situation in the United States under review.

NHS Appointments

Mr. Brady: To ask the Secretary of State for Health if he will list the NHS trust and health authority appointments which were not made by the due date and which remained outstanding on 1 June. [87334]

Mr. Denham: All health authority appointments due on 1 April 1999 were completed on time. A small number of appointments to National Health Service trusts and health authorities which expired in 1998 remain vacant. Details are given in the table.

List of health authority and national health service trust appointments which expired in 1998 and for which no appointment had been made by 1 June 1999

Region/Body	*Number of chairs*	*Number of Non-executives*
Eastern		
Essex Rivers Healthcare NHS Trust	0	1
North West		
Liverpool Women's Hospital NHS Trust	0	1
Wirral Hospital NHS Trust	0	1
Northern and Yorkshire		
Calderdale and Kirklees Health Authority	0	1
London		
City and Hackney Community Services NHS Trust	0	1
Croydon Community Health NHS Trust	0	1
Enfield Community Care NHS Trust	0	1
Trent		
Central Nottinghamshire Healthcare NHS Trust	0	1
Grantham and District Hospital NHS Trust	0	1
South East		
East Surrey Health Authority	0	1
South West		
Gloucestershire Ambulance Service NHS Trust	0	1
Royal United Hospital Bath NHS Trust	0	1
West Midlands		
Birmingham Heartlands and Solihull (Teaching) Hospitals NHS Trust	0	1
Walsall Community Health NHS Trust	0	1
Total	0	14

Correspondence

Mr. Bob Russell: To ask the Secretary of State for Health when he proposes to reply to letters from the hon. Member for Colchester of 22 April, 18 May and 3 June in respect of the future of cancer services in Colchester. [87355]

Ms Jowell: My right hon. Friend the Secretary of State replied to the hon. Member on 17 June 1999.

Alzheimer's Disease

Mr. Soames: To ask the Secretary of State for Health (1) what research the Government have commissioned into Alzheimer's disease and other forms of dementia in the last three years; [87500]

(2) what money the Government have provided for research into Alzheimer's disease and other forms of dementia in each of the last five years; what assessment he has made of the need for further research into dementia; and if he will make a statement. [87499]

Mr. Hutton: The Government fund health and medical research in a number of ways.

The Department funds research and development to support their work on policy development and evaluation in health and social care. The Department also manages the National Health Service research and development levy which is used to support research and development of relevance to the National Health Service in hospitals, general practice and other health care settings, and to fund the NHS research and development programme. In addition, the Medical Research Council (MRC)—which receives most of its income via grant-in-aid from the office of my right hon. Friend the Secretary of State for Trade and Industry—funds medical research as part of the Government's funding of the science and engineering base.

Priorities for departmental research and development support for the development of policy are determined through discussion with policy colleagues, the Departmental Research Committee and Ministers. In the NHS research and development programme, priorities take account of widespread consultation with those using, delivering and managing services, within a framework overseen by the Central Research and Development Committee for the NHS. In all cases, priorities for our budgets reflect analysis of the burden of disease, potential benefits and Government priorities, and take account of the responsibilities and work of other funders.

The MRC has recently made a number of substantial investments in the area of dementia. A new centre Development Grant in Brain Ageing has been awarded in partnership with the University of Newcastle and will examine the pathology and diagnosis of dementia—this will commence next year. In addition, the Multicentre Study of Cognitive Function on Ageing is an on-going major 10 year study funded in collaboration with Department of Health.

In addition the MRC has supported 53 projects on Alzheimer's/dementia in the last three years. Copies of the list have been placed in the Library. MRC spend has been as follows:

Year	*£000*
1994–95	3,795
1995–96	5,703
1996–97	4,780
1997–98	5,549
1998–99	6,050

Through the policy research programme and the NHS research and development programme the Department has invested the following amounts approximately on research into Alzheimer's Disease and other forms of dementia (excluding research related to Creutzfeldt-Jakob disease and Parkinson's disease) over the last five years:

Year	*£000*
1994–95	236
1995–96	225
1996–97	149
1997–98	198
1998–99	287

Management of much of the research supported by the NHS research and development levy is devolved and details of expenditure at project level are not collected routinely by the Department. Total investment in this area will therefore be greater than that listed above.

Projects funded by Department include:

Older people with dementia and their carers: professional intervention in primary care.

A longitudinal study of carer burden and comprehensive costs in dementia.

Husbands and wives who care for elderly people with dementia and functional psychiatric disorder.

Re-Analysis of Dementia Data Sets.

Development of Screening Tests for Dementia and Depression in Ethnic Elders.

AD2000—A study which aims to assess the clinical and cost effectiveness of Donepezel and Aspirin in Alzheimer's Disease

Project details of work directly funded by the Department or supported through the NHS research and development levy can be found on the National Research Register (NRR), copies of which are available in the Library and most medical libraries on CD Rom, and on the internet: http://www.doh.gov.uk/nrr.htm. The NRR also contains many details of projects/trials funded by the MRC and other funders.

The NHS Health Technology Assessment programme is considering research looking at "new drugs for dementia". Full proposals will be considered at a specially convened meeting in June.

Solar Eclipse

Mr. Tyler: To ask the Secretary of State for Health if he will issue advice to the residents in the areas from which the solar eclipse can be witnessed on the precautions to be taken when viewing it, to avoid damage to their sight. [87312]

Mr. Denham *[holding answer 18 June 1999]:* We have supported the optical professions in producing a leaflet "Observing Solar Eclipses—Taking care of your sight", which will be distributed to tourist information centres, libraries, optical practices and other locations places to which the public have ready access. A summarised version of the leaflet has already been made available to general practitioners and we will shortly be sending the same information to schools with details of how copies of the leaflet may be obtained.

We are collaborating with the press and other media in further publicising advice on how to view the sun safely and have let them know that they are free to reproduce the contents of the leaflet.

Mr. Duncan: To ask the Secretary of State for Health (1) what representations he has received regarding possible dangers to sight that may be caused by the August solar eclipse; [87469]

(2) if he will publish details on how Government information regarding eclipse safety can be accessed on the Internet; [87479]

(3) what consultations he has had with *(a)* broadcasters and *(b)* newspapers regarding publicising the dangers to ocular health of the solar eclipse; [87482]

(4) what discussions he has had with the Department for Education and Employment regarding informing pupils of the dangers of the August solar eclipse before the end of the school year; [87470]

(5) what advice he has issued to family doctors and other Health Service personnel regarding the treatment of injuries caused as a result of the solar eclipse; [87471]

(6) what advice he is planning to issue to parents regarding the dangers of the solar eclipse; [87472]

(7) what plans he has to encourage the use of indirect pinhole projectors by children wishing to observe the solar eclipse; [87473]

(8) what advice he intends to issue regarding the safety of solar viewers whose safety has not been authorised by optical bodies; [87474]

(9) what plans he has to advise users about the safety of solar filters or spectacles; [87480]

(10) what plans he has to warn people about the dangers of viewing the solar eclipse through binocular projection; [87475]

(11) what public advertising campaigns he intends to commission on the dangers of the solar eclipse; [87476]

(12) what advice he has been given regarding damage to the retina caused by the solar eclipse; and what plans he has to publicise the fact that retina damage occurs in a painless manner. [87478]

Mr. Denham: The Royal College of Ophthalmologists, the College of Optometrists and the Royal National Institute for the Blind were among the first bodies to advise us of the need for guidance on viewing the eclipse. We agreed to help them with the production and distribution of a leaflet, "Observing Solar Eclipses—Taking care of your sight", which is published on 23 June for distribution to tourist information centres, libraries, optical practices and other places to which the public have ready access.

In summary, the leaflet warns that looking directly at the sun is very dangerous. The radiation could permanently damage the eye. The safest way to view the eclipse is indirectly with, for example, a pinhole projection viewer. If people ignore this advice and decide to use a solar filter or a pair of eclipse spectacles, they do so at their own risk. They would be well advised to buy the device from a reputable outlet and ensure that it had a CE mark to show it had been approved under the Personal Protective Equipment Directive and also ensure that it came with full instructions for use, that it fitted closely to the face and that the lenses were not scratched or damaged. Even with covers for the eyepiece, binoculars and telescopes are dangerous because they can still expose the eye to excessive radiation.

We have arranged with the Department for Education and Employment for a summary of the advice to be included in the July edition of the "Spectrum" journal, which is sent to all heads of schools and chairs of governors. A summarised version of the leaflet has already been made available to all general practitioners and hospital doctors.

The College of Optometrists will publish the leaflet on their web site: www.College-optometrists.org and see that reference to it is included in the main Internet indexes.

We recognise that the media have a key role in educating the public on the risks to sight from the sun and we are collaborating on a series of news items in the period up to 11 August.

Mr. Duncan: To ask the Secretary of State for Health what percentage of the August solar eclipse will be visible in each county in the UK; and what plans he has to publicise this information more widely. [87477]

Mr. Denham: The Royal Greenwich Observatory has, by way of illustration, calculated the percentage of eclipse as follows: Cornwall and Devon 100 per cent., London 95 per cent., Manchester 90 per cent., Newcastle 85 per cent., Dundee 80 per cent., Western Isles 75 per cent., West Orkneys 70 per cent. The leaflet which the optical professions are producing notes the variable effect, but the risks from viewing the sun directly are the same whatever degree of partial eclipse.

Mr. Duncan: To ask the Secretary of State for Health what estimate he has made of the number of consultant eye surgeons who will be *(a)* on duty and *(b)* on call during the day of the August solar eclipse. [87481]

Mr. Denham: The information requested is not available centrally, but I am confident that the contingency planning undertaken by health authorities and National Health Service trusts will ensure that hospital eye departments are appropriately staffed on 11 August. However, it would be misleading to give any impression that radiation damage to the eye is treatable. In most cases there is some recovery of sight in the months which follow the injury but, if visual acuity is permanently affected, the only help available is through the prescription of an optical appliance.

Hospital Food (Waste)

Helen Jones: To ask the Secretary of State for Health what estimate he has made of the cost of hospital food which is thrown away annually in England and Wales. [87281]

Mr. Denham: The information requested is not available centrally. However, National Health Service trusts have been advised to monitor food waste regularly and record the value of waste against explicit targets to demonstrate that food budgets are properly used.

Mental Health Tribunal (Removal)

Mr. Stringer: To ask the Secretary of State for Health in how many cases under section 86 of the Mental Health Act 1983 the Mental Health Review Tribunal has refused to give its approval to removal since 1983. [87467]

Mr. Hutton: The information requested is not available centrally.

SOCIAL SECURITY

Housing Benefit

Mr. Waterson: To ask the Secretary of State for Social Security what plans he has to abolish the single room rent limits for housing benefit; and if he will make a statement. [87175]

Angela Eagle: We are currently examining all the available research evidence, including our own research, to ascertain the impact of rent restrictions on tenants and the private rental market. We will take account of the findings in our current review of Housing Benefit.

Mortgage Interest Payments

Mr. Maclean: To ask the Secretary of State for Social Security what has been the expenditure in each of the last five years on the provision of help with mortgage interest payments for *(a)* all income support claimants and *(b)* lone parents receiving income support. [87176]

Angela Eagle: The information is in the table.

Income Support (all cases) in Great Britain with mortgage interest 1993–98

Year	Number of claimants	Estimated annual expenditure £ million
1993–94	550,000	1,137
1994–95	517,000	995
1995–96	488,000	996
1996–97	377,000	671
1997–98	295,000	501

Income-based jobseeker's allowance (all cases) in Great Britain with mortgage interest 1996–98

Year	Number of claimants	Estimated expenditure £ million
1996–97	94,000	99
1997–98	67,000	144

Income Support (lone parents) in Great Britain with mortgage interest 1993–98

Year	Number of claimants	Estimated annual expenditure £ million
1993–94	120,000	280
1994–95	120,000	274
1995–96	116,000	291
1996–97	101,000	233
1997–98	86,000	201

Income-based jobseeker's allowance (lone parents) in Great Britain with mortgage interest 1996–98

Year	Number of claimants	Estimated expenditure £ million
1996–97	2,000	2
1997–98	2,000	4

Notes:

1. Figures are based on a 1 per cent. sample in May 1993 and a 5 per cent. sample thereafter.
2. Figures are based on an average of payments and numbers of claimants in the inquiry week using an average of the four quarters of the financial year.
3. Figures have been rounded to the nearest thousand, and the estimated annual expenditure is rounded to the nearest million pounds.
4. Prior to November 1995 figures on amounts of Income Support Mortgage Interest paid to claimants were published in the Quarterly Statistical Enquiry. From November 1995 onwards these have been replaced by figures on housing costs payable to claimants with mortgage interest payments. This change is due to alterations in Income Support rules and provides a more accurate reflection of the help actually provided to claimants under the housing cost rules. From 1993–94 onwards, the estimates that have been used for this answer have been based on amounts of housing requirements payable to claimants with mortgage interest payments, and will include amounts for ground rent and other miscellaneous housing costs, although the majority of the amount is paid for mortgage interest.
5. Income Support figures exclude the unemployed from October 1996, as Income Support for the unemployed was replaced by Income-based Jobseeker's Allowance from this point.
6. The February 1998 quarterly figure used in the annual 1997–98 Jobseeker's Allowance (JSA) figure include nil mortgage cases (i.e., cases with housing requirements only). JSA estimated expenditure for 1996–97 represents a six month estimate from the introduction of Income-based JSA, the 1997–98 is an annual estimate.
7. Lone parents have been defined as single people with dependants not in receipt of a disability or pensioner premium.

Source:

1. Jobseeker's Allowance Statistics Quarterly Enquiries, November 1996-February 1998.
2. Income Support Statistics Quarterly Enquiries, May 1993-February 1998.

Widows

Mrs. Fyfe: To ask the Secretary of State for Social Security, pursuant to his answer of 8 June 1999, *Official Report*, column *303*, on widows, what advice he has received on the availability of full-time paid work for widows aged 45 to 60 years entering the job market in different parts of the country. [86940]

Angela Eagle *[holding answer 14 June 1999]:* The availability of full-time paid work for widows aged 45 to 60 years will depend on local labour market conditions. Nationally, the total number of people in work has reached 27 million and unemployment has fallen to its lowest level in 19 years with 1.285 million out of work and claiming benefits.

We are committed to tackling age discrimination in employment and have recently published its code of practice on "Age Diversity in Employment". The impact of the code will be evaluated and this will inform future plans for legislation in this area.

War Pensions

Mr. Paul Marsden: To ask the Secretary of State for Social Security (1) for what reasons travel expenses to medical examinations for war pension claimants were changed; [84857]

(2) when he plans to review travel expenses to medical examinations for war pension claimants. [84856]

Mr. Bayley: The administration of the War Pensions Agency is a matter for its Chief Executive, Mr. Gordon Hextall. I have asked him to write to my hon. Friend.

Letter from Gordon Hextall to Mr. Paul Marsden, dated 21 June 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions, about the reasons why travel expenses to medical examinations for war pension claimants were changed and when he plans to review travel expenses to medical examinations for war pension claimants.

I should explain that the War Pensions Agency uses the medical services of the Benefits Agency with the exception of hearing tests which are arranged by contractors working direct to the War Pensions Agency. The arrangements for paying travelling expenses to medical examinations for War Pension claimants are the same as those for benefits administered by the Benefits Agency. At present medical examinations are arranged by SEMA Group Medical Services who are responsible for paying travelling expenses. The Benefits Agency took a decision from 1 July 1998 to amend the expenses rate 6.5 pence per mile for claimants using their own vehicles to attend examinations.

The change was made in order to correct the wide variations in the interpretation of previous instructions. It was concluded that the Benefits Agency was paying rates which were not consistent with existing policies and that expenses payments should be reduced from 22.5p per mile to 6.5p per mile to cover actual fuel costs. This level was consistent with paying actual public transport costs and was introduced in order to ensure that all claimants are treated in the same way regardless of where they live. The new rate was not introduced as a result of the contracting out of the Benefits Agency Medical Services but was introduced by the Benefits Agency before the private sector took over the delivery of the service.

I am advised that the Benefits Agency is currently undertaking a review of the above rate to ensure the objectives of the original change are still being met. The results of the review will be made available in due course.

I hope this is helpful and if you need any further information, I will be happy to assist.

Security and Investigation Service

Mr. Field: To ask the Secretary of State for Social Security how many Benefits Agency Security and Investigation Service staff are employed in each administrative region; how many job vacancies in the Service currently exist in each region; and how many of these have existed for more than a year. [86901]

Mr. Timms: Operational matters are the responsibility of the Chief Executive, Peter Mathison. He will write to my right hon. Friend.

Letter from Peter Mathison to Mr. Frank Field, dated 17 June 1999:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how many Benefit Agency Security and Investigation Service (BASIS) staff are employed in each administrative region; how many job vacancies in the Service currently exist in each region; and how many of these have existed for more than a year.

As of today's date, BASIS staffing levels are as follows:

	Northern Territory	*Southern Territory*
Complement	85	136
Current vacancies	17	50
Vacancies existing for one year	9	11

The vacancies existing for one year are part of the overall vacancies total, not in addition to it. Five of the above vacancies in the Northern Territory and thirty-one in the Southern Territory are due to the expansion of BASIS' remit.

These figures do not include the Identity Fraud Management Unit which did not become part of BASIS until January 1999.

I hope that this is helpful.

EDUCATION AND EMPLOYMENT

Disabled Employees

Mr. Wyatt: To ask the Secretary of State for Education and Employment what plans he has for setting a target for employers to take on a specific percentage of disabled employees. [86626]

Ms Hodge: We have no plans to introduce such a target for employers. The 3 per cent. quota scheme, established under the Disabled Persons (Employment) Act 1944, was appropriate before there was any specific legislation to give disabled people individual rights not be discriminated against in employment. Under Part II of the Disability Discrimination Act 1995 disabled people can now seek redress through Employment Tribunals if they believe they have been discriminated against at work.

We are raising awareness of these rights through our current National Disability Campaign, which was launched on 9 June 1999 by my right hon. Friend the Secretary of State for Education and Employment. The Campaign aims to encourage more understanding of the barriers and discrimination that disabled people face, highlighting that costs can be low and benefits high when employing disabled people. We believe that these measures, along with the proposed establishment of a Disability Rights Commission, will help improve employment opportunities for disabled people.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Education and Employment if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87186]

Ms Hodge: The Government are committed to making sure that policies are inclusive and take full account of the needs and experience of all those affected by them. Guidelines on Policy Appraisals for Equal Treatment in November 1998 commit policy makers to assessing how proposals affect different groups of people. Application of the guidance has been the responsibility of individual Departments. Within this Department we are making use of consultation, research projects and disaggregated statistics to identify the impact of policy upon women.

The Government's proposals for a Disability Rights Commission, the Bill to establish which is currently before this House, have been influenced directly by the views of the Equal Opportunities Commission. They have also been the subject of extensive public consultation. Over 7,000 copies of the White Paper "Promoting disabled people's rights" were issued, including to a number of women's organisations. Five national consultation conferences on the White Paper were held in September and October 1998. An analysis of responses to the White Paper has been placed in the Library.

CHURCH COMMISSIONERS

Ethical Investment Policy

40. **Mr. Baker:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what account the ethical investment working group takes of scripture in reviewing the commissioners' ethical investment policy. [86570]

Mr. Stuart Bell: The commissioners' ethical investment policy is exercised in the context of their duty to manage their inherited assets to provide financial support for the clergy of the Church of England, especially in area of need and opportunity.

AGRICULTURE, FISHERIES AND FOOD

Agriculture Council

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food if he will publish the latest agenda of the Agriculture Council of 14 to 15 June, prior to the meeting. [86831]

Mr. Nick Brown: The Agenda for the June Agriculture Council covers the following items:

Approval of the list of "A" Items

Contamination of certain foodstuffs by Dioxins—Information by the Commission

Commission proposals on the prices for agricultural products (1999/2000)

Proposal for a Council Regulation supplementing, in respect of livestock production, Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs

Proposal for a Council Directive laying down minimum standards for the protection of laying hens kept in various systems of rearing

Commission Communication to the Council on Bananas

Proposal for a Council Regulation (EC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin.

Pet Transport Regulations

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on *(a)* the new vaccination and identification systems and *(b)* the process for approving the laboratories in the EU, which will be necessary before the introduction of the new pet transport regulations. [86239]

Mr. Rooker: I refer my hon. Friend to the reply given to the hon. Member for South-East Cambridgeshire (Mr. Paice) on 15 June 1999, *Official Report*, column *120*.

Genetically Modified Seeds

Sir John Stanley: To ask the Minister of Agriculture, Fisheries and Food what his assessment is of the consequences of a ban for the time being on the placing of genetically modified seed varieties on the National Seed List. [87022]

Mr. Rooker *[holding answer 16 June 1999]:* The purpose of the National List system is to establish that varieties of agricultural seeds, which are proposed for addition to the List, are distinct, uniform and stable as well as showing an improvement in agronomic performance over varieties already on the List.

The Government's policy is not to accept entry of any genetically modified variety on to the National List unless it has obtained the necessary clearances under the Environmental Protection Act 1990 and regulations made under it, relating to environmental and safety aspects. It would, however, be outside the scope of the National List system to introduce a general ban on the addition of genetically modified varieties.

Raw Milk

Mr. Blunt: To ask the Minister of Agriculture, Fisheries and Food what action he will take to publish as early as possible the results of the Monopolies and Mergers Commission inquiry into the selling of raw milk in Great Britain. [86699]

Mr. Rooker: The Secretary of State for Trade and Industry alone is responsible for deciding when the MMC report should be published and what the Government's response to any recommendations should be. I refer the hon. Member to the reply given to the hon. Member for Somerton and Frome (Mr. Heath) on 6 May 1999, *Official Report*, column 1069.

Genetically Modified Foods

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what studies have been undertaken into the possible effects of antibiotic resistance gene markers retained in foods produced by the genetic modification of crops on *(a)* humans and *(b)* animals; and if he will make a statement. [86315]

Mr. Rooker: As well as its two reports on the use of antibiotic resistance markers (ARMs) in foods (published in 1994 and 1996), as part of its rigorous assessment of individual GM foods, the Advisory Committee on Novel Foods and Processes (ACNFP) always looks very carefully at the use of ARMs. It recommends against approval in those circumstances where it considers that there is a theoretical finite risk that their use might give rise to an increase in resistance against clinically important antibiotics. Studies are currently in progress to try to ascertain the exact size of such a risk, although this is expected to be very small.

Livestock Producers

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* cereal, *(b)* sheep, *(c)* beef and *(d)* other livestock producers have gone out of business since 1 May 1997. [86473]

Mr. Rooker: The information requested is not available. Figures are published in the Digest of Agricultural Census Statistics on the number of holdings undertaking various types of farming. Holdings can continue with the same activities even though they change ownership and conversely can change their activities while continuing in the same farming business.

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food how many pig farmers have gone out of business in the United Kingdom since 1 May 1997. [86474]

Mr. Rooker: Information in the form requested is not available. The available information relates to the number of main holdings with pigs at the June agricultural census, which were estimated to be 14,243 at June 1997 and 14,278 at June 1998. Results from the 1999 June census are not yet available. Holdings can continue with the same activities even though they change ownership and conversely can change their activities while continuing in the same farming business.

LORD CHANCELLOR'S DEPARTMENT

Parliamentary Questions

Mr. Brady: To ask the Parliamentary Secretary, Lord Chancellor's Department how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87327]

Mr. Vaz: Since 15 April 1999, 21 parliamentary questions for written answer on a named day have been tabled to the Lord Chancellor's Department; 100 per cent. received a substantive response on that day.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87193]

Mr. Vaz: The Government are committed to making sure that policies are inclusive and take full account of the needs and experience of all those affected by them. Guidelines on Policy Appraisals for Equal Treatment published in November 1998 commit policy makers to assessing how proposals affect different groups of people.

Application of the guidance has been the responsibility of individual Departments. Within this Department we are making use of consultation, research projects and disaggregated statistics to identify the impact of policy upon women. During this Session no women's organisation has been specifically consulted over proposed legislation.

PUBLIC ACCOUNTS COMMISSION

National Audit Office

36. **Mr. Steen:** To ask the Chairman of the Public Accounts Commission how many *(a)* full-time and *(b)* part-time administrative staff are employed by the National Audit Office. [86566]

Mr. Sheldon: On 31 March 1999 the National Audit Office employed 130 full-time staff involved in the delivery of support services and 18 staff working on a part-time basis. These represent 19 per cent. of all NAO staff and comprise specialists involved in the delivery of a range of key Support Services.

ATTORNEY-GENERAL

Women's Organisations (Consultation)

Jackie Ballard: To ask the Attorney-General if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87192]

The Attorney-General: My Department has not proposed any legislation during this Session.

DEFENCE

Royal Hospital, Haslar

6. **Mr. Viggers:** To ask the Secretary of State for Defence how many representations he has received on the future of the Royal Hospital, Haslar. [86535]

Mr. Doug Henderson: Since 14 December 1998, my Department has received around 500 representations on the future of the Royal Hospital, Haslar. This figure includes letters and petitions from hon. Members and members of the public. Together with my noble Friend the Under-Secretary of State for Health, I have also had a meeting with the hon. Member for Gosport (Mr. Viggers), my hon. Friend the Member for Portsmouth, North (Mr. Rapson), the hon. Member for Portsmouth, South (Mr. Hancock) and the right hon. Member for Fareham (Sir P. Lloyd), plus local representatives, on the closure of the Royal Hospital, Haslar.

Territorial Army (Balkans)

15. **Mr. Waterson:** To ask the Secretary of State for Defence how many members of the Territorial Army are currently serving in the Balkans. [86545]

Mr. Doug Henderson: As of 15 June 1999, 393 members of the Territorial Army were serving in the Balkans. Three hundred and fifty-five of these are deployed to Bosnia, representing some 10 per cent. of our troops in the country.

34. **Mr. Green:** To ask the Secretary of State for Defence what proportion of the Territorial Army is currently deployed on operations. [86564]

Mr. Doug Henderson: Three hundred and ninety three members of the Territorial Army (TA) are currently deployed on operations, and these represent some 0.79 per cent. of the overall TA. The majority of these are in Bosnia.

Iraq

16. **Mr. Dalyell:** To ask the Secretary of State for Defence pursuant to his answer of 18 May 1999, *Official Report*, column *303*, on Iraqi no-fly zones, if he will take steps to investigate the Iraqi claims of civilian casualties caused on 29 and 30 April and 12 May. [86546]

Mr. George Robertson: I am aware of Iraqi claims of civilian casualties occurring on the dates in question. As we have repeatedly said, we make every effort to reduce the risk of any such casualties and very much regret if they occur. But I can confirm that on all three days, repeated and direct threats from Iraqi forces, including heavy anti-aircraft fire, forced coalition aircraft patrolling the northern no fly zone in Iraq to take defensive action.

NATO

17. **Mr. Beard:** To ask the Secretary of State for Defence if he will make a statement on progress towards NATO enlargement. [86547]

Mr. George Robertson: Enlargement of NATO was discussed by NATO Heads of State and Government at the Washington Summit in April. In his statement to the House on 26 April 1999, *Official Report*, columns 21–23, my right hon. Friend the Prime Minister said that he and his NATO colleagues reaffirmed the alliance's continuing openness to new members and agreed a membership action plan for countries that aspire to join the alliance.

Learning Forces Initiative

18. **Mr. Borrow:** To ask the Secretary of State for Defence if he will make a statement on the progress of the Government's Learning Forces Initiative. [86548]

20. **Mr. Miller:** To ask the Secretary of State for Defence if he will make a statement on the progress of the Government's Learning Forces Initiative. [86550]

32. **Fiona Mactaggart:** To ask the Secretary of State for Defence if he will make a statement on the progress of the Government's Learning Forces Initiative. [86562]

Mr. Doug Henderson: As I have previously announced, Standard Learning Credits were introduced in April which increased by 25 per cent. the financial assistance available annually for Service personnel to undertake education for their personal development. Enhanced Learning Credits will be introduced next year. This major new scheme will provide a substantial source of funding for personal development both during service in the Armed Forces and for up to 10 years thereafter.

Green Transport Plans

21. **Mr. Baker:** To ask the Secretary of State for Defence if he will make a statement on his Department's green transport plans. [86551]

Mr. Spellar: The turbulence associated with the refurbishment of the Ministry of Defence's Main Building in Whitehall has made it impracticable to introduce green transport plans for MOD buildings in London. Work involved in their production would inevitably be largely nugatory.

Outside London, a draft green transport action plan has been prepared for MOD's Abbey Wood site at Bristol. Work on green transport plans for other MOD sites is due to start once analysis has been completed of recent pilot surveys on commuting and duty travel conducted at three representative MOD sites.

In the meantime, the Department is concentrating on more efficient fleet management, an approach which is consistent with our intention to handle green transport plans, as part of wider Environmental Management Systems.

Kosovo

22. **Mr. David Heath:** To ask the Secretary of State for Defence what assessment he has made of the implications of the Kosovo conflict for the future military structure of NATO. [86552]

Mr. George Robertson: NATO and the UK will be looking closely at the military and other lessons to be learned from the Kosovo conflict. But because operations are continuing, it is too early to make any firm assessments of its impact on NATO's military structure.

24. **Mr. Hoyle:** To ask the Secretary of State for Defence if he will make a statement on the use by his Department of Antonov aircraft in the Kosovo crisis. [86554]

Mr. George Robertson: During the course of operations in connection with the crisis in Kosovo, the UK Ministry of Defence has, as of 11 June, chartered 32 Antonov 124 heavy lift aircraft. We will continue to spot-charter Antonov aircraft, among others, as required.

26. **Mr. Jim Murphy:** To ask the Secretary of State for Defence if he will make a statement on his plans for British forces' future involvement in the NATO operation in Kosovo. [86556]

Mr. George Robertson: I refer my hon. Friend to the oral answer I gave today to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), *Official Report*, 21 June 1999, column 750.

30. **Mr. Edwards:** To ask the Secretary of State for Defence what role Britain's reserve forces will play in assisting refugees to return to Kosovo. [86560]

Mr. George Robertson: Members of the Reserve forces in Kosovo are fully integrated with the Regular units with which they are serving. They will therefore be assisting with all operational tasks required to create a safe environment in which the refugees can return to their homes.

31. **Dr. Harris:** To ask the Secretary of State for Defence if he will make a statement on the use of depleted uranium and cluster bombs in the Kosovan theatre. [86561]

Mr. George Robertson: Cluster bombs have been used by the RAF in the Federal Republic of Yugoslavia when suitable targets were identified, such as armoured and

soft-skinned vehicles, mortar and artillery positions, and fielded forces. In every case the greatest care was taken to reduce the risk of civilian casualties.

Depleted uranium based ammunition has not been used by UK forces in Yugoslavia. But to ensure, should it be required, that British troops would have the most effective means for self-protection, I have approved the deployment of some depleted uranium based tank ammunition.

Mr. Cohen: To ask the Secretary of State for Defence what estimate he has made of the cost to the Exchequer of peacekeeping in Kosovo in each of the next three years. [87103]

Mr. George Robertson: Given previous uncertainties over Milosevic's actions and the responses that would be needed, it is not possible to produce useful cost estimates. Following the recent peace agreement, we should soon have a clearer basis on which to estimate likely future costs.

Mr. Cohen: To ask the Secretary of State for Defence what was the total cost to the Exchequer of the military action in Kosovo up to 10 June. [87102]

Mr. George Robertson: As at the end of May, some £43 million of additional expenditure has fallen to my Department as a direct consequence of the UK's military response to the Kosovo crisis. This figure does not include the costs of replenishing stocks of expended ordnance.

Mr. Hancock: To ask the Secretary of State for Defence if British aircraft have used depleted uranium munitions during the bombing in Kosovo; and if he will make a statement. [86992]

Mr. George Robertson: DU-based ammunition were not used by the UK forces in air operations over Kosovo and Serbia.

I have approved the deployment of some depleted uranium tank ammunition to theatre to ensure that British troops would have the most effective means for self-protection, if it were required.

Mr. Bercow: To ask the Secretary of State for Defence what plans NATO has to remove all combat-effective firearms from private ownership in Kosovo; and if he will make a statement. [87337]

Mr. George Robertson: NATO has no plans to remove all combat-effective firearms from private ownership in Kosovo. However, UNSCR 1244 demands the demilitarisation of the KLA and other armed Kosovo Albanian groups, in accordance with the requirements laid down by the commander of KFOR.

Mr. Bercow: To ask the Secretary of State for Defence what numbers of *(a)* small arms, *(b)* man-portable and *(c)* larger weaponry are deemed to be held in Kosovo (i) by the KLA and (ii) in private hands. [87305]

Mr. George Robertson: We have no reliable information on the number of weapons held by the KLA, or in private hands.

We assess that the majority of the KLA's small arms are old and probably originated from Albania. During the past year, they have acquired more modern and sophisticated weapons systems, including anti-tank and anti-air. We also assess that KLA have few heavy weapons.

Mr. Bercow: To ask the Secretary of State for Defence for what reason the Kosovo Agreement was classified as NATO Confidential. [87338]

Mr. George Robertson: The Military Technical Agreement is not classified. A copy of the agreement has been placed in the Library of the House.

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on the rotation plans for troops to be deployed in Kosovo, with particular reference to the replacement of British troops by those of other nationalities. [87302]

Mr. George Robertson: The Permanent Joint Headquarters is currently drawing up plans for the rotation of UK forces involved in operations in and around Kosovo. With regard to burden-sharing with other nations, Canadian forces are already working closely with British forces in Kosovo. We are consulting closely with NATO and non-NATO allies about other possibilities for co-operation, but it is not yet clear whether this will result in arrangements which could see British troops being replaced by other national contingents.

Defence Establishments, Shoeburyness

23. **Sir Teddy Taylor:** To ask the Secretary of State for Defence what progress has been made in the disposal and reorganisation of the defence establishments in Shoeburyness. [86553]

Mr. Spellar: The Old Ranges and Horseshoe Barracks are still being prepared for disposal. Formal marketing will commence shortly, with a view to completing the sale by the end of the year. Informal negotiations are currently underway with several interested parties.

With regard to the New Ranges, I am pleased to announce that, with effect from 16 June 1999, a new partnership contract has been agreed with the existing supplier, SERCO. Over the course of the next few weeks the Defence Evaluation and Research Agency and SERCO will be working together in order to move forward on exploiting the potential of the site, both for additional range activity and for diversification.

Macedonia

25. **Mrs. Gilroy:** To ask the Secretary of State for Defence how many British troops there are currently in Macedonia. [86555]

Mr. George Robertson: As of today, there were some 2,900 UK Service and civilian personnel in Macedonia.

European Defence Co-operation Initiative

27. **Mr. Grogan:** To ask the Secretary of State for Defence if he will make a statement concerning closer defence co-operation between members of the European Union. [86557]

Mr. George Robertson: I refer my hon. Friend to the oral answer I gave today to my hon. Friends the Members for Harlow (Mr. Rammell), The Wrekin (Mr. Bradley) and Vale of Glamorgan (Mr. Smith), *Official Report*, 21 June 1999, column 747.

Soldiers (Training)

28. **Mr. Gordon Prentice:** To ask the Secretary of State for Defence what steps he is taking to ensure that soldiers in training are able to cope with the exercise regime without damaging their health. [86558]

Mr. Doug Henderson: The good health and physical well-being of all Service personnel is a priority for my Department, and personnel undergoing training are no exception.

As far as soldiers are concerned, the Army Training and Recruiting Agency, which is responsible for the initial and skill training of soldiers and officer cadets, takes all possible steps to ensure that both new recruits and trainees are carefully shown how to avoid injury while training. This includes briefing before and after specific training exercises, and a carefully graded introduction to the training regime. The Agency conducts a careful risk assessment and takes steps to ensure that appropriately trained personnel are available at all times to monitor exercises and training to reduce potential risks to a minimum. The details of any injuries that are sustained are the subject of a continuous audit to try to prevent repetition.

Peacekeeping

29. **Laura Moffatt:** To ask the Secretary of State for Defence when the Government intends to sign the memorandum of understanding with the UN in relation to peacekeeping and peace support operations. [86559]

Mr. George Robertson: The Government intend shortly to sign the Memorandum of Understanding with the UN, which declares UK forces as potentially available for UN peacekeeping operations.

Mr. Gapes: To ask the Secretary of State for Defence if he will make a statement on the role of British forces in international peacekeeping and peace enforcement missions. [86538]

Mr. Doug Henderson: The Strategic Defence Review identified that our less stable world will require more international peace support operations. The UK will play its full part in such international efforts, as we are in KFOR in Kosovo.

UK forces have particular experience and expertise in peace implementation missions such as IFOR and SFOR in Bosnia. Many of the enhancements to our military capability following the Strategic Defence Review will have a direct application in peace support operations.

MOX Fuel (Japan)

33. **Mr. Chaytor:** To ask the Secretary of State for Defence what consultations he took part in regarding the shipment of MOX fuel to Japan. [86563]

Mr. Spellar: I refer my hon. Friend to the answer I gave my hon. Friend, the Member for Blaenau Gwent (Mr. Smith) on 2 March 1999, *Official Report*, column *663* and the answer given by my hon. Friend the Minister for Energy and Industry to my hon. Friend the Member for Stroud (Mr. Drew) on the same day at column *692*.

Maastricht Treaty

Mr. Mitchell: To ask the Secretary of State for Defence what assessment he has made of the changes in Britain's defence requirements resulting from the defence pillar of the Maastricht treaty. [86539]

Mr. George Robertson: The tasks which drive our force structure are more demanding than those currently envisaged under the EU's Common Foreign and Security Policy. The MOD is committed to the further development of forces that are joint, modern, inter-operable, rapidly deployable and flexible enough to tackle a wide range of militarily demanding, potentially concurrent tasks.

Harrier Programme

Mrs. Virginia Bottomley: To ask the Secretary of State for Defence if he will visit the British Aerospace, Dunsfold site, to discuss the Harrier programme. [86540]

Mr. Spellar: On 7 January I met four Shop Stewards from BAe Dunsfold to discuss some of their concerns and hope to visit Dunsfold in due course.

Army Statistics

Mr. Laurence Robertson: To ask the Secretary of State for Defence if he will make a statement on the size of the Army in terms of *(a)* front-line troops, *(b)* non-military personnel and *(c)* equipment. [86542]

Mr. Doug Henderson: Under the plans announced as a result of the SDR, the regular Army will be strengthened by the creation of some 3,200 new posts. We are creating a sixth deployable brigade, a powerful new Air Assault Brigade, and we are strengthening our logistic support capability. New equipment entering service now and in the next few years will greatly improve our ability to conduct the hard hitting, mobile land operations of the future.

Balkan Conflict

Mr. Bercow: To ask the Secretary of State for Defence what proportion of Serb non-portable air defence capability remains unaffected by NATO activity; and what assessment he has made of the threat from such weapons to NATO low-flying capability. [86733]

Mr. George Robertson: During Operation Allied Force, the threat posed to low-flying NATO aircraft from man-portable air defence systems has been significant. These systems have a capability from well below 100 feet to over 14,000 feet and from a quarter of a mile to over two miles. NATO has taken appropriate counter measures which have been successful.

Reports from NATO pilots indicate that around 100 man-portable SAMs were launched by the Serb military during the now suspended air campaign. Man-portable air defence systems, by their nature, are very difficult to track. We believe that a number of these systems were

destroyed during attacks against Serb military locations, but we estimate that the vast majority probably survived.

Under the terms of the Military Technical Agreement (MTA), all MANPADS held by the Serb military should now have been withdrawn from Kosovo. The risk to NATO forces from MANPADS is currently assessed to be very low.

Mr. Bercow: To ask the Secretary of State for Defence what guidance has been issued to troops in the Balkan theatre on measures to be taken to protect them from spent depleted-uranium weaponry. [86359]

Mr. George Robertson: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Thurrock (Mr. Mackinlay) on 16 June 1999, *Official Report*, column *148*.

Southport Weather Station

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence what were the monthly *(a)* maximum and minimum temperatures, *(b)* mean daily maximum and minimum temperatures, *(c)* rainfall and *(d)* hours of daily sunshine for the weather station of Southport (Greenbank) for (i) 1994, (ii) 1995, (iii) 1996 and (iv) 1997. [87165]

Mr. Spellar: This is a matter for the Chief Executive of the Meteorological Office. I have asked the Chief Executive to write to my hon. Friend.

Letter from Peter Ewins to Mrs. Claire Curtis-Thomas, dated 21 June 1999:

I am replying to your question to the Secretary of State for Defence about weather data for the weather station at Southport (Greenbank). This matter falls within my area of responsibility as Chief Executive of The Met. Office.

The data you requested is given in the attached table.

Averages for the weather station at Southport (Greenbank):

	January	*February*	*March*	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*
air temperature (degree C):												
1994												
Highest max	10.7	9.9	13.8	19.7	21.5	25.3	26.2	25.0	19.1	17.4	15.2	14.7
Mean max	7.6	5.4	9.4	11.3	14.4	16.8	20.7	18.4	15.3	13.5	12.3	9.2
Lowest min	−2.1	−5.5	1.8	−0.3	2.7	6.2	8.5	8.2	5.9	1.4	1.5	−3.1
Mean min	2.6	0.2	4.4	4.5	6.9	10.7	12.7	12.3	9.6	7.3	7.7	3.8
Total rainfall (mm)	86.6	49.9	76.9	58.0	37.6	38.4	72.2	59.7	99.6	115.2	90.4	145.5
Total sunshine (hrs)	64.6	66.5	102.9	191.0	175.6	148.0	220.0	174.3	127.4	106.6	58.6	44.1
1995												
Highest max	12.1	11.3	15.3	20.0	23.8	29.4	29.1	31.2	21.8	24.5	14.0	11.9
Mean max	7.3	8.7	8.5	11.8	15.4	17.9	22.1	23.7	17.2	16.0	10.6	4.8
Lowest min	−3.7	0.4	−2.0	1.0	−0.4	7.0	10.7	8.7	8.2	3.0	−2.0	8.7
Mean min	1.8	3.8	2.2	5.3	7.7	10.9	14.5	14.2	11.0	9.7	4.8	0.3
Total rainfall (mm)	147.5	106.1	57.6	16.2	67.3	24.0	40.8	12.6	84.7	25.2	48.6	31.9
Total sunshine (hrs)	55.7	73.5	132.4	197.4	216.0	233.3	224.2	278.1	154.6	110.5	72.6	40.8
1996												
Highest max	11.4	9.5	10.5	19.4	22.3	25.7	24.9	28.2	22.1	18.8	15.2	10.5
Mean max	6.4	5.7	7.2	11.8	12.7	17.4	18.9	20.1	17.3	14.6	9.2	5.9
Lowest min	−4.9	−5.7	−1.8	−0.6	0.1	4.9	6.8	9.6	3.5	4.8	−3.2	−4.4
Mean min	3.0	−0.1	2.4	5.3	5.4	8.9	10.8	11.8	8.7	8.2	3.0	0.8
Total rainfall (mm)	19.4	58.3	30.2	59.1	38.0	31.7	40.3	74.3	42.7	112.9	105.5	47.7
Total sunshine (hrs)	21.3	94.8	87.5	121.4	211.7	249.4	218.6	181.2	158.6	103.7	85.4	57.5
1997												
Highest max	12.3	12.2	16.8	17.2	25.1	22.6	25.1	29.4	18.9	19.6	16.1	13.2
Mean max	5.7	9.2	10.9	12.2	15.9	17.4	19.9	22.3	17.0	13.9	11.1	8.6

Averages for the weather station at Southport (Greenbank):

	January	*February*	*March*	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*
Lowest min	–2.8	–0.4	0.4	0.1	2.1	6.1	8.5	10.5	7.3	–5.0	2.7	–4.4
Mean min	0.1	4.3	4.6	5.8	7.9	10.6	13.1	14.3	11.3	6.9	6.8	3.6
Total rainfall (mm)	2.3	77.7	35.7	23.2	65.7	74.2	63.1	46.1	62.9	58.8	86.1	105.0
Total sunshine (hrs)	50.7	79.2	104.3	121.9	244.6	141.6	237.4	228.7	136.2	123.5	27.5	27.7

European Defence and Security

Mr. Bercow: To ask the Secretary of State for Defence, pursuant to his answer of 8 June 1999, *Official Report*, column *209*, on European Defence and Security, if he will list the papers relating to other WEU business which were *(a)* noted and *(b)* endorsed by ministers at the Council of 10 May. [87340]

Mr. George Robertson: At the WEU Council on 10 May, papers were considered in the following areas:

Relations between the WEU and NATO

Relations between the WEU and the EU

New WEU Associate Members (Czech Republic, Hungary and Poland)

WEU Operational Development

WEU Space Activities

At the session on 11 May, papers were considered in the following areas:

New WEU Associate Members

Multinational Advisory Police Element (training the Albanian Police Force)

WEU De-mining Assistance Mission in Croatia

Crisex (Crises Management Exercises)

Relations with Ukraine

The title and contents of these documents, which were prepared by the WEU and were endorsed or noted by Ministers at the meeting, are classified by the WEU and I must therefore withhold this information under section 1c of the Code of Practice.

Armed Forces (Manning Levels)

Mr. Blunt: To ask the Secretary of State for Defence, pursuant to his answer of 10 May 1999, *Official Report*, columns *13–14*, on manning levels, on the assumption that (i) progress towards full manning was as predicted in the Strategic Defence Review, (ii) the level of operational commitment was as deployed in Bosnia currently and (iii) 5,000 troops were deployed in Kosovo indefinitely, how many additional *(a)* major units and *(b)* trained soldiers the Army would require to sustain 24 month tour intervals. [86277]

Mr. George Robertson: This is a hypothetical question. It is impossible at this stage to say what the long-term force levels will be either in the Former Republic of Yugoslavia or in Bosnia. If we were to conduct planning on the basis of the assumptions in this question, as I indicated in my previous answer, many variables could affect the calculation of the number of major units and trained soldiers required.

TREASURY

Charitable Giving

Mr. Spring: To ask the Chancellor of the Exchequer what is the total amount which has been contributed annually to the charitable sector *(a)* overall and *(b)* through the gift-aid scheme since the scheme's introduction; what these are as proportions of the total turnover of the charitable sector; and what is the total cost to his Department of the tax refunds resulting from the gift-aid scheme. [86690]

Ms Hewitt *[holding answer 15 June 1999]:* Charities received some £760 million under the Gift Aid scheme in 1997–98, of which £177 million were repayments of basic rate income tax, on donations by individuals and companies. Additional relief claimed by higher rate taxpayers for donations under the Gift Aid scheme is provisionally estimated at £40 million for 1997–98.

Consistent and reliable annual estimates for total donations to charities and for the income and expenditure of this sector are not available centrally. However, the Charities Aid Foundation estimates overall income donated by individuals to be around £5 billion to £6 billion per year. In addition to this charities also benefit from donations by companies and other organisations.

The Charity Commission's Register showed at the end of March 1999 that the total annual income of all registered charities in England and Wales was about £21 billion. This does not cover charities in Scotland and Northern Ireland, nor does it include non-registered charities.

Vehicle Excise Duty

Mrs. Betty Williams: To ask the Chancellor of the Exchequer what plans he has to extend the availability of reduced rates of vehicle excise duty for vehicles with *(a)* small engine capacity and *(b)* fuel efficient engines. [87038]

Ms Hewitt *[holding answer 15 June 1999]:* My right hon. Friend the Chancellor of the Exchequer detailed current vehicle excise duty policy in his March Budget Statement, 9 March 1999, *Official Report*, columns 173–90. He announced that from June 1 vehicles of 1100cc. or less would pay a reduced rate of vehicle excise duty of £100. Around 1.8 million cars will have qualified for the £55 reduction in their vehicle excise duty from the start of this month.

The Chancellor also announced that a system of graduated vehicle excise duty for new cars would be introduced in Autumn 2000. This will be based primarily on their carbon dioxide emissions, which are the most accurate indicator of fuel efficiency.

Financial Crises

Mr. Chaytor: To ask the Chancellor of the Exchequer what discussions his Department has had with British investors on their role and responsibilities in financial crises in emerging markets; and what part British investors have agreed to play in preventing and resolving future financial crises. [86943]

Ms Hewitt *[holding answer 15 June 1999]:* We have been working with our G7 partners to develop a new approach to the involvement of the private sector in financial crisis prevention and resolution. This is designed to help promote more orderly crisis resolution and therefore be of mutual benefit to debtors and creditors. Methods of achieving this could include establishing investor networks and the inclusion of collective action clauses in sovereign bond issues. Private sector investors have been involved in the debate on this issue and we expect an appropriate response from them to any proposals which are agreed.

Currency Speculation

Mr. Hesford: To ask the Chancellor of the Exchequer what plans he has to introduce a tax on currency speculation; and if he will make a statement. [85620]

Ms Hewitt: The Government have received proposals for a tax on international currency exchange. This idea has a number of practical difficulties, including the problem of achieving global coverage and the scope for avoidance. We have considered carefully whether these difficulties can be overcome, but our work so far suggests that they cannot. Consequently, we have doubts that the tax would achieve our shared objective of a stable international financial system.

Recycling

Mr. Sheerman: To ask the Chancellor of the Exchequer what plans he has for hypothecated taxes to encourage recycling, with particular reference to the packaging sector. [R] [87000]

Ms Hewitt: The Government currently have no plans to introduce a new tax to encourage recycling.

However, the Department of the Environment, Transport and the Regions has commissioned work on the policy instruments which might be used to correct market failures in the demand for secondary raw materials, and products made from secondary raw materials.

In addition, the Producer Responsibility Obligations (Packaging Waste) Regulations which set targets for recovery and recycling of packaging waste, will almost double the UK's packaging recovery rate (including recycling) to 50 per cent. by 2001.

Finally, in the Budget, 9 March 1999, *Official Report*, columns 173–90, the Government announced increases in the rate of landfill tax which will provide an incentive for further recycling. To promote further the development of more sustainable waste management, explicit provision will be made for "recycling" in the list of approved projects which can benefit under the landfill tax environmental bodies tax credit scheme.

EU Expenditure

Mr. Bercow: To ask the Chancellor of the Exchequer if it is his policy to support the expenditure covered in the EU budget lines listed under the heading *(a)* social contacts between staff, *(b)* early childhood centre and other creches and *(c)* entertainment and representation expenses; and if he will make a statement. [86657]

Ms Hewitt: The Government's policy on all spending by the institutions of the European Communities is to push for the same principles of rigour and cost-effectiveness as we apply to the UK budget.

Pesticides Tax

Mr. Swayne: To ask the Chancellor of the Exchequer what recent representations he has received on the proposed tax on pesticides; and if he will make a statement. [87293]

Ms Hewitt: The Chancellor of the Exchequer has received a number of representations on the design of a possible tax or charge scheme for pesticides. Many of these have been received through the current consultation exercise. The deadline for responses to that consultation is 24 June.

IMF Gold Stocks

Dr. Cable: To ask the Chancellor of the Exchequer what discussions he has had with IMF officials concerning the sale of IMF gold stocks in order to finance debt relief; and if he will make a statement. [85720]

Ms Hewitt: The UK has taken the lead in calling for the sale of $1 billion-$2 billion (approximately 10 million ounces) of IMF gold to meet the costs of an enhanced HIPC initiative falling to the Fund and to deliver faster, wider, deeper debt reduction to the world's poorest countries.

Aviation Fuel Duty

Mr. Blunt: To ask the Chancellor of the Exchequer if he will estimate the tax yield resulting from imposing duty on aviation fuel at the same rate as on motor vehicle fuel, assuming a similar rate of tax is imposed by other countries. [86698]

Mrs. Roche: Imposing duty on aviation fuel at the same rate as unleaded petrol would raise approximately £5 billion, assuming no alteration in demand.

Lund Humphries Pension Scheme

Mr. Rooney: To ask the Chancellor of the Exchequer when his Department was first contacted regarding the winding up of the Lund Humphries Pension Scheme; and on what date the relevant information regarding guaranteed minimum pension was supplied to the *(a)* scheme administrators and *(b)* independent trustee. [87771]

Ms Hewitt: The former Occupational Pensions Board was first notified on 22 December 1994 that the employer had gone into liquidation and that the Lund Humphries Pension scheme was to be wound up. However, it was not until 2 February 1996 that the Receiver contacted the former Occupational Pensions Board confirming the discontinuance date of 14 October 1994. Formal action to cancel the scheme was finalised on 23 April 1996. The former Contributions Agency supplied the relevant scheme membership listings and guaranteed minimum pension calculations to the scheme administrator on 9 September 1996. It is normal practice to supply the scheme membership listings and guaranteed minimum pension calculations to the scheme administrator appointed by the trustees unless otherwise instructed.

PRIME MINISTER

E-Envoy

Mr. Chope: To ask the Prime Minister when he plans to appoint the e-Envoy; and if he will make a statement. [87055]

The Prime Minister *[holding answer 15 June 1999]:* The Government are committed to appointing an e-envoy to lead their drive to develop the United Kingdom as the best place in the world for e-commerce. The Government will announce their plans for the e-envoy post shortly.

Kosovo

Mr. Bercow: To ask the Prime Minister, pursuant to his oral statement of 8 June 1999, *Official Report*, column 403–79, on disarmament by the KLA, to which KLA officials he was referring. [87359]

The Prime Minister: I was referring to my meeting with KLA officials during my visit to Albania on 18 May. I met Mr. Krasniqi, KLA Spokesman, Mr. Sherifi, Political Adviser to Mr. Thaqi, and Mr. Haliti, KLA representative in Tirana.

Mr. Winnick: To ask the Prime Minister if letters written on his behalf to those who have opposed the military action have changed in content since the successful allied campaign in Kosovo. [87310]

The Prime Minister *[holding answer 17 June 1999]:* All replies to letters about Kosovo have sought to reflect current circumstances, but have been consistent throughout in setting out the legal and moral justification for NATO's military action.

Mr. Winnick: To ask the Prime Minister what information was provided to him by the Leader of the Opposition at the time of his request for an inquiry into the start of the military campaign over Kosovo; and if he will make a statement. [87353]

The Prime Minister *[holding answer 17 June 1999]:* None.

Mr. Winnick: To ask the Prime Minister if he has received correspondence from Mr. H. Pinter over the military campaign in Kosovo. [87309]

The Prime Minister *[holding answer 17 June 1999]:* Over the last two months, I have received an enormous quantity of letters on Kosovo. I have been unable to reply to each letter individually, but all correspondence has received an acknowledgement.

Correspondence

Mr. Kaufman: To ask the Prime Minister if he will examine the various records of Ministers in replying to letters from hon. Members and instruct all ministerial heads of departments to set up specific structures within their departments and private offices for effective and speedy response to such letters. [87696]

The Prime Minister: The fast and effective handling of correspondence from hon. Members is an issue to which I attach great importance. My right hon. Friend the Minister for the Cabinet Office, has recently published statistics showing how individual departments perform against target in handling correspondence from hon. Members, 11 June 1999, *Official Report*, columns *403–06*. My right hon. Friend has also written to Cabinet colleagues inviting those whose Departments performed poorly to take urgent remedial action, if they have not already done so.

Written Answers to Questions

Tuesday 22 June 1999

TRADE AND INDUSTRY

European Structural Funds

Mr. Fabian Hamilton: To ask the Secretary of State for Trade and Industry what steps he is taking to negotiate a share of the EU population coverage under the urban strand of Objective 2 of the EU Structural Funds for the United Kingdom which reflects the degree of urbanisation in the United Kingdom. [87786]

Mr. Wills: A maximum of 18 per cent. of the European Union's population will be covered by the new Objective 2. The suggested breakdown by strand for Objective 2 of 10 per cent. to industrial areas, 5 per cent. to rural, 2 per cent. to urban and 1 per cent. to fisheries is purely indicative across the EU.

The UK's overall population coverage under Objective 2 is defined by the safety net which limits the reduction in coverage to one-third of the existing Objective 2 and 5b population.

Mr. Fabian Hamilton: To ask the Secretary of State for Trade and Industry what steps he is taking to ensure that areas designated in the United Kingdom under the urban strand of Objective 2 of the Structural Funds will be densely populated areas made up of contiguous units with a minimum population of 100,000. [87787]

Mr. Wills: The public consultation on the determining UK areas for Objective 2 eligibility ended on 25 May. The Government are carefully considering all the submissions received and the eligibility criteria suggested.

Before the UK propose their Objective 2 areas to the Commission, the Government will define, through discussions with the Commission, the geographical unit to be used to express urban areas within the UK.

Small Business Service

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress made to establish the Small Business Service. [87797]

Mr. Wills: The Government announced plans to set up the Small Business Service in the Budget statement. My right hon. Friend the Secretary of State for Trade and Industry reinforced this in his Post-Budget statement to the House on 10 March 1999, *Official Report*, columns 367–79.

We will be publishing a consultation document in the near future on the specific role and functions of the Small Business Service. I will be pleased to hear the views of all interested parties.

National Minimum Wage (Riding Schools)

Mr. Peter Ainsworth: To ask the Secretary of State for Trade and Industry what assessment he has made of the effect of the national minimum wage on riding schools and equestrian centres; and if he will make a statement. [87810]

Mr. Ian McCartney: I have made no such assessment. We have asked the Low Pay Commission to evaluate the impact of the national minimum wage, with particular reference to the effect on pay, employment and training. They will soon be gathering evidence and will no doubt invite this sector, along with many others, to provide information.

Mr. Peter Ainsworth: To ask the Secretary of State for Trade and Industry if he will exempt riding schools from the national minimum wage. [87811]

Mr. Ian McCartney: No. Under the provisions of the National Minimum Wage Act, individual sectors of employment cannot be excluded from coverage.

HOUSE OF COMMONS

Car Park Charges

Mr. Baker: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will introduce workplace car park charging within the Parliamentary Estate. [87611]

Mr. Kirkwood: The Commission has no plans at present to introduce charges for parking in the parliamentary estate. But the Greater London Authority Bill contains provisions which would allow the authority or the London borough of Westminster to introduce a levy on parking in the Palace of Westminster. The Commission will consider the position if and when either authority makes proposals for the introduction of a levy.

CHURCH COMMISSIONERS

Church Land (GM Trials)

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what his policy is in respect of the use of church land to grow trial genetically modified crops. [87608]

Mr. Stuart Bell: The issue of whether Government trials of genetically modified crops should take place on land owned by the Commissioners is being initially considered by the Church's Ethical Investment Working Group (EIWG), which develops a co-ordinated ethical investment policy for the Church. The EIWG is made up of representatives of each of the central Church investing bodies and the General Synod's Board for Social Responsibility.

ATTORNEY-GENERAL

Maria Bamieh

Mr. Dismore: To ask the Attorney-General if he will make a statement on the case of Maria Bamieh and the Crown Prosecution Service. [87808]

The Attorney-General: The decision of the Employment Tribunal in the case brought by Maria Bamieh against the Crown Prosecution Service is long and detailed and needs to be studied carefully. The Crown Prosecution Service takes the decision very seriously and is giving it urgent consideration.

Hayes *v.* Attorney-General

Mr. Dismore: To ask the Attorney-General what were the terms of settlement of the case of Hayes *v.* Attorney-General; and if he will make a statement. [87807]

The Attorney-General: The proceedings brought by Ms Hayes were of historical interest only. I had put in hand a review of the system of appointing barristers to act for the Crown, with the intention that it should be made more open and transparent, before Ms Hayes commenced her proceedings. I have followed this wholly new system for making appointment, since July 1998. Settling the case has brought the matter to a close and has saved further expenditure of public money on a lengthy hearing.

The terms of my agreement with Ms Hayes were as follows:

Appointments Procedure

1. The Attorney-General confirms that he will maintain the principles of transparency and open competition followed since July 1998 in appointments to the Panels of Treasury Counsel, including First Junior Counsel to the Treasury, namely:

   (a) that vacancies are advertised;

   (b) that applications and written references are considered by a selection board who make recommendations to the Attorney-General on the basis of those applications and references only;

   (c) that the Attorney-General does not appoint any candidate who has not been recommended to him by the selection board;

   (d) that the Attorney-General does not seek opinions from persons other than the selection board and the candidate's referees.

Jurisdiction

2. In the event of any future dispute, the Attorney-General will accept the jurisdiction:

   (a) of an employment tribunal in the case of appointments as First Junior Treasury Counsel (Common Law) and First Junior Counsel to the Treasury (Chancery);

   (b) of a county court in the case of appointments of other counsel.

The Applicant's Case

3. The Attorney-General does not accept that the Applicant or any other prospective appointee has, in fact, been subjected to discrimination. Nevertheless, he readily accepts that it was unsatisfactory that, until he changed the appointments system in 1998, although several women barristers had been appointed to the Supplementary Panels and as standing counsel to other departments, only one had been appointed to the main Chancery and Common Law panels of Treasury Counsel. Informal consultation may have a tendency to result in the recommendation of people known personally to the consultees and the purpose of the new system set up by the Attorney-General is to end such consultation. He recognises that the system of appointments which was previously in place may have contributed to the under-representation of women on the main panels. In recognition of this, he has agreed to make a donation of £5,000 to the Fawcett Society.

4. On the above basis, the parties agree that the Applicant will:

   (a) withdraw her county court claim;

   (b) withdraw her application to the employment tribunal

in each case with no order as to costs.

Crown Prosecution Service

Ms Moran: To ask the Attorney-General what measures he proposes to ensure that the Crown Prosecution Service communicates with families affected by their decisions in child abuse cases. [87456]

The Attorney-General: Currently, the Crown Prosecution Service (CPS) provides to the police information about prosecution decisions for them to forward to victims, or their families, as appropriate. How much information can be given may depend on the circumstances of individual cases. The CPS must balance openness with victims with the interests of others in the case. In particular cases senior CPS lawyers will be available to meet with victims and their families to explain in general terms reasons for CPS casework decisions.

I am aware that a particular case of child abuse in the hon. Member's constituency has prompted this question and that the local Chief Crown Prosecutor will be meeting the victim's family to explain the decision to discontinue proceedings.

As to the generality of cases in the future, the CPS is presently considering whether or not to take from the police the responsibility for informing victims of the reasons for CPS prosecution decisions. This stems from one of the recommendations of Sir Iain Glidewell's report into the Crown Prosecution Service on which I intend to make a statement shortly.

HEALTH

CJD

Miss Widdecombe: To ask the Secretary of State for Health if he will make a statement regarding the safety of medical appliances in respect of the transmission of CJD. [86030]

Ms Jowell: Measures are in place to minimise the risk of Creutzfeldt-Jakob Disease of any type in known and suspect sufferers being passed on to other patients via surgical instruments. These are set out in the joint guidance of the Advisory Committee on Dangerous Pathogens and the Spongiform Encephalopathy Advisory Committee published in April 1998 entitled "Transmissible Spongiform Encephalopathies: safe working and the prevention of infection". This guidance says that no instruments used on a known or suspect patient, whatever the procedure, should be re-used. In addition, for patients regarded as potentially at risk of CJD (for example recipients of human pituitary derived growth hormones), instruments used in procedure involving brain, spinal cord or eye cannot be re-used. This is kept under constant review and new findings are assessed as a matter of priority.

We have commissioned research into ways of detecting proteins on surfaces and improving decontamination and inactivation techniques. Meanwhile, current procedures give a high degree of protection and people should not be deterred from undergoing surgery where this is clinically necessary. The benefit to the patient must be weighed against any theoretical risk from CJD.

Junior Doctors

Sir Nicholas Lyell: To ask the Secretary of State for Health if he will set out the rest requirements for an on-call rota for junior hospital doctors, pursuant to the Health Service Circular 1998/240; and if he will list those health authorities and hospitals in which the requirements of that circular are being observed. [86708]

Mr. Denham: Doctors employed on an on-call rota are contracted to work a maximum average of 72 hours per week, 40 standard hours and up to 32 additional duty hours, with the expectation that they should not actually work more than 16 of the additional duty hours.

Health Service Circular 1998/240, issued on 23 December 1998, provided further national guidance to trusts on rest requirements. Doctors should spend at least one half of the out-of-hours duty period at rest between 5pm and 9am Monday to Friday or 9am to 9am Saturday and Sunday. Within these periods there should be a minimum continuous 5-hour rest period between the hours of 10pm and 8am.

We have not collected specific data on compliance solely within the terms of HSC 1998/240. However, trusts who comply fully with the New Deal are entitled to apply for accreditation. As at 31 March 1999, out of a total of 343 trusts in England, 67 trusts have been granted accreditation, and 77 are under consideration for accreditation.

Paediatric Cardiac Care (Bristol)

Mr. Webb: To ask the Secretary of State for Health what assessment he has made of the implications of the costs of (i) participation in the inquiry into paediatric cardiac care in Bristol and (ii) any consequent compensation for the resources available to the United Bristol Healthcare Trust and the Avon Health Authority. [86358]

Mr. Dobson: The costs of participating in the Bristol inquiry, like unforeseen costs which affect other large trusts, fall to be borne by the United Bristol Healthcare Trust. The majority of likely implementation costs will, however, be borne by funds set aside nationally to meet such settlements and are likely to be spread over some years.

Cancer

Dr. Gibson: To ask the Secretary of State for Health when he will invite cancer research bodies to plan and share research and expertise. [87368]

Mr. Hutton: The Government are currently considering plans to take this forward. Details will be announced shortly.

Dr. Gibson: To ask the Secretary of State for Health when he will set up a national survey of cancer patients' experiences. [87365]

Mr. Hutton: Officials are currently working with the relevant professional and patient groups to design a survey to take place later this year.

Royal Commission on Long-term Care

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on his plans for the implementation of the report of the Royal Commission on Long-Term Care. [87627]

Mr. Hutton: I refer my hon. Friend to the reply given to my right hon. Friend the Member for Birkenhead (Mr. Field) on 4 May 1999, *Official Report*, columns *360–61*.

Infertility Treatment

Mr. Hunter: To ask the Secretary of State for Health if he will take measures to ensure the uniform availability of infertility treatment from all health authorities. [87848]

Ms Jowell: We have pledged to tackle unacceptable levels of geographical variations in access to IVF treatment and have set in motion a programme of work to achieve that aim. A Departmental survey of current health authority infertility service provision is taking place at the moment to enable the cost implications of any policy changes to be estimated. The Royal College of Obstetricians and Gynaecologists aim to complete their third, and final, set of evidence-based clinical guidelines on infertility this autumn and these will indicate the circumstances in which infertility treatment can be most clinically effective. We can then move towards fairer access to National Health Service infertility services, where those most able to benefit from such treatment receive it.

NHS Regions (Chairman)

Mr. Geraint Davies: To ask the Secretary of State for Health what plans he has for the appointments to the posts of chairman of the eight NHS regions once the terms of office of the incumbent comes to an end. [88062]

Mr. Dobson: The terms of office of the chairmen of the eight National Health Service regions end on 1 November 1999. Professor Alasdair Breckenridge has already agreed to stand down to concentrate on his role as chairman of the Committee on the Safety of Medicines. Philip Hammersley, chairman of Trent Region has indicated that he does not wish to be considered for re-appointment.

Of the remaining chairmen, I have re-appointed the following for a further three-year term:

Ian Mills: London Region

Janet Trotter: South West Region

Sir William Wells: South East Region.

The following have been re-appointed for a four-year term:

Zahida Manzoor: Northern and Yorkshire Region

Rosie Varley: Eastern Region

Clive Wilkinson: West Midlands Region.

The rigorous, open and transparent appointment procedures set down by the Commissioner for Public Appointments are followed for these posts, although they do not fall within the Commissioner's remit. Advertisements will therefore be placed in the national press shortly to recruit new chairmen for the North West and Trent Regions.

Medicines Control Agency

Ms Keeble: To ask the Secretary of State for Health if he will make a statement on the future of the Medicines Control Agency. [88110]

Mr. Denham: We have published the report of the Quinquennial Review of the Medicines Control Agency (MCA). Copies have been placed in the Library. The Review confirms that the MCA is a world leader in its field, with an international reputation for professional excellence. It has performed well against its targets, and has secured more work under the European licensing system than any other national authority. The Review also shows that the MCA has used Executive Agency status well, and recommends that it should retain that status. We accept that recommendation.

In the light of the Agency's excellent performance, we are pleased to announce that Dr. Keith Jone's appointment as Chief Executive of the MCA has been extended for a further three years.

PRIME MINISTER

Joint Consultative Cabinet Committee

Mr. Gordon Prentice: To ask the Prime Minister if he will bring to an end the Joint Consultative Cabinet Committee. [87631]

The Prime Minister: No.

Lords Lieutenant (Appointment)

Mr. Mullin: To ask the Prime Minister if he will describe the process by which Lords Lieutenant are chosen; and what are the qualifications required, the responsibilities involved and the length of time for which an appointment is made. [87960]

The Prime Minister: The prime duty of Lords Lieutenant is to be The Queen's representatives in their county or area. Other than in four Scottish cities (where the Lord Provost is Lord Lieutenant by virtue of his/her office) Lords Lieutenant are appointed under the Royal Prerogative by The Queen on the recommendation of the Prime Minister of the day. In Scotland, Wales and Northern Ireland the consultations that precede an appointment are carried out by the relevant territorial Department. In England, consultations are carried out by the Prime Minister's Secretary for Appointments. Those appointed as Lords Lieutenant are people of standing in their local communities, most frequently on account of their record of voluntary activity for the good of the community. Lords Lieutenant may serve until they are 75 years of age.

Pro-euro Campaign

Mr. Fallon: To ask the Prime Minister if he will be attending the forthcoming launch of the pro-euro campaign. [87822]

The Prime Minister: My forward diary will be announced in the usual way. The Government's policy on membership of the single currency remains as set out by my right hon. Friend the Chancellor of the Exchequer in October 1997. The determining factor is whether the economic benefits to the UK from joining are clear and unambiguous.

LORD CHANCELLOR'S DEPARTMENT

Chief Superintendent Barry Mason

Mr. Corbyn: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will place in the Library a transcript of the trial at Birmingham Crown Court of former West Midlands Police Chief Superintendent Barry Mason in April. [87701]

Mr. Vaz: No. Parties in cases may place an order for transcript (at their own expense) with the court reporters responsible for taking the verbatim record of the case. The contractor can provide transcripts to anyone else only once they have received approval in writing from the court. In this case the transcript runs to about 70 pages and would cost approximately £350.

Hayes *v.* Attorney-General

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the implications of the case of Hayes *v.* Attorney-General for the secret soundings system in the appointment of silk; and if he will make a statement. [87806]

Mr. Vaz: There is no 'secret soundings' system for the appointment of silks, and the Hayes case has no implications for the silk system.

The vacancy for Treasury Junior, for which Ms Hayes complained that she should have been considered, was not advertised. Applications for silk, however, are openly invited by published advertisement and all applicants are judged equally, on their merits alone, according to published criteria. The list of successful applicants is published, together with a complete statistical breakdown of applications and appointments. Unsuccessful applicants are invited to speak to a senior member of the Lord Chancellor's Department for feedback on their application; nearly 140 have already taken up this invitation this year. In addition, officials are always willing to discuss the principles, policies and procedures of the silk system.

The information which, together with the application forms, informs the Lord Chancellor's decisions on silk is gathered through a comprehensive and detailed consultation system. The guide for consultees is publicly available; this explains the Lord Chancellor's policies and criteria, according to which consultees are asked to comment. A list of all those whom the Lord Chancellor consults is also published, and applicants may nominate additional consultees if they feel that the wider consultation community is not able to give the Lord Chancellor

sufficient information about their suitability for silk. Almost all consultation is carried out in writing, to ensure that consultees focus on the published criteria. As an indication of the scale of this exercise, this year's silk round involved consultation with over 425 general consultees and correspondence with over 500 nominated consultees, who in total submitted over 4,600 comments to the Lord Chancellor.

The silk system is not, therefore, secret. The comments are, of course, confidential, for reasons which Parliament accepted in the Home Affairs Select Committee Report on Judicial Appointments Procedures in 1996 and in the Data Protection Act 1998. Even given that, however, applicants will be invited to respond to any comment which alleges misconduct, even if this involves identifying the accuser (if the accuser is unwilling to stand by his accusation in this way, the Lord Chancellor will ignore the allegation). In addition, the substance of the comments will, while respecting their confidentiality, be freely discussed with unsuccessful applicants who ask for feedback on their application.

Joint Working Party on Equal Opportunities in Judicial Appointments and Silk

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the members of the Joint Working Party on Equal Opportunities in Judicial Appointments and Silk. [87801]

Mr. Vaz: The membership of the Joint Working Party on Judicial Appointments and Silk is currently as follows:

Lincoln Crawford Esq. OBE (Chairman, Bar's Race Relations Committee)
Mrs. Pamela Bhalla (Equal Opportunities Officer, Bar Council)
Mrs. Kathryn Hamylton (Equal Opportunities Officer, Bar Council)
Raj Joshi Esq. (Society of Black Lawyers)
Gelaga King Esq. (African, Caribbean and Asian Lawyers' Group)
Ms Margaret McCabe (Barrister—Woman Lawyer Forum founder)
Oba Nsugbe Esq. (African, Caribbean and Asian Lawyers' Group)
Miss Eileen Pembridge (Council of The Law Society)
Miss Jacqueline Perry (Association of Women Barristers)
Ms Jenny Staples (Association of Women Solicitors)
Miss Sangita Unadkat (Society of Asian Lawyers)
John Cavanagh Esq. (The Bar's Sex Discrimination Committee)
Richard Wilson Esq. (African, Caribbean and Asian Lawyers' Group)
Ms Marcia Williams (Equal Opportunities Officer, The Law Society).

The Working Party's secretariat is provided by officials of the Lord Chancellor's Department.

The representation of some of the groups has changed during the life of the Working Party.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress of the work of the Joint Working Party on Equal Opportunities in Judicial Appointments and Silk. [87803]

Mr. Vaz: The Joint Working Party on Judicial Appointments and Silk was initiated by the legal profession, not by the Lord Chancellor, and the Lord Chancellor has no direct control over its progress.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects the Joint Working Party on Equal Opportunities in Judicial Appointments and Silk to report. [87805]

Mr. Vaz: I understand that the Joint Working Party is producing a report for submission to the Lord Chancellor. The timing of the report is a matter for the Joint Working Party itself.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he proposes to publish the report of the Joint Working Party on Equal Opportunities in Judicial Appointments and Silk. [87809]

Mr. Vaz: The decision as to whether or not to publish its Report would be a matter for the Joint Working Party itself, not for the Lord Chancellor.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the dates on which the Joint Working Party on Equal Opportunities in Judicial Appointments and Silk met. [87802]

Mr. Vaz: The Joint Working Party on Equal Opportunities in Judicial Appointments and Silk has met on the following dates:

23 July 1997
22 September 1997
20 October 1997
3 December 1997
28 January 1998
28 April 1998
9 June 1998
16 July 1998
22 September 1998
27 October 1998
17 May 1999.

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department for what reasons the Joint Working Party on Equal Opportunities in Judicial Appointments and Silk was set up. [87804]

Mr. Vaz: The Joint Working Party on Equal Opportunities in Judicial Appointments and Silk was set up at the instigation of the Bar. The Lord Chancellor agreed to officials of his Department taking part in the Working Party's deliberations and providing its secretariat.

The purposes of the Joint Working Party are to consider and propose action to increase the number of applications for judicial appointment and Silk from women and black and Asian lawyers with the appropriate seniority and relevant experience; to consider and propose possible changes to judicial appointments and Silk procedures for further consideration by the Lord Chancellor; and (where appropriate) to advise and assist in the implementation of action.

TREASURY

European Taxation (Veto)

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on the use of the veto in relation to European taxation measures. [86587]

Dawn Primarolo: All EC proposals on tax require unanimity before they can be adopted. We will not accept any proposals which are not in the national interest.

German EU Presidency

Mrs. May: To ask the Chancellor of the Exchequer if he will make a statement on progress made on tax and currency matters during the German Presidency of the EU. [86610]

Dawn Primarolo: Under the German Presidency of the EU the emphasis has been the need to make tax systems in Europe more employment-friendly and to combat harmful tax competition.

Brazil (Financial Assistance Package)

Mr. Alan Simpson: To ask the Chancellor of the Exchequer what plans he has to review and audit the UK contribution to the financial assistance package for Brazil; and if he will take into account the impact of the adjustment policies agreed by the Brazilian Government in negotiations with the IMF on the poor and vulnerable. [87585]

Ms Hewitt: Financial tensions in Brazil have eased significantly, following the IMF-led international financial support package agreed last year. The UK Government will continue to play an active role in monitoring Brazil's performance under its IMF programme. Continued adherence under the IMF programme, together with an appropriate contribution from private sector creditors, underpins the BIS co-ordinated credit line, to which the UK has also contributed.

My right hon. Friend the Chancellor of the Exchequer has consistently stressed the importance of preserving investment in the health, education and social programmes which are essential for growth and poverty reduction. He has pressed for the World Bank's work on good practices in social policy to be drawn upon by the World Bank and the IMF when designing adjustment programmes. In Brazil, the IMF and the World Bank and the INTER American Development Bank worked together closely to ensure that the impact of the adjustment programme on the poor and vulnerable was minimised. Both banks have undertaken a number of projects in Brazil with a social dimension. Economic recovery in Brazil should benefit all sections of society.

DEFENCE

Research (GM Organisms)

Joan Ruddock: To ask the Secretary of State for Defence if he will list the research projects which have been commissioned by his Department from *(a)* universities, *(b)* research institutes and *(c)* industry which involve genetically modified organisms since 1995 indicating the places involved and the value and purpose of the contracts. [84211]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Joan Ruddock, dated 22 June 1999:

I have been asked to reply to your parliamentary question about research involving genetically modified organisms as part of the research programme which the Defence Evaluation and Research Agency (DERA) undertakes on behalf of the Ministry of Defence (MOD) uses techniques of this nature.

The Chemical and Biological Defence (CBD) sector of DERA, which is based at Porton Down, uses genetic modification techniques as a scientific research tool to develop protective measures for the UK and its Armed Forces in the event of exposure to biological weapons. CBD also commissions other research establishments to undertake some of this work. Since 1995 seven universities and six institutes have been involved in this type of work at a total cost of some £4291000. To provide details of the universities and institutes taking part in this research may break confidentiality agreements. I am, therefore, withholding this information under Exemption 13 of the Code of Practice on Access to Government Information.

I hope this is helpful.

Operational Areas

Mr. Hancock: To ask the Secretary of State for Defence if he will list the operational areas opened since 1 May 1997 indicating the impact on the defence budget in each case; and if he will make a statement. [86443]

Mr. George Robertson: Details of expenditure by operational area since 1 May 1997 are set out in the following table. In both financial years the impact on the defence budget has been offset by claims on the Government's Contingency Reserve, in accordance with established practice.

£ million

Operational area	*Outturn Financial year 1997–98*	*Provisional outturn Financial year 1998–99*
Bosnia	180.9	147.1
Gulf/Iraq	15.6	35.4
Kosovo	—	23.2
Total	196.5	205.7
Relief from Reserve	178.0	85.0

Chinook Helicopters

Mr. Hancock: To ask the Secretary of State for Defence if he will list the incidences of failure of FADEC systems which have caused safety-critical accidents in Chinook helicopters. [86445]

Mr. Doug Henderson: Since the Chinook's introduction into service, there have been no accidents caused by malfunction of the FADEC units.

Mr. Hancock: To ask the Secretary of State for Defence if he will assess the *Computer Weekly* investigation report into the Chinook helicopter crash on the Mull of Kintyre, a copy of which has been supplied to him; and if he will make a statement. [86444]

Mr. Doug Henderson: Although I have yet to receive an official copy of the report from *Computer Weekly* themselves, my officials have obtained a copy of the document from the internet and are analysing its content.

Once this work is complete, I will write to the hon. Member with our findings and place a copy of my letter in the Library of the House.

Mr. Hancock: To ask the Secretary of State for Defence what recent review his Department has undertaken of the FADEC software fitted to Chinook helicopters; and if he will make a statement. [86378]

Mr. Doug Henderson: FADEC, like any other in-service component, is subject to regular review to ensure it remains reliable and supportable throughout its service life. As a result of this process, MOD has recently initiated a software update which incorporates a number of minor changes in order to maintain the software's long-term supportability.

Mr. Hancock: To ask the Secretary of State for Defence what reports have been *(a)* made and *(b)* assessed by his Department relating to the computer FADEC used on Chinooks since Air Vice Marshall Jenner's statement to the Defence Committee last year; and if he will make a statement. [86438]

Mr. Doug Henderson: Since the HCDC evidence session in March last year, there have been no reports from RAF personnel expressing flight safety concerns over FADEC.

Mr. Swayne: To ask the Secretary of State for Defence on what grounds his Department took legal proceedings against Textron Lycoming in respect of the FADEC computer system. [86362]

Mr. Doug Henderson: MOD took legal action against Boeing Helicopters and Textron Lycoming who were both responsible for an engine overspeed during ground testing of a pre-production FADEC system at the Boeing facility in Wilmington, Delaware which resulted in damage to the MOD owned Chinook helicopter on which the FADEC had been fitted. Following the Wilmington incident, the FADEC software was redesigned before it was introduced on to the Chinook Mk2 and it was therefore of a very different standard from that installed on ZD576 which crashed on the Mull of Kintyre.

Mr. Swayne: To ask the Secretary of State for Defence what recent representations he has received requesting the reopening of the inquiry into the loss of the RAF Chinook on the Mull of Kintyre in 1994; and if he will make a statement. [86393]

Mr. Doug Henderson: Since the beginning of this year, there has been a representation from the Lord Chalfont and, following some recent media coverage, my officials have also received a handful of letters from members of the public.

Kosovo

Mr. Llew Smith: To ask the Secretary of State for Defence if he will seek to ascertain if United States or other NATO forces, other than those from the United Kingdom, used depleted uranium weapons in Kosovo. [87412]

Mr. George Robertson: The United States has confirmed that it used depleted uranium based ammunition during the Kosovo air campaign. Whether or not other nations used such ammunition is a matter for them.

Mr. Corbyn: To ask the Secretary of State for Defence how many pieces of ordnance were used by UK forces in the Kosovo conflict. [87814]

Mr. George Robertson: UK aircraft used a total of 1,005 bombs and missiles in operations against the Federal Republic of Yugoslavia. I am withholding details of UK cruise missile firings under exemption 1*a* of the Code of Practice on Access to Government Information.

Mr. Corbyn: To ask the Secretary of State for Defence what assessment he has made of the proportion of the ordnance used in Kosovo which has been millennium non-compliant. [87821]

Mr. George Robertson: None of the ordnance used by UK forces in recent operations in the Balkans has been affected by Year 2000-related problems.

AWE Aldermaston

Mr. Corbyn: To ask the Secretary of State for Defence if he will make a statement on how AWE Aldermaston intend to treat and dispose of the plutonium-contaminated rainwater that has accumulated on-site following heavy rainfall on 19 May. [87709]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from Sir Robert Walmsley to Mr. Jeremy Corbyn, dated 22 June 1999:

I am replying to your question to the Secretary of State for Defence about the treatment of contaminated rainwater at AWE Aldermaston. This matter falls within my area of responsibility as Chief Executive of the Defence Procurement Agency.

During a storm on 19 May, an inch of rain fell within an hour taking up about one third of the capacity of the North Ponds Water Management System. It is standard procedure for the contents of full tanks to be analysed before discharge and on this occasion, low levels of plutonium were detected in two of them.

The silt suspended in the water has now had time to settle and it has become apparent that while the silt does contain low, but detectable, levels of plutonium, the water itself is not contaminated. AWE intend to decant the water from the two tanks and then retest it. Once they are satisfied that the water is clean, it will be discharged. The silt remaining at the bottom of the tanks will be collected and dealt with by proven methods. This will be done with the approval of the Environment Agency.

This incident has proved that the North Ponds system works as intended, in allowing flood water to be collected on site, then tested and, where appropriate, treated before discharge.

Mr. Corbyn: To ask the Secretary of State for Defence how many gloveboxes are in storage at AWE Aldermaston awaiting treatment and disposal. [87711]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from Sir Robert Walmsley to Mr. Jeremy Corbyn, dated 22 June 1999:

I am replying to your question to the Secretary of State for Defence about storage of gloveboxes at AWE Aldermaston. This matter falls within my area of responsibility as Chief Executive of the Defence Procurement Agency.

There are at present forty two gloveboxes stored at AWE Aldermaston awaiting treatment and disposal.

Mr. Corbyn: To ask the Secretary of State for Defence when the plant for conditioning the plutonium-bearing sludges currently stored in stainless steel tanks at AWE Aldermaston commenced operations. [87708]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from Sir Robert Walmsley to Mr. Jeremy Corbyn, dated 22 June 1999:

I am replying to your question to the Secretary of State for Defence which asked about operation of plant for the conditioning of plutonium-bearing sludges at AWE Aldermaston. This matter falls within my area of responsibility as Chief Executive of the Defence Procurement Agency.

Options for dealing with the plutonium-bearing sludges are still being evaluated by AWE. In the meantime, the sludges remain safely in the tanks, whose integrity is regularly monitored. The tanks are made of rubber lined mild steel rather than stainless steel.

Mr. Corbyn: To ask the Secretary of State for Defence how much storage space for intermediate and low-level nuclear waste awaiting a final repository will be left at AWE Aldermaston once the unsuitable waste stores have been emptied and the plutonium-bearing sludge has been conditioned and stored. [87712]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from Sir Robert Walmsley to Mr. Jeremy Corbyn, dated 22 June 1999:

I am replying to your question to the Secretary of State for Defence about storage space for intermediate and low-level nuclear waste at AWE Aldermaston. This matter falls within my area of responsibility as Chief Executive of the Defence Procurement Agency.

There are currently nine ILW stores at AWE and all are fit for purpose. However, two of the stores were converted from laboratories and these will be emptied and their contents transferred to modern facilities in a programme scheduled to start in September. A contract has recently been placed for a new store which is expected to be brought into service in 2001. This will enable the contents of an ageing store to be emptied and the building decommissioned. Seven stores will remain in use and will provide sufficient capacity for holdings of ILW, and such Low Level as cannot be disposed of to the BNFL site at Drigg, for the period up to 2005/2006.

Nuclear Submarines

Mr. Corbyn: To ask the Secretary of State for Defence if he will place in the Library a copy of the submarine nuclear emergency plan that covers berths in Gibraltar. [87710]

Mr. Spellar: I refer my hon. Friend to the Gibraltar Public Safety Scheme, which provides background information and guidance on the action to be taken in order to protect the public in the event of an accident involving the reactor of a nuclear powered submarine in Gibraltar. A copy of this document is already held in the Library of the House.

Mr. Corbyn: To ask the Secretary of State for Defence when he intends to publish the results of his Department's review of its decommissioned nuclear submarine storage and disposal policy. [87713]

Mr. Spellar: The outcome of the initial phase of the review into options for the interim storage of the decommissioned nuclear submarines should be announced later this year. The purpose of this initial phase is to review all practical options and determine the most viable. During the next phase of the review, these options will be developed, involving industry experts as appropriate, and detailed costing work will be undertaken.

SCOTLAND

Women's Organisations (Consultations)

Jackie Ballard: To ask the Secretary of State for Scotland if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [86995]

Dr. Reid: The Government are committed to making sure that policies are inclusive and take full account of the needs and experience of all those affected by them including the assessment of the potential for differential impact on particular groups in society. In Scotland full use is made of consultation, research projects and disaggregated statistics to identify the impact of policy upon women. The Scottish Office Good Practice Guidance on consultation advises including the Women's National Commission in all consultations. In addition we have set up the Women in Scotland Consultative Forum whose members cover a wide spectrum of women's organisations and which regularly meets officials and Ministers.

We have also developed a database now numbering over 600 organisations with a women's issues remit who are available for consultation. For example our Action Plan on Violence Against Women was sent to all organisations on the database. All responses to Scottish Office consultation papers are made publicly available unless the respondent has indicated otherwise.

Genetically Modified Fish

Joan Ruddock: To ask the Secretary of State for Scotland (1) what advice he has received concerning the farming of genetically modified fish in Scotland; [87260]

(2) which organisations he has consulted in connection with the licensing of farming of genetically modified fish in Scotland. [87261]

Mr. Macdonald: None. No applications for consent to release GM fish into the environment have been made under the Environmental Protection Act 1990 and the Genetically Modified Organisms (Deliberate Release) Regulations 1992 (as amended). Unless there is a consent to release, any work with GM fish would have to be undertaken in contained premises which had been notified under the Genetically Modified Organisms (Contained Use) Regulations 1992 (as amended).

Further Education

Mr. Jim Murphy: To ask the Secretary of State for Scotland when he will publish his report on the discharge of his duties in relation to Further Education in Scotland; and if he will make a statement. [87989]

Dr. Reid: My report on Further Education in Scotland for 1998 was published today. Copies are available in the Library of the House.

The Report, entitled "Further Education in Scotland 1998: Report by the Secretary of State for Scotland", details this Government's commitment to widening access to further education and providing lifelong learning opportunities for all.

During 1998 that commitment was backed by a Comprehensive Spending Review settlement identifying an additional £214 million for investment in further education over three years. We also set a new target for the expansion of FE provision. In three year's time the Government expects to see at least 40,000 more students embarking on courses in further education colleges, and from groups which to date have been under-represented among student numbers.

New initiatives and new resources will help both to stabilise and modernise the FE sector, ensuring that it can fulfil its role at the heart of the Government's lifelong learning agenda for the new millennium.

Our vision for further education is focused and clear. So too is our expectation that the FE colleges will work together in partnership in rising to meet the challenges which lie ahead.

WALES

CADW

Mr. Wigley: To ask the Secretary of State for Wales which committee within the National Assembly for Wales will be responsible for the activities of CADW; and if he will issue revised guidelines on its responsibilities. [85541]

Mr. Michael: This is a matter for the National Assembly for Wales.

National Minimum Wage

Mr. Rowlands: To ask the Secretary of State for Wales how many people in his Department and its associated bodies and agencies have benefited from the introduction of a National Minimum Wage. [86091]

Mr. Michael: Eighty five casual Welsh Office staff had their pay increased as a result of the introduction of the National Minimum Wage.

Information about salary levels in NDPBs is not collected centrally.

Hospital Beds

Mr. Öpik: To ask the Secretary of State for Wales how many hospital beds in Wales are occupied by patients of pensionable age who could be discharged from hospital if alternative care provision existed; and if he will make a statement. [86843]

Mr. Jon Owen Jones: The latest available information relating to delayed discharges from hospital is shown by NHS trust in the following table. An age breakdown is not available. Information relates to a chosen day in January 1999 (usually 31 January 1999), as reported in local authority responses to the Survey of Delayed Discharges from Hospital. The survey requested information on the number of hospital patients known to local authority social services departments, who were medically fit to be discharged, but were still occupying a hospital bed. All patients medically fit to be discharged are counted; this may include patients whose delay came within agreed timescales for the discharge process.

NHS trust	*Number of delayed discharges January 1999*
Bridgend and District	5
Cardiff Community Healthcare	8
Carmarthen and District	12
Ceredigion and Mid Wales	4
Clwydian Community Care	17
East Glamorgan	1
Glan Clwyd General Hospital	16
Glan Hafren	111
Glan-y-Môr	31
Gwent Health Care[1]	27
Gwynedd Community[2]	26
Gwynedd Hospitals	7
Llandough Hospital	12
Llanelli Dinefwr	20
Morriston Hospital	69
Nevill Hall and District	31
North Glamorgan	28
Pembrokeshire and Derwen	5
Powys Health Care	12
Rhondda Health Care	32
Swansea	38
University Hospital of Wales Healthcare	68
Velindre	1
Wrexham Maelor Hospital	9
Total	590

[1] As reported by Caerphilly County Borough Council on post April 1999 trust basis

[2] Includes 6 patients with delayed discharges at February 1999

Following the transfer of functions this issue will be a matter for the National Assembly.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87187]

Mr. Meale: The Government are committed to making sure that policies are inclusive and take full account of the needs and experience of all those affected by them. Guidelines on Policy Appraisals for Equal Treatment published in November 1998 commit policy makers to assessing how proposals affect different groups of people.

Application of the guidance has been the responsibility of individual departments. Within this Department we are making use of consultation, research projects and disaggregated statistics to identify the impact of policy upon women. On the transport side, for example, we are conducting an audit of women's transport requirements

and developing a checklist for transport providers. Similarly, in housing, we are reviewing the support and accommodation provided by local authorities to households experiencing domestic violence to see if it fits women's needs. This project has an advisory group with representation from women's groups.

Rent and Service Charges

Valerie Davey: To ask the Secretary of State for the Environment, Transport and the Regions what was the average rent and service charge for registered social landlord housing in the south west for *(a)* general needs rented housing, *(b)* shared ownership housing, *(c)* sheltered housing and *(d)* supported or special needs housing in 1998–99. [87616]

Mr. Raynsford: For all self-contained general needs properties (including sheltered housing) owned by registered social landlords (RSLs) in the south-west region the average weekly rent and service charge as at 31 March 1998 (the most recent data available) was £54.24. These data are collected by the Housing Corporation in the Regulatory and Statistical Returns completed by RSLs.

Information about rents and service charges for shared ownership and supported or special needs housing is not currently collected for all lettings. Average rents and service charges on all new shared ownership and supported housing lettings during the year ending 31 March 1998 will be published shortly in the CORE Annual Report. The most recent data available from CORE show that the average monthly rent on new shared ownership properties in the South (which includes south-east and south-west regions) during the period April to September 1998 was £114.00; and the average weekly rent and service charge on new supported housing lettings in the south west during the period April to September 1998 was £110.91.

Housing Grants

Valerie Davey: To ask the Secretary of State for the Environment, Transport and the Regions how much *(a)* social housing grant, *(b)* supported housing management grant and *(c)* local authority social housing grant, was paid to registered social landlords in the south-west in 1998–99. [87615]

Mr. Raynsford: The Housing Corporation paid the following amounts to registered social landlords in the south-west region for the financial year 1998–99:

	£ million
Social Housing Grant	42.29
Supported Housing Management Grant (SHMG)	[1] 1.5
Local Authority Social Housing Grant	46.09

[1] This figure includes all projects which were entitled to claim SHMG. A few of these projects will not have claimed SHMG during 1998–99 because they were still in development. They will claim as soon as the schemes are occupied by tenants.

Environment Agency

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what recent meetings he has had with officials of the Environment Agency to discuss *(a)* implementation of the Agency's corporate plan, *(b)* concerns over employment conditions raised by staff trades unions and *(c)* levels of resources available to support the Agency's statutory responsibilities. [87496]

Mr. Meacher: I shall be meeting the Chairman, Chief Executive and other officials of the Environment Agency shortly to discuss the Agency's corporate plan for 2000–01 and I will be raising employment conditions and levels of resources at these meetings.

MOX Plutonium Fuels Plant (Sellafield)

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library copies of the documents submitted *(a)* to and *(b)* by his Department in response to the recommendation by the Environment Agency that Government departments should be involved in considering the wider national and international matters arising from the proposal to operate the new MOX plutonium fuels plant at Sellafield. [87502]

Mr. Meacher: On 11 June, my right hon. Friends the Deputy Prime Minister and the Minister for Agriculture, Fisheries and Food announced the go-ahead for uranium commissioning and a further round of consultation into the economic case for the Mixed Oxide (MOX) fuel fabrication plant at Sellafield. A final decision on the full operation of the MOX plant will not be made until after the consultation finishes on 23 July and all responses have been considered.

Once a final decision has been taken on the operation of the MOX plant, we will place it in the Library of the House:

(a) all documents on the MOX plant submitted to my Department in response to our further consultation on the plant's economic case, except those which we have been specifically requested not to make public; and

(b) all documents published by my Department as part of that final decision.

Oil and Fat Waste

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what recent research his Department has *(a)* commissioned and *(b)* evaluated on the extent of oil and fat waste being put down sewers and drains. [87622]

Mr. Meale: The Department has not commissioned any research on this issue and has no plans to do so.

Genetically Modified Oil Seed Rape

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what permission has been given to grow genetically modified oil seed rape at Stanton, Gloucestershire; and if he will make a statement. [87508]

Mr. Meacher *[holding answer 18 June 1999]:* No consent to release a genetically modified crop has been issued in respect of Stanton, Gloucestershire.

Dioxins

Mr. Caton: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the revised World Health Organisation tolerable daily intake for dioxins (1–4 pg TEQ/Kw bw day). [87843]

Mr. Meale: The Department of Health Advisory Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) has not yet had the opportunity to review the data used by the recent WHO consultation which recommended the Tolerable Daily Intake (TDI) for dioxins of 1–4 pg TEQ/kg bw/day. Therefore this TDI has not been adopted formally by the Government. The COT will undertake a review when a full report of the consultation is available. In the interim, current exposure data will be considered using both the current UK TDI (10 pg TEQ/kg bw/day) and the recently recommended WHO TDI.

TCDD

Mr. Caton: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the conclusion of the International Agency for Research on Cancer at their meeting in Lyon, February 4 to 11, 1997, on the classification of TCDD as a known human carcinogen. [87842]

Mr. Meale: The Department of Health Advisory Committee on the Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (COC) reviewed the conclusion of the International Agency for Research on Cancer (IARC) to classify 2,3,7,8-TCDD as a known human carcinogen in 1998. The COC concluded that there are insufficient epidemiological and toxicological data on TCDD to conclude a causal link with cancer in humans, but it would be prudent to consider TCDD as a 'probable weak human carcinogen'. A copy of the full COC statement is being deposited in the Library of the House.

Lone Parents

Mr. Webb: To ask the Secretary of State for the Environment, Transport and the Regions how many new lettings, in the most recent 12 months for which figures are available, by *(a)* local authorities and *(b)* other social landlords were to (i) lone parents and (ii) teenage lone parents. [87777]

Mr. Raynsford: The information requested for local authorities is not collected centrally. For other social landlords the information for England in 1997–98 is as follows:

	General needs accommodation	*Support accommodation*
Total lets to lone parents	33,048	4,992
of which:		
Lone parent aged 16–19	2,656	394

Source:
Housing Corporation Continuous Recording (CORE) system administered by the Joint Centre for Scottish Housing Research (JCSHR).

GM Poplars (Zeneca)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment of potential environmental impact he undertook before permission was given to Zeneca to plant genetically modified poplar trees near Bracknell. [87604]

Mr. Meacher: Two consents have been issued to Zeneca Ltd. to plant small scale trials of genetically modified poplar trees in the Bracknell area. Each application included a pre-planting environmental audit and risk assessment that were assessed by the Advisory Committee on Releases to the Environment. The trees for both trials are derived from female clones and will not therefore produce pollen. The trees will be coppiced after four years to ensure that they remain in a juvenile phase and do not flower and the trials will be terminated prior to flowering after a further four years. In addition there is specific monitoring at both sites for precocious flowering each spring and any flower buds are removed to prevent pollination. A copy of the consent documents and the environmental risk assessment is available on the public register at the Department.

Unleaded Petrol

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is the maximum percentage of lead permitted in unleaded petrol. [87606]

Ms Glenda Jackson: Directive 85/210/EEC limits lead in unleaded petrol to a maximum of 0.013 grammes per litre. This limit will be lowered to 0.005 grammes per litre from 1 January 2000 in accordance with directive 98/70/EC.

Rented Dwellings

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of new dwellings to be completed for *(a)* housing association rent and *(b)* local authority rent in each London borough in (i) 1999–2000 and (ii) 2000–01. [87818]

Mr. Raynsford: The Department does not forecast the volume of new housebuilding at local level.

Social Housing

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the proportion of social housing on new developments in each London borough in the current year; and if he will make a statement. [87820]

Mr. Raynsford: The latest available information on the proportion of housebuilding completions that were of social housing in each London borough is for 1998–99, as follows:

London borough	*Percentage*
Barking and Dagenham	—
Barnet	11
Bexley	9
Brent	37
Bromley	—
Camden	19

London borough	Percentage
City of London	0
Croydon	58
Ealing	27
Enfield	45
Greenwich	25
Hackney	45
Hammersmith and Fulham	15
Haringey	72
Harrow	3
Havering	10
Hillingdon	51
Hounslow	3
Islington	17
Kensington and Chelsea	21
Kingston upon Thames	0
Lambeth	57
Lewisham	46
Merton	54
Newham	58
Redbridge	5
Richmond upon Thames	1
Southwark	—
Sutton	6
Tower Hamlets	—
Waltham Forest	73
Wandsworth	4
Westminster	15

[illegible]available

Source:
Local authority P2 returns; NHBC

Local Authority Housing

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of single people who are unable to be placed on local authority housing waiting lists and are in need of affordable rented housing in each London borough. [87816]

Mr. Raynsford: No estimates are held centrally.

Private Hire Vehicles (Plymouth)

Mr. Streeter: To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps he is taking to persuade Plymouth City Council to adopt the Local Government (Miscellaneous Provisions) Act 1976 in its regulation of Plymouth-based private hire vehicles; [87824]

(2) what discussions his officials have had with Plymouth City Council officers in the past six months concerning the regulation of Plymouth-based private hire vehicles; and if he will make a statement. [87825]

Ms Glenda Jackson: The decision as to whether to adopt the Local Government (Miscellaneous Provisions) Act 1976 is a matter for the City Council. They will no doubt take into account the fact that (once the relevant provisions of the Private Hire Vehicles (London) Act 1998 have come into effect) adoption of the 1976 Act will enable private hire vehicles licensed by the City Council to pick up passengers in London. My officials have corresponded this year with officers of Plymouth City Council about these issues.

Housing Revenue Account Consultation Paper

Mr. White: To ask the Secretary of State for the Environment, Transport and the Regions what the response was to the consultation paper, "A New Financial Framework for Local Authority Housing: Resource Accounting in the Housing Revenue Account"; and if he will make a statement. [88061]

Ms Armstrong: Our proposals for reforming the Housing Revenue Account (HRA) were intended to make local authority housing management more efficient. Responses to the consultation generally welcomed the proposals to introduce resource accounting. I confirm that we intend to move to a new form of accounts with:

- a cost of capital charge, linked to stock values, showing the resources tied up in local authority housing;
- a major repairs (or depreciation) allowance, paid through the subsidy system, to meet the costs of keeping the stock in good condition; and
- a requirement to prepare a business plan as the framework for managing the stock.

The proposal to remove rent rebates from the HRA, making it a pure landlord account, was also welcomed in principle. This will go ahead, subject to parliamentary approval of the necessary legislation. We will then have to redistribute surpluses to ensure that resources go to councils with the greatest need. We will be consulting on the detailed arrangements later in the year.

Other areas on which we will be consulting further include: the method by which valuations are to be carried out, the calculation of the major repairs (or depreciation) allowance, business plans and the detailed form of accounts. In response to points made in consultation, we intend to make the new form of accounts simpler.

On the question of the basis to be adopted for valuing housing stock for the cost of capital charge in the account, respondents overwhelmingly favoured existing use value as social housing, rather than open market value. I confirm that this will be the basis for valuation.

Authorities expressed concern that the timetable for moving to the new system was too ambitious. So we are now giving them some extra time to prepare. Authorities will be required to keep the HRA in the new form (including business plans) from 2001–02. As long as they have completed the necessary preparatory work satisfactorily, including producing satisfactory business plans, they will be eligible for additional subsidy for the major repairs allowance from that year. Rent rebates will be removed from the HRA at the same time or, if the necessary legislation has not been passed by then, as soon as it is in place.

Authorities were also concerned about the costs of the work needed to prepare for the changes, particularly valuations and the preparation of business plans. We will be making an extra £15m available through the HRA subsidy system in 2000–01 and a further £15m in 2001–02 to help with these costs, and will consult authorities on proposals for doing so later in the year.

I am grateful to all those who responded to the consultation paper. I am placing a list of the respondents, excluding any who requested confidentiality, in the House Library together with a report providing an analysis of the responses. The list and specific responses are available in the Department of the Environment, Transport and the Regions Library, Ashdown House, 123 Victoria Street, London SW1E 6DE, telephone 0171 890 3039. We will shortly be writing to authorities setting out our response

and the next steps in more detail. I believe that, working with local government, we can move forward to a new financial framework for local authority housing which is more suitable for the modern, high-quality tenant-focused service which we want to see.

EDUCATION AND EMPLOYMENT

Tuition Fees

Mr. Willetts: To ask the Secretary of State for Education and Employment if he will estimate the cost of exempting all university students aged over *(a)* 21 and *(b)* 25 years living in (i) Scotland, (ii) Wales, (iii) Northern Ireland and (iv) England from tuition fees. [84063]

Mr. Mudie: *[holding answer 13 June 1999]:* I refer the hon. Member to the reply I gave on 10 June 1999, *Official Report,* column *385.*

Special Measures

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the schools in England currently under special measures, identifying for each school *(a)* how long it has been under special measures and *(b)* the percentage of its pupils receiving free school meals. [87018]

Ms Estelle Morris *[holding answer 15 June 1999]:* Information for each school on special measures at 21 April 1999 is shown in tables, copies of which have been placed in the Library.

In June last year the Government announced a tough new policy to stop prolonged failure in schools. Since September 1998, schools which fail an Ofsted inspection must be turned around by local education authorities within two years. If a school is not out of special measures within two years it must be given a fresh start or closed. There are too many schools which failed under the previous administration and are still failing over two years later. We have made it clear that this must not continue and of the 46 such schools on the list provided, 12 have published or had closure proposals approved (three of which will close and Fresh Start schools open), and a further nine have been removed from special measures during the Summer terms already. The rest are now making good progress and we expect virtually all of them to be removed from special measures either this term or next.

The decisive action we have taken to tackle failure in our schools since May 1997 has cut the average turn-around time from 25 months to 18 months. We are moving from laying the foundations for improvement to delivering the benefits.

Disabled Employees

Mr. Wyatt: To ask the Secretary of State for Education and Employment what plans he has for improving employment opportunities for people with disabilities. [86625]

Ms Hodge: Disabled people are already benefiting from the New Deals and other changes that the Government have introduced in the last two years. The New Deal for Disabled People is piloting a range of initiatives, to help disabled people and those with long-term illness on incapacity benefits into work and training through the Government's Welfare to Work approach, at a cost of £195 million. In addition there are a range of existing employment programmes targeted at people with disabilities. They include the Supported Employment Programme, Access to Work and the Job Introduction Scheme. Last October my right hon. Friend the Secretary of State announced that a further £30 million would be spent over 3 years to expand these programmes. This will bring planned spending on specialist disability measures to some £570 million for the next three years.

Higher Education Funding

Mr. Willis: To ask the Secretary of State for Education and Employment when he expects to announce funding for higher education in England for year three of the Comprehensive Spending Review settlement 2001–02. [87360]

Mr. Mudie: The guidance to the Higher Education Funding Council for England (HEFCE) on 8 December 1998 announced £250 million for investment in capital and research in 2001–02, and told the Council to plan on the basis that funds would be made available in that year to sustain quality and standards, and to provide for continuing growth in student numbers.

The Department will provide further details of the outcome of the Comprehensive Spending Review for 2001–02 in due course.

Drugs Education

Mr. Beith: To ask the Secretary of State for Education and Employment how many schools had policies on drug education in line with his Department's guidance at the latest date for which figures are available; and if he will make a statement. [87440]

Mr. Charles Clarke: The latest figures, which are provided by Ofsted following a survey in 1997, show that 86 per cent. of secondary schools and 61 per cent. of primary schools have drug education policies. We strongly encourage those schools who have not developed an agreed policy to join those who have already taken that step. Our drug education good practice guidance, issued in November last year, provides important advice on the value of schools developing such policies and guidance on the key components for those policies.

Technology College Status

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment when the next round of applications for technology college status is to be invited; and what advice and guidance is to be offered to previous unsuccessful applicants to assist resubmission of their applications. [87630]

Ms Estelle Morris: The closing date for the next round of applications for Technology College status is Friday, 8 October 1999. A new guidance document for schools wishing to apply in the autumn competition will be available to schools in July. Schools unsuccessful in the March competition will be sent the guidance automatically. These schools receive feedback on the main reasons why they were not approved and a wide

range of advice and support is available to applicant schools from the Technology Colleges Trust which is grant aided by the DfEE.

Further Education Funding Council

Mr. McNamara: To ask the Secretary of State for Education and Employment when he expects the Further Education Funding Council to inform colleges of the amount of access funds to be made available for students for 1999–2000. [87140]

Mr. Mudie *[holding answer 18 June 1999]:* The Further Education Funding Council plan to issue their Access Funds circular, including allocations to colleges, later this month.

Science Teaching

Dr. Gibson: To ask the Secretary of State for Education and Employment what plans he has to raise standards of teaching in the sciences *(a)* in schools and *(b)* in higher education establishments. [87366]

Ms Estelle Morris: The initial teacher training National Curriculum for primary and secondary science, which comes into effect this September, will ensure that all newly qualified teachers are fully prepared to teach science. We are also encouraging more specialist science graduates to apply for teaching through the £5,000 financial incentive announced last October.

The Quality Assurance Agency for Higher Education is testing new procedures for assessing quality and safeguarding the standards of all higher education qualifications, including science qualifications. The new Institute for Learning and Teaching will accredit training programmes for higher education teachers, including science teachers.

Academic Salaries Review

Dr. Gibson: To ask the Secretary of State for Education and Employment when he plans to publish the Bett review on academic salaries. [87841]

Mr. Mudie: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) on 8 June 1999, *Official Report*, column *316*.

Family Responsibilities (Employment)

Miss Melanie Johnson: To ask the Secretary of State for Education and Employment what assessment he has made of the benefits to the economy of policies which allow employment to be combined with family responsibilities. [86503]

Ms Hodge *[holding answer 17 June 1999]:* Family-friendly policies can help to boost the economy by increasing the number of skilled people in the labour market, and increasing the numbers returning to education and training. These policies can enhance financial independence—especially for women—both immediately as they benefit from a higher standard of living, and after retirement as a result of building up a better pension entitlement. And these policies can help increase the sustainable level of employment, and improving productivity, leading to an increase in overall living standards.

Islington Education Service

Mr. Corbyn: To ask the Secretary of State for Education and Employment (1) what monitoring he is undertaking of the Islington Education Service; and what meetings he has held with representatives of the education service; [87817]

(2) what is the expenditure by his Department on the contracting out of part of Islington Education Service. [87819]

Ms Estelle Morris: The Department and Islington Local Education Authority have commissioned PricewaterhouseCoopers to advise on contracting out of most or all services to Islington schools and their pupils, to draw up specifications for such services and to advise on the suitability of interim arrangements. Officials are in regular contact with the authority's officers, and I met head teachers in Islington on 16 June. The Department will contribute towards the cost of PricewaterhouseCoopers' consultancy but has made no payments to date.

Mr. Corbyn: To ask the Secretary of State for Education and Employment how much *(a)* revenue support and *(b)* capital allocation was provided to Islington Education Service for education up to the age of 16 years in each of the past five years. [87815]

Ms Estelle Morris: The following table gives, for each financial year from 1995–96 to 1999–2000, the amounts allocated to the Islington local education authority for revenue support and for capital.

Islington revenue and capital funding

£ million

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Education SSA	80.442	81.095	81.230	87.980	91.713
of which					
Nursery/Primary/Secondary	70.883	72.211	73.145	80.035	84.257
GEST/Standards fund	1.143	1.375	1.589	2.473	6.274
Nursery education grant	—	—	2.076	0.343	—
Capital					
ACG/SCA/VA grant	—	0.250	0.531	0.588	1.210
NDS capital	—	—	0.296	1.174	0.656
Energy efficiency	—	—	—	0.049	—
Total capital	0.000	0.250	0.827	1.811	1.866

Note:

1997–98 figures were reduced by £2.068m in respect of nursery voucher scheme.

CULTURE, MEDIA AND SPORT

Ministerial Meetings (Ireland)

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport on how many occasions Ministers in his Department have held meetings with Ministers and officials of the Irish Government since 1 January 1998 indicating the dates and locations, the Ministers involved and the names of the Irish Ministers and officials in each case. [87430]

Mr. Chris Smith: I met the Irish Culture Minister, Sile de Valera, on 17 June 1999 at my office—at the Department. She was accompanied by Tadhg O hEalaithe, Secretary General to the Department for the Arts, Heritage, Gaeltacht and the Islands.

My hon. Friend the Minister for Tourism, Film and Broadcasting met Seamus Brennan TD, Government Chief Whip and Minister of State at the Taoiseach's office, on Monday 5 October 1998, again at the Department. Mr. Brennan was accompanied by Richard Holland from that office.

My hon. Friend the Minister for Sport met Chris Flood, the Irish Junior Minister for Sport, at the Annual Dinner of London GAA (Gaelic Athletic Association) at the Emerald Rooms at the Emerald Gaelic Grounds, West End Road, Ruislip on 13 February 1999, and Dr. James McDaid, the Irish Minister for Sport, at the Sports Industry Exhibition, Earls Court on 24 February 1999. My hon. Friend met Dr. McDaid again at the EU Sports Ministers conference in Paderborn on 31 May 1999.

Millennium Dome (Voluntary Work)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what measures will be taken to enable voluntary organisations to promote their activities within the Dome. [86932]

Janet Anderson *[holding answer 14 June 1999]*: The New Millennium Experience Company receives many requests from a very large number of different organisations concerning events in the Dome. It is not possible for the company to accede to all these requests, but it is considering how some voluntary organisations might be incorporated during the millennium.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what steps will be taken to promote the issue of volunteering within the Dome. [86933]

Janet Anderson *[holding answer 14 June 1999]*: The New Millennium Experience Company is finalising details of a National Programme initiative that addresses issues of volunteering in the broad context of good citizenship. An announcement will be made in due course.

Lost Theatre

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with Hammersmith and Fulham Council regarding the future of the Lost Theatre; and if he will make a statement. [87812]

Mr. Chris Smith: I have not discussed the future of the Lost Theatre with representatives from the London Borough of Hammersmith and Fulham.

BBC

Mr. Fallon: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 15 June 1999, *Official Report*, column 88, if he will place in the Library copies of the external audit reports on BBC Worldwide and BBC Resources for the years 1997–98 and 1998–99. [87823]

Janet Anderson: The 1998–99 Annual Reports of BBC Worldwide and BBC Resources have been placed in the Libraries of the House. The Reports will include opinions by the external auditors on the financial statements and on corporate governance matters. Publication of the full external audit reports on BBC Worldwide and BBC Resources is a matter for the BBC.

BBC Worldwide's 1997–98 Annual Report was laid before Parliament on 14 July 1998. The 1998–99 Annual Report is the first for BBC Resources.

INTERNATIONAL DEVELOPMENT

Kosovo

Rev. Martin Smyth: To ask the Secretary of State for International Development what assessment she has made of the impact of the demands of relief aid in Kosovo and Albania upon other areas of development support. [83277]

Clare Short: The Government have recently announced a further commitment of up to £50 million for humanitarian aid to Kosovo bringing the total commitment to £90 million. This is in addition to our share of EU assistance.

The commitment for Kosovo, and for any other major humanitarian emergencies later in the financial year, will be found from the Department for International Development's Contingency Reserve and from the Government's Central Reserve.

Mr. Frank Cook: To ask the Secretary of State for International Development what resources, additional to existing commitments, will be made available by the United Kingdom for mine clearance and education about mines in Kosovo. [87375]

Clare Short: Mines are a serious problem in Kosovo and could prove a severe constraint to refugee return. Twenty or more incidents have been reported in the first few days alone—resulting in several casualties.

As part of the Government's recently announced package of £50 million for humanitarian and rehabilitation assistance for Kosovo, £5 million has been allocated for mine clearance and mine awareness education. We have provided grants and practical assistance for UN Mines Advisory Service (co-ordination and oversight), Halo Trust (region wide survey), and clearance teams from Mines Action Group.

Mr. Dalyell: To ask the Secretary of State for International Development what programmes have been curtailed as a result of the £50 million extra money for Kosovo. [87590]

Clare Short: No programmes have been curtailed. The £85 million of the £90 million commitment to the needs of Kosovar refugees has been funded from the Department for International Development contingency reserve and the Government central reserve. The remaining £5 million was already committed to the area.

Mr. Randall: To ask the Secretary of State for International Development what plans her Department has for giving aid to those households in Macedonia and Albania which are currently housing Kosovan Albanian refugees. [87401]

Clare Short: Our humanitarian assistance during the Kosovo crisis has included support for communities and families in the region who are hosting refugees in their own homes, with priority given to the poorest and most vulnerable.

DFID is helping to fund a range of international organisations and NGOs. We have given £2.5 million to the Red Cross movement, whose work includes provision of support to host families. In Albania, we are funding Children's Aid Direct and Catholic Relief Services to provide education for both refugees and the local Albanian population. In Macedonia, DFID is funding CARE to provide assistance for vulnerable people, mainly elderly and handicapped, among both refugees and host families. Although many refugees are now returning to Kosovo, I have made it clear that DFID will continue to honour the commitments it has made to the local communities and the refugees that remain in Albania and Macedonia.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for International Development if she will list the women's organisations which have been consulted over proposed legislation by her Department during this session; and if their responses have been published. [87191]

Clare Short: We have proposed no legislation during the current session. But we make strong efforts to ensure that our international development work priorities women's interests and views.

Written Questions

Mr. Brady: To ask the Secretary of State for International Development how many parliamentary questions have been tabled to her Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87323]

Clare Short: Sixty-two parliamentary questions have been tabled to my Department for written answer on a named day since 15 April 1999. 71 per cent. received a substantive response on that day.

Overseas Aid

Mr. Galbraith: To ask the Secretary of State for International Development what is the current percentage of GDP spent on overseas aid; and if she will make a statement. [87422]

Clare Short: I refer my hon. Friend to my written answer on 11 June 1999, *Official Report*, column *413*, for details.

Genetically Modified Terminator Seeds

Mr. Paul Marsden: To ask the Secretary of State for International Development what assessment she has made of the impact of genetically modified terminator seeds in Third World countries; and if she will make a statement. [87567]

Clare Short: We are commissioning a study to assess the potential impacts on developing countries of so-called "terminator" gene technologies. The study will examine the potential effects which such technology can have on economic, social and environmental aspects of farming systems important to poor people. We recently published a Background Briefing on genetically modified organisms and developing countries. Copies are in the Library of the House.

HOME DEPARTMENT

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for the Home Department if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87190]

Mr. Boateng: The Home Office consults regularly with a wide range of organisations on both proposed changes to legislation and the development of policy. It also issues public consultation documents on which both organisations and individuals are invited to comment. One such document is "Supporting Families" and, on 8 June, I published details of the responses to it.

Europol/Interpol Co-operation

Mr. Beith: To ask the Secretary of State for the Home Department what progress has been made on promoting co-operation between Europol and Interpol; and if he will make a statement. [87449]

Kate Hoey: Once Europol takes up the full range of activities, we hope it will be able to quickly establish formal co-operation arrangements with non European Union members and bodies such as Interpol as outlined in Article 42 of the Europol Convention. We are encouraging close co-operation between the two organisations, with both of whom the United Kingdom has good working relations.

Conventions on Refugees

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to propose changes to the international conventions on refugees; and if he will make a statement. [87381]

Mr. Mike O'Brien: The Government have no present plans to propose changes to the main international instruments on refugees. We are strongly committed to the principle of protection for those genuinely fearing persecution. In the longer term, it will be necessary to ensure that the totality of international law and

agreements continues to support this principle effectively, taking account of the many developments since the Geneva Convention of 1951, in particular the growing problem of false claims for protection being used to circumvent legitimate controls on immigration.

Drugs (Repeat Offending)

Mr. Beith: To ask the Secretary of State for the Home Department what is the current level of repeat offending among drug-misusing offenders; and if he will make a statement. [87439]

Mr. George Howarth: The most recently available relevant information relates to reconvictions in samples of prisoners discharged from prison in 1995 and of offenders commencing community penalties in 1995.

Reconviction rates for offenders sentenced for drugs offences[1] within two years for prisoners discharged from custody in 1995 or commencing community penalties[2] in 1995

	Original disposal	
	Custody	*Community penalties*[2]
Total sampled	3,377	1,556
Percentage reconvicted[3]	36	50
Percentage reconvicted for any drugs offence[1]	17	29

[1] All indictable drug related offences. The offence categorisation is based on the most recent offence recorded on the Offenders Index prior to discharge from prison or commencement of a community penalty.
[2] Combination orders, community service and probation. Figures relate to offenders sentenced in the first quarter of the year.
[3] All standard list offences, this includes all indictable offences and some of the more serious summary offences.

The source of this information on reconvictions is the Home Office Offenders Index. This does not contain information on cautioning of offenders. It should be borne in mind that this information relates to reconviction rather than reoffending and is restricted to offenders who have been sentenced to custody or a community penalty. It also relates to offenders convicted for drugs related offences, rather than offenders who commit other forms of crime to pay for drugs.

Base line levels of repeat offending among drug misusing offenders are currently being established. The targets set recently by the United Kingdom Anti-Drugs Co-ordinator include reducing levels of such offending by 50 per cent. by 2008 and 25 per cent. by 2005.

Prostitute Cards

Dr. Iddon: To ask the Secretary of State for the Home Department when he expects to complete his consultations on the placing of cards in telephone boxes by prostitutes. [87595]

Mr. Boateng: We have asked for comments on our consultation paper "New Measures to Control Prostitutes Cards in Phone Boxes" by 18 August 1999.

Prisoner Employment

Mr. Cox: To ask the Secretary of State for the Home Department how many prisoners held in each of the London prisons were employed within the prison on a daily basis as at 1 June. [87453]

Mr. George Howarth: The information my hon. Friend requested is contained in the table.

Name of prison establishment	*Number of prisoners employed as at 1 June 1999*
Belmarsh	[1]580
Brixton	214
Holloway	414
Pentonville	[2]335
Wandsworth	854
Wormwood Scrubs	443

[1] No prisoners actually attended for work on 1 June as a result of lightning striking, although 580 were scheduled to attend and normally did so before and after this interruption.
[2] 472 prisoners were normally employed at Pentonville around this time. There was reduced work on 1 June following the bank holiday.

Cycling Convictions

Mr. Cox: To ask the Secretary of State for the Home Department how many people have been convicted of riding a bicycle without lights in each of the last three years. [87452]

Mr. Boateng: Available information for the years 1995 to 1997 is given in the table. 1998 data will become available later this summer.

Number of persons cautioned or convicted for pedal cycle lighting and reflector offences[1], England and Wales, 1995–97

Year	*Disposal*	
	Cautioned	*Convicted*
1995	339	293
1996	379	333
1997	406	377

[1] Offences under Road Traffic Act 1988 s81 and Road Vehicles Lighting Regulations 1989

Cleveland Police

Dr. Kumar: To ask the Secretary of State for the Home Department if he will extend his investigation into police integrity to include Cleveland Police Force; and if he will make a statement. [87572]

Mr. Boateng: We are not conducting an investigation into police integrity. However, I was pleased to launch Her Majesty's Inspectorate of Constabulary's (HMIC) report on police integrity on 14 June. That report dealt with integrity in its widest sense, encompassing issues such as fairness, probity, behaviour and equal treatment. Its 11 recommendations, in areas such as training, recruitment, vetting, management and financial accounting, are relevant to all forces including Cleveland.

The practical guidance offered by the HMIC report gives us a framework in which chief officers can tackle integrity problems and ensure corrupt and unacceptable practices are rooted out.

Paedophiles

Mr. Llew Smith: To ask the Secretary of State for the Home Department what restrictions apply to the distribution of information between departmental Agencies on paedophiles about to be released back into communities. [87413]

Mr. George Howarth: Section 115 of the Crime and Disorder Act 1998 put beyond doubt the power of any person to disclose information, where necessary or expedient for any provision of the Act, to a chief officer of police, a police authority, local authorities, probation service or health authority. Such disclosure is, however, not a duty and must take account of the common law duty of confidence and statutory restrictions on disclosure, including date protection legislation.

Last year, the Home Office and the Data Protection Registrar issued a joint statement on information sharing under the Act.

Mr. Llew Smith: To ask the Secretary of State for the Home Department what role is played by *(a)* local area child protection committees, *(b)* local authority social services, *(c)* the Probation Service, *(d)* the Prison Service, *(e)* Customs and Excise, *(f)* the NSPCC and *(g)* the Police in (i) sharing of information on and (ii) measures taken against predatory paedophiles. [87497]

Mr. George Howarth: Multi-agency co-operation is essential for the proper assessment and management of the risk that sex offenders pose in the community, the working of area child protection committees and risk assessment panels and the setting up of written protocols for protecting the public. The composition of these bodies can be agreed locally and may include a wide range of organisations.

Section 115 of the Crime and Disorder Act 1998 gives an explicit power to disclose information for the purposes of the Act, and we are currently working with the Association of Chief Police Officers (ACPO), the Association of Chief Officers of Probation (ACOP) and others to produce guidance on the disclosure of information about sex offenders who might pose a risk to children and others.

Released sex offenders are supervised by the probation service within a national framework. Such offenders may also be monitored by the police. The Crime and Disorder Act empowers courts to impose an extended period of supervision and provides for a sex offender order where the present conduct of a released sex offender gives rise to concern.

Drug Treatment Programmes

Mr. Beith: To ask the Secretary of State for the Home Department (1) how many people, including prisoners, participated in publicly funded drug treatment programmes in the latest period for which figures are available; and if he will make a statement; [87442]

(2) how many people in drug treatment programmes reported (i) injecting drugs and (ii) sharing needles in the latest period for which figures are available; and if he will make a statement. [87441]

Ms Jowell: I have been asked to reply.

In the six month period ending 31 March 1998, 23,916 people were reported to the Regional Drug Misuse Databases in England as presenting for treatment at drug misuse agencies in the community. It is not possible to give precise figures for only those participating in publicly funded drug treatment programmes. However, it is estimated that around two thirds of those reported as presenting for treatment attended statutory services; most of the remainder attended voluntary services, although a small number attended private agencies.

Of those 23,916 people, 46 per cent. of drug users whose injecting status was known had injected in the previous four weeks. Of those who had injected in the previous four weeks, 15 per cent. of drug users whose sharing status was known had shared injecting equipment in the previous four weeks.

No information is yet available centrally on prisoners participating in drug treatment programmes. A monitoring system to record such information is being established as part of the Prison Service's implementation of its Drugs Strategy.

The questions relate to the United Kingdom Anti-Drugs Co-ordinator's First Annual Report and National Plan. A statement was made by my right hon. Friend the Minister for the Cabinet Office in the House on 25 May 1999, *Official Report*, 161–63. New research is to be commissioned to establish more robust baselines this year.

Hillgrove Farm Cattery

Mr. Paul Marsden: To ask the Secretary of State for the Home Department what recent representations he has received on the treatment of cats at Hillgrove Farm, Oxfordshire. [87673]

Mr. George Howarth: I have received a number of letters via hon. Members and directly from members of the public; I have received a petition calling for the establishment to be closed; and I have answered a number of questions in this House on this subject.

The scientific community has also made its concerns known to me with regard to:

(i) the damage that could be caused to important medical and veterinary research should the establishment close; and

(ii) the increased welfare costs to cats if they have to be obtained from overseas sources.

I understand that representatives of the Royal Society for the Prevention of Cruelty to Animals have visited the establishment, have seen the animals and have reviewed copies of some of the breeding records sent to them by members of the public. They have not made any formal representations to me on this issue.

Animal Procedures Committee

Angela Smith: To ask the Secretary of State for the Home Department when he will publish the latest annual report of the Animal Procedures Committee. [88129]

Mr. George Howarth: I have placed the committee's annual report for 1998 in the Library today. I am grateful to the committee for its valuable work over the year and welcome this latest report. I wish the committee well in tackling the continuing agenda of work which the report identifies.

Communications (Interception)

Mr. Hope: To ask the Secretary of State for the Home Department when he will publish his proposals for updating the legislation on interception of communications. [88130]

Mr. Straw: I announced last September that I had put in hand a comprehensive review of the interception regime and that a consultation document would be published in due course. The review is now complete and I am today publishing a consultation paper "Interception of Communications in the United Kingdom" in which our proposals are laid out in detail. A copy has been placed in the Library (copies are available in the Vote Office).

The extraordinary pace of change in the communications industry, particularly in the last decade, has revolutionised communications and brought benefits to us all. This new technology, however, brings new opportunities for criminals and terrorists, which they have been quick to exploit. The law has not kept pace with these developments. We need to bring our interception law up-to date to ensure the continued success of this essential investigative tool.

There are also some areas in which we need to improve the protection offered to the individual. There is currently no basis in law, for example, for the interception of communications on private telephone networks. We intend to put such interception on a statutory footing for the first time. This will ensure that the privacy of those who use these networks is respected, and that they have a means of redress if their communications are intercepted unlawfully.

The Government are committed to building a safe, just and tolerant society. In the field of interception, there is a difficult balance to be struck. I believe our proposals strike the right balance and will be grateful for views on any of the proposals in the consultation paper.

NORTHERN IRELAND

RUC (Portadown)

Mr. Corbyn: To ask the Secretary of State for Northern Ireland which units of *(a)* the Army and *(b)* the Royal Irish Regiment were available for call out by Portadown RUC Sub-Division to assist with security problems between 11 p.m. on Saturday 26 April 1997 and 4 a.m. on Sunday 27 April 1997. [85500]

Mr. Ingram: Soldiers from three Royal Irish and one Argyll and Southern Highlanders would have been the most immediately available for call out by Portadown RUC Sub-Division during the period in question. Military assistance was not requested, however, as sufficient police resources were available.

Robert Hamill

Mr. Corbyn: To ask the Secretary of State for Northern Ireland if she will make a statement on the progress of the Royal Ulster Constabulary investigation into the murder of Robert Hamill. [86272]

Mr. Ingram *[holding answer 8 June 1999]:* The RUC interviewed a number of people suspected of being involved in the murder of Robert Hamill. Although charges against five were subsequently withdrawn at the direction of the DPP, a sixth man was convicted of affray and sentenced to four years' imprisonment. The RUC have advised that all available lines of inquiry have been pursued fully. Whilst the investigation remains open, further progress is dependent upon new information or evidence coming to light.

Rosemary Nelson

Mr. Corbyn: To ask the Secretary of State for Northern Ireland what is the present role of the Chief Constable of Kent Constabulary in the police investigation into the murder of Rosemary Nelson. [86175]

Mr. Ingram *[holding answer 8 June 1999]:* The Chief Constable of Kent continues to provide advice, when requested by Deputy Chief Constable Colin Port, who is directing and controlling the investigation. Mr. Port speaks to him on a regular basis.

Internet Public Service Website

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list the submissions to the Patten Commission that have been posted on the internet public service website for press releases. [87484]

Mr. Ingram *[holding answer 21 June 1999]:* Publication of submissions to the independent Commission on Policing on the internet or otherwise is a matter for it and those making the submissions.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what measures she will take to encourage a public debate on the future of policing in Northern Ireland by means of the NIO internet public service website. [87485]

Mr. Ingram *[holding answer 21 June 1999]:* The independent Commission on Policing has been established under the Good Friday Agreement

> "to make recommendations for future policing arrangements in Northern Ireland including means of encouraging widespread community support".

The Commission has consulted widely and has its own website at: www.belfast.org.uk

The e-mail address is: PolComm B @ belfast.org.uk

The Commission's report will be made available on the internet.

Higher Education Places

Mr. Donaldson: To ask the Secretary of State for Northern Ireland if she will provide details of the allocation to each college of further and higher education of the 600 additional full-time higher education places to be made available over the next two years. [87886]

Mr. McFall: The additional 600 full-time higher education places over the next two academic years have been allocated to further education colleges as follows:

College	*1999–2000*	*2000–01*	*Total*
Belfast Institute of F&HE	62	62	124
North West Institute of F&HE	26	26	52
North Down and Ards Institute of F&HE	33	33	66
Lisburn Institute of F&HE	13	13	26
Upper Bann Institute of F&HE	22	22	44
Newry and Kilkeel Institute of F&HE	48	48	96

College	1999–2000	2000–01	Total
North East Institute of F&HE	45	45	90
East Antrim Institute of F&HE	14	14	28
Fermanagh College of F&HE	12	12	24
NI Hotel and Catering College	13	13	26
East Down Institute of F&HE	12	12	24
Total	300	300	600

Omagh Bombing

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many individuals have been charged with offences in connection with the bomb explosion in Omagh, County Tyrone on 15 August 1998. [87891]

Mr. Ingram: On 24 February, Colm Murphy was charged in the Republic of Ireland with membership of an illegal organisation and with conspiracy to cause an explosion between 13–16 August 1998. The RUC and Garda Siochana continue to co-operate fully in their painstaking investigations. I pay personal tribute to both police services for their complete dedication and tenacity in this investigation.

Ministerial Visits (RUC)

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the visits she has made to *(a)* RUC Headquarters and *(b)* RUC stations since she took office as Secretary of State stating the duration of each such visit; and if she will provide the same information in respect of each of the Ministers in her Department. [87597]

Mr. Ingram: The information requested is as follows:

(a) RUC Headquarters:

Private office have details of two visits to RUC Headquarters; one by Mr. Ingram on 12 May 1997 which was scheduled to last 1 hour and one by Mr. Murphy which took place on 8 January 1998, lasting one hour.

(b) RUC Stations visited

Station	Date	Duration
Secretary of State		
Strand Road	9 May 1997	30 mins
Lurgan	17 June	30 mins
Newtownabbey	26 September 1997	40 mins
Dungannon	8 October 1997	30 mins
Musgrave Street, Belfast	24 October 1997	30 mins
Balleymoney	7 November 1997	30 mins
Enniskillen	13 February 1998	30 mins
Waterside	13 March 1998	30 mins
Strand Road	12 May 1998	45 mins
Antrim	18 May 1998	30 mins
Mahon Road	10 July 1998	30 mins
Coleraine	10 February 1999	1 hr
Woodbourne	18 May 1999	40 mins
Cookstown	24 May 1999	40 mins
PRRT Maryfield	7 June 1999	30 mins
Mr. Ingram		
Shantallow	6 June 1997	45 mins
Edward Street, Portadown	25 June 1997	2 hrs 20 mins
Garnerville	3 July 1997	3 hrs
Lisburn Road, Belfast	22 September 1997	50 mins
Magherafelt	20 November 1997	40 mins
Castlereagh Holding Centre	26 January 1998	1 hr 30 mins
Bangor	9 March 1998	15 mins
Aughnacloy	27 April 1998	Joint Visit
Ballygawley	27 April 1998	1 hr 30 mins
Coleraine	11 May 1998	2 hrs
Armagh	20 May 1998	3 hrs
Newtownards	26 May 1998	45 mins

(b) RUC Stations visited

Station	Date	Duration
Downpatrick	26 May 1998	30 mins
Hillsborough	7 November 1998	15 mins
Castlecourt Post	16 December 1998	30 mins
Omagh	8 March 1999	1 hr 15 mins
Strandtown	19 May 1999	1 hr
Newcastle	17 June 1999	45 mins
Downpatrick	17 June 1999	40 mins
Mr. Murphy		
Oldpark	9 January 1998	20 mins
Ballymena	30 April 1998	30 mins
Omagh	21 May 1998	30 mins
Tennent Street, Antrim Road	3 June 1999	Joint visit 1 hr 25 mins

Mr. McFall—Nil return

Lord Dubs—Nil return.

It should be noted that the durations shown have been taken from the programme schedules arranged prior to each visit, as opposed to exact times on the day (which are not readily available). Visits of this kind regularly exceed the arranged times.

FOREIGN AND COMMONWEALTH AFFAIRS

Federal Republic of Yugoslavia

16. **Mr. John Smith:** To ask the Secretary of State for Foreign and Commonwealth Affairs if it is Her Majesty's Government's policy that Kosovo should remain a part of the Federal Republic of Yugoslavia. [86589]

Mr. Robin Cook: I refer my hon. Friend to the answer that I gave earlier today to my hon. Friend the Member for Edinburgh, South (Mr. Griffiths), column 917.

Russia (Anti-semitism)

20. **Mr. Dismore:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on anti-semitism in Russia. [86593]

Ms Quin: We continue to be concerned at anti-semitic incidents in Russia. But it is the anti-semitic comments by Duma deputies Makashov and Ilyukhin last year which caused outrage in Russia and beyond. At our instigation the EU Presidency made representations to the Russian authorities on this subject in January and my right hon. Friend raised the issue with the Russians during his visit to Russia in March. We remain ready to take further action if necessary, including in co-ordination with our EU partners.

Qualified Majority Voting

21. **Mr. Leigh:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to seek to extend the scope of qualified majority voting in the Council of Ministers; and if he will make a statement. [86594]

Ms Quin: The possible extension of qualified majority voting will be one of the subjects covered in the Inter-Governmental Conference starting in early 2000. We will look at options on a case by case basis. Where it makes practical sense to extend QMV, we will support it. But where key national interests need to be protected,

such as on border controls, Treaty change, taxation, defence and social security, we will insist on retaining unanimity.

Middle East Peace Process

22. **Mr. Jim Murphy:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress with the middle east peace process. [86597]

30. **Mr. Burden:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for the middle east peace process. [86606]

Mr. Robin Cook: I refer my hon. Friends to the answer that I gave earlier today to my hon. Friend the Member for Bolton, South-East (Dr. Iddon), column 913.

Entry Clearance Officers (Training)

23. **Dr. Harris:** To ask the Secretary of State for Foreign and Commonwealth Affairs what training is given to entry clearance officers on issues relating to the sexuality of applicants for visas. [86598]

Mr. Hoon: One of the main objectives of the initial three-week training course for Entry Clearance Officers is to ensure that they treat all applicants with courtesy and respect, and without any form of discrimination or prejudice. This course includes guidance on the handling of Settlement applications under the same-sex concession.

Kosovo

24. **Mr. Nicholas Winterton:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Kosovo. [86599]

Mr. Robin Cook: KFOR initial deployments are complete. There are now about 19,000 KFOR forces in Kosovo. The Serbs have complied with the Military Technical Agreement and all Yugoslav and Serb forces have now withdrawn from Kosovo. Sergio Vieira de Mello, the UN Interim Special Representative in Kosovo, is now in Pristina and is developing arrangements for the interim civilian administration. According to UNHCR, 73,500 refugees returned to Kosovo last week from Albania and Macedonia.

However, there is still much to be done to ensure a secure environment in Kosovo and to help returning refugees and internally displaced people to rebuild their lives. Britain will continue to take a leading role in these efforts.

28. **Mr. Geraint Davies:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to meet the US Secretary of State to discuss developments in Kosovo. [86604]

Mr. Tony Lloyd: My right hon. Friend the Foreign Secretary is and will remain in very regular contact with the US Secretary of State, Mrs. Madeleine Albright, about Kosovo.

29. **Mr. Martin Bell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the prospects for refugees from Kosovo being able to return to their homes. [86605]

Mr. Tony Lloyd: An estimated 140,000 refugees have returned spontaneously to Kosovo from Albania and Macedonia to date and the flow of refugees back to Kosovo continues. The UNHCR will shortly begin a programme of organised returns, once they are sure that the areas to which the refugees are returning are safe. Her Majesty's Government will continue to work closely with the relief agencies to assist the return process.

Mr. Robert Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to protect the historic Serb religious and cultural sites in Kosovo. [87254]

Mr. Tony Lloyd: UN Security Council Resolution 1244 provides that after the withdrawal of Yugoslav and Serb forces from Kosovo, an agreed number of Yugoslav and Serb military and police personnel will be permitted to return to Kosovo to perform certain functions. These functions include maintaining a presence at Serb historic, religious and cultural sites.

More generally, KFOR has been tasked with establishing a secure environment throughout Kosovo.

Iran

25. **Mr. Corbett:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to visit Iran to discuss the upgrading of diplomatic relations. [86601]

Mr. Hoon: There are no immediate plans for the Secretary of State for Foreign and Commonwealth Affairs to visit Iran.

Indonesia

26. **Jane Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans his Department has to assist progress towards democracy in Indonesia; and if he will make a statement. [86602]

Mr. Hoon: I refer my hon. Friend to the answer that I gave earlier today to my hon. Friend the Member for Coventry, South (Mr. Cunningham), column 917.

Economic Reconstruction (Balkans)

27. **Mr. Boswell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his plans for economic reconstruction in the Balkans. [86603]

Mr. Tony Lloyd: Her Majesty's Government are actively pursuing, with partners, a range of initiatives to promote stabilisation and prosperity in south eastern Europe. The offer of new Stabilisation and Association Agreements for the countries of the region, once they meet the conditions, will help accelerate the EU integration process and make it more inclusive.

We actively supported the EU presidency initiative for a Stability Pact for south-east Europe, which was launched on 10 June and will provide a new form of co-operation, including on reconstruction issues. We warmly welcome current EU and World Bank efforts to assess the reconstruction needs in Kosovo and the impact of the crisis on the neighbouring region. We will continue

to play our part in all efforts designed to overcome the consequences of the crisis and bring the countries of the region into the European mainstream.

European Common Foreign and Security Policy

31. **Mr. Jim Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with European counterparts about the future development of common foreign and security policy. [86607]

Ms Quin: I have regular meetings with my European counterparts, at which the future development of the Common Foreign and Security Policy has been a frequent topic of discussion.

European Union (Reform)

32. **Mr. Healey:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the President of the European Commission to discuss the reform of European Union institutions. [86608]

Ms Quin: My right hon. Friend the Foreign Secretary last discussed institutional reform with Mr. Prodi when he presented his plans for reform of the Commission to the Cologne European Council on 3–4 June. Like us, Mr. Prodi sees a need to overhaul financial and personnel management within the Commission. We shall work with him to help him achieve his plans.

Kashmir

33. **Fiona Mactaggart:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the situation in Kashmir; and if he will make a statement. [86609]

Mr. Hoon: I refer my hon. Friend to the answer that I gave earlier today to my hon. Friend the Member for Aberdeen, North (Mr. Savidge), column 920.

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will assess the impact on the territorial integrity of *(a)* Pakistan and *(b)* India of Kashmir becoming an independent state; and if he will make a statement. [87670]

Mr. Hoon: Such an exercise would not be helpful. It is for India and Pakistan to find a solution to this issue. Any lasting solution must involve, and reflect the views of, the people of Kashmir.

West Bank (Human Rights)

34. **Dr. Starkey:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the latest human rights situation in the occupied territories of the west bank. [86611]

Mr. Hoon: We follow closely the human rights situation in the Occupied Territories. We have repeatedly expressed our concern to the Israeli Government about settlement activity, house demolitions and land confiscation. These activities are in breach of the Fourth Geneva Convention, an obstacle to peace and worsen the climate for final status negotiations.

We have also supported a project to promote human rights within the Palestinian community through the Palestinian Rights Programme, which has been funded by the FCO Human Rights Project Fund and managed by the British Council.

European Parliaments

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his European counterparts on improving communication between the national parliaments of Europe. [86578]

Ms Quin: The Government believe the national Parliaments have a crucial role to play in giving the European Union legitimacy, and in ensuring that Europe's agenda is set by concerns of Europe's citizens. Improving communications between the national Parliaments will help them to play that role more effectively.

The Amsterdam Treaty has enhanced their role. We welcome the new six-week minimum scrutiny period for EU legislation, and for a new consultative role for COSAC. These steps will complement the steps we have taken to improve our own scrutiny system.

In particular, we have extended the scheme for hon. Members to visit EU institutions to include visits to the national Parliaments of our European partners.

These improved links will help Westminster's voice be heard more clearly in Europe.

Special Advisers

Mr. Tyrie: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 19 April 1999, *Official Report*, column *405*, on special advisers, if he will give the total travel cost of each occasion when *(a)* departmental and *(b)* non-departmental advisers have travelled abroad in an official capacity since 2 May 1997 and the place visited. [82413]

Mr. Robin Cook: For the period 2 May 1997 to 24 April 1999, special advisers in my Department have travelled overseas in an official capacity on 31 occasions. The total cost of travel amounted to £28,475. On most of these visits, special advisers, accompanying Ministers, travelled aboard charter RAF flights at no extra cost to Her Majesty's Government.

All travel complied with the requirements of the ministerial code and the Civil Service Management code.

Gibraltar

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs which Government Ministers have visited Gibraltar since May 1997. [87290]

Ms Quin: Since May 1997, the following Government Ministers have visited Gibraltar: Mr. Doug Henderson, the then Minister for Europe, Foreign and Commonwealth Office (7–8 October 1997); Mr. John Spellar, Under-Secretary of State for Defence (16–17 October 1997).

I am planning to visit Gibraltar on 22–23 July. My visit was originally planned for 13–14 May, but was postponed following the tragic death of the right hon. Derek Fatchett MP.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed issues concerning Gibraltar and Spain with the Spanish Government; and if he will list the issues discussed. [87287]

Ms Quin: My right hon. Friend has regular contact with the Spanish Foreign Minister. We last discussed such issues on 22 March in the margins of the General Affairs Council and 24–25 March in the margins of the Berlin European Council. We covered border delays, allegations of criminality, and preparations for the UK/Spain summit.

EC Research Projects

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library project summaries on European Communities research contracts *(a)* SOE1-CT95–1005, *(b)* SOE2-CT95–3004, *(c)* SOE2-CT95–3009, *(d)* SOE2-CT96–3006, *(e)* SOE2-CT97–3042, *(f)* SOE2-CT97–3045, *(g)* SOE2-CT97–3048, *(h)* SOE2-CT97–3050, *(i)* SOE2-CT97–3059 and *(j)* SOE2-CT97–3060, indicating their sponsoring DGs in each case and the reason for the project's commissioning; how many research projects are currently funded by the Communities; and if he will make a statement. [87380]

Ms Quin: The project reference numbers provided are not familiar. If the hon. Member for Buckingham (Mr. Bercow) would care to provide further details, I will endeavour to answer his question in full.

Strategic Export Controls

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to publish the 1998 Annual Report on Strategic Export Controls. [87448]

Mr. Tony Lloyd: We will publish the Report as soon as possible.

Zimbabwe

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to assist in measures to reduce the level of corruption in Zimbabwe. [87699]

Mr. Tony Lloyd: The Department for International Development, through its projects with the Zimbabwe Republic Police, the Ministry of Local Government and the Privatisation Agency, is assisting in measures to combat corruption in Zimbabwe; and will continue to support initiatives aimed at improving accountability and tackling corruption.

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what Government support and advice is provided to police forces in Zimbabwe to assist and encourage them to (i) police by consent and (ii) maintain a politically neutral position. [87767]

Mr. Tony Lloyd: Under a project funded by the Department for International Development, the Zimbabwe Republic Police receive support and advice from British police forces on many issues, to help them protect individual rights and improve public confidence in police services.

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the level of political violence in Zimbabwe; what representations he has made to the Government of Zimbabwe on this matter; and if he will make a statement. [87700]

Mr. Tony Lloyd: I receive regular reports of political developments in Zimbabwe from our High Commission in Harare. We made representations to the Government of Zimbabwe over the illegal arrest and torture of two newspaper journalists in January 1999. I raised our concerns about human rights with President Mugabe when he visited London in December 1998 and when I visited Harare in February 1999.

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what Government support is provided to the Zimbabwean human rights organisation ZimRights. [87698]

Mr. Tony Lloyd: The Government supported an organisational/development conference for ZimRights in December 1997. The Westminster Foundation for Democracy, which is largely funded by the Foreign and Commonwealth Office, is currently supporting a three-year ZimRights education programme for domestic and commercial farm workers.

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports have been received from the EU-funded election monitoring programme in Zimbabwe *(a)* in general and *(b)* on the preparations for this year's urban elections; and if he will make a statement. [87697]

Mr. Tony Lloyd: The EU is funding an election monitoring training programme in Zimbabwe, run by the non-governmental organisation, ZimRights. They started work in May 1999. The main objective is to build a team of independent national election monitors to be in place for the 2000 General Election and the 2002 Presidential Election. The team will also monitor by-elections and local council elections. They have not produced any reports yet.

FCO Establishment (Morwenstow)

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the purpose of his Department's establishment at Morwenstow, Cornwall. [87601]

Mr. Robin Cook: The Composite Signals Organisation Station at Morwenstow is part of GCHQ. It is longstanding policy not to provide details about the operations of the security and intelligence services.

Falkland Islands

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to visit the Falkland Islands to discuss the recent talks with Argentinian officials. [86579]

Mr. Tony Lloyd: I visited the Falklands in April last year and have made no plans for a further visit. British and Argentine delegations met in London on 25–27 May to discuss South Atlantic issues. Talks were held on issues such as air links, Argentine access to the Falklands, and our common interest in combating illegal fishing.

SOCIAL SECURITY

Jobseeker's Allowance

Miss Geraldine Smith: To ask the Secretary of State for Social Security in how many cases involving claims for jobseeker's allowance in the Lancaster and South Cumbria district Regulation 13(b) of the Jobseeker's Allowance Regulations 1996 was applied. [85490]

Mr. Andrew Smith: I have been asked to reply.

Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Miss Geraldine Smith, dated 17 June 1999:

As the Employment Service is an Executive Agency, the Minister of State has asked Leigh Lewis to reply direct to your question concerning the number of cases involving claims for Jobseeker's Allowance in the Lancaster and South Cumbria district where the provisions of Regulation 13(4) of the Jobseeker's Allowance Regulations 1996 have been applied. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Employment Service. I am replying in his absence.

I regret that the information you have requested is not available. Details of decisions given by Employment Service Adjudication Officers on labour market questions are recorded in a quarterly summary—the 'Analysis of Adjudication Officers' Decisions', a copy of which is held in the Library. The statistics include the number of decisions made in respect of jobseekers who restrict their availability to less than 40 hours a week. Unfortunately, decisions where the only consideration was whether the provisions of regulation 13(4) applied are not recorded separately. Nor are figures separately recorded for individual Employment Service Districts.

I am sorry that I cannot be more helpful.

Invalid Care Allowance

Mr. Goggins: To ask the Secretary of State for Social Security if he will estimate the additional cost to public funds of increasing the level of weekly earnings which are defined as gainful employment for the purpose of claiming invalid care allowance to *(a)* £55, *(b)* £60, *(c)* £65, *(d)* £70, *(e)* £75 and *(f)* £100. [86850]

Mr. Bayley: It is not possible to cost any of these measures as sufficiently accurate data are not available.

Housing Benefit (South-West)

Valerie Davey: To ask the Secretary of State for Social Security how much housing benefit was paid for the tenants of housing associations, local housing companies and other registered social landlords living in the South West in 1998–99. [87614]

Angela Eagle: The information is not available in the format requested. Such information as is available is as follows.

The estimated Housing Benefit paid for tenants of housing associations for the South West area in 1997–98 is £155 million.

Note:

The data used refer to Housing Association tenants only but may include data for local housing companies and other registered social landlords.

Sources:

1. Housing Benefit Management Information Systems Data (May 1997 and May 1998)
2. Local Authorities' final subsidy claims (1997–98).

Incapacity Benefit

Mr. Berry: To ask the Secretary of State for Social Security what the income levels are of those current incapacity benefit recipients who first made their claim after April 1995 and who have been excluded from the transitional protection provided to former invalidity benefit claimants. [87587]

Mr. Bayley: When Incapacity Benefit was introduced transitional arrangements allowed those already in receipt of Invalidity Benefit to continue to receive their previous rate of benefit. This is standard procedure following a major change in Social Security legislation.

It is not possible to provide figures on income levels just for Incapacity Benefit recipients whose claims began after April 1995. Such information as is available is in the table.

The number and percentage of all Incapacity Benefit recipients (including those formerly on Invalidity Benefit) in each quintile of the income distribution

Income quintile	*Number in quintile (BHC)*	*Percentage in quintile (BHC)*	*Number in quintile (AHC)*	*Percentage in quintile (AHC)*
Bottom	330,000	19	350,000	20
2	570,000	34	550,000	32
3	390,000	23	380,000	22
4	290,000	17	300,000	17
Top	130,000	8	150,000	9

Notes:

1. BHC = Income quintiles calculated before adjusting for housing costs. AHC = Income quintiles calculated after adjusting for housing costs.
2. Columns may not sum due to rounding.
3. These figures are estimates for the latest year available, which was the financial year 1996–97. The data has been derived from the Department of Social Security's Households Below Average Income dataset, which in turn is based upon the Family Resources Survey for the same period.
4. The income figures are based on household income, adjusted for household size and composition. This reflects the commonsense notion that a household of five adults will need a higher income than a person living alone in order to enjoy the same standard of living. The process of adjusting income in this way is known as equalisation and is needed in order to make sensible income comparisons between households. Each income quintile contains 20 per cent. of the population of Great Britain.
5. The equivalence scales make allowance for factors such as household size and the age of any children but not for any extra costs that people with disabilities may have. Attendance Allowance and Disability Living Allowance, which are paid to help with the extra costs of disability are included as income in these estimates. Removing Attendance and Disability Living Allowance from income reduces the proportion of Incapacity Benefit recipients in the top half of the income distribution by about 5 or 6 percentage points.

Retirement Age

Mr. Galbraith: To ask the Secretary of State for Social Security what plans he has to equalise the retirement age for men and women; and if he will make a statement. [87421]

Mr. Timms: The Pensions Act 1995 equalised State pension age for men and women from a future date. Women's State pension age will be increased gradually from 60 to 65 between the years 2010 and 2020. State pension age will be equalised at 65 for both men and women from 6 April 2020.

CABINET OFFICE

Civil Service Appointments

Mr. Baker: To ask the Minister for the Cabinet Office since 1 May 1997, how many *(a)* Grade One, *(b)* Grade Two and *(c)* Grade Three equivalent civil servants have been appointed; how many in each category came from (i) within the Civil Service and (ii) outside the Civil Service; and if the posts were advertised in media available outside the Civil Service. [87600]

Mr. Kilfoyle: Since 1 May 1997, 19 former Grade 1 and 54 former Grade 2 equivalent appointments have been made.

At Grade 1 six appointments were filled through open competition advertised in the press (two from outside the Civil Service and four from within). The other 13 appointments were made through internal arrangements.

At Grade 2 equivalent ten appointments were filled through open competition advertised in the press (four from outside the Civil Service and six from within). One appointment was made on secondment. The other 43 appointments were made through internal arrangements.

Figures are not held centrally for all appointments made at former Grade 3 level. However, 33 appointments at this level were filled through open competition advertised in the press. Twenty of the appointees came from outside the Civil Service and 13 from within.

Class A Drugs

Mr. Beith: To ask the Minister for the Cabinet Office (1) if he will estimate the current average age of first use of class A drugs; and if he will make a statement; [87436]

(2) what estimate he made of the number of 11 to 16-year-olds who use class A drugs; and how many reported so doing in the latest year for which figures are available. [87438]

Dr. Jack Cunningham: There are no reliable figures at this time which relate to illegal drug use specifically for Class A drugs in this age group. We are commissioning new research to establish robust baselines this year.

Mr. Beith: To ask the Minister for the Cabinet Office what proportion of people under 25 years reported using (i) heroin, (ii) cocaine and (iii) any illegal drug in the last *(a)* month and *(b)* year for which figures are available. [87437]

Dr. Jack Cunningham: There are no reliable figures at this time which relate to illegal drug use specifically among the under 25 age group. We are commissioning new research to establish more robust baselines this year.

The 1996 British Crime Survey (England and Wales) percentage figures for 16 to 19-year-olds and 20 to 24-year-olds who indicated they had taken these drugs are as shown.

	Heroin	*Cocaine*	*Any Drug*
Last Year			
16–19	under 0.5	1	31
20–24	under 0.5	2	27
Last Month			
16–19	0	under 0.5	19
20–24	under 0.5	under 0.5	18

Written Answers to Questions

Wednesday 23 June 1999

CULTURE, MEDIA AND SPORT

Tourism

Mrs. Ellman: To ask the Secretary of State for Culture, Media and Sport (1) what was the *(a)* volume and *(b)* value of tourism from (i) Northern Ireland and (ii) the Republic of Ireland to the north-west region for each of the last five years for which information is available; [87624]

(2) what was the *(a)* volume and *(b)* value of tourism to Britain from (i) Northern Ireland and (ii) the Republic of Ireland for each of the last five years for which figures are available. [87625]

Janet Anderson: Information on tourism by residents of Northern Ireland is provided by the annual United Kingdom Tourism Survey, which is designed to monitor domestic tourism within the UK involving one or more nights away from home. The following table shows estimates for the underlying trend in the volume and value of tourism from Northern Ireland to (a) North West Tourist Board area of England and (b) Great Britain as a whole for the 5 most recent years for which data are available.

Tourism (1+ nights) by residents of Northern Ireland

	To north-west England		*To Great Britain as a whole*	
Year	*Number of visitors*	*Expenditure (£ million)*	*Number of visitors*	*Expenditure (£ million)*
1994	83,420	18.9	658,800	215.9
1995	104,640	22.2	762,300	181.4
1996	110,240	27.8	635,000	202.9
1997	83,440	25.2	587,840	205.1
1998	79,540	25.9	561,120	215.9

Note:
Figures are 3-year moving averages: eg the 1998 figure shown is the average of the survey results for 1996 to 1998
Source:
UKTS (National Tourist Boards)

Information on tourism trips from the Republic of Ireland to the UK as a whole is published annually in Travel Trends. Totals for 1993 to 1997 are as follows:

Tourism by residents of the Republic of Ireland to the UK

Year	*Number of visits (thousand)*	*Expenditure (£ million)*
1993	2,225	460
1994	2,491	545
1995	2,809	620
1996	3,169	705
1997	3,613	764

Source:
Travel Trends (Office for National Statistics)

Currently, no information is available from this source on the volume and value of tourism to specific areas within the UK from the Republic of Ireland. However, from April this year the International Passenger Survey has started to collect information on routes to and from the Republic of Ireland which will lead to more detailed information on the areas of the UK visited becoming available in the year 2000.

BBC

Mr. Fallon: To ask the Secretary of State for Culture, Media and Sport if he will list the applications since 1 May 1997 made by the BBC for his prior approval under *(a)* Article 3(b), *(b)* Article 3(c) and *(c)* Article 3(u), giving in each case the date of the applications; and if the application was approved or rejected. [87592]

Janet Anderson *[holding answer 18 June 1999]:* The following applications have been made under these articles:

Article 3(b)

Carriage of the Parliamentary Channel on analogue cable. Application dated 14 April 1998; approval given by 18 May 1998.

Launch of the BBC Online service (phase one). Application dated 9 October 1997; approval given 10 November 1997.

BBC Online (on a permanent footing). Application dated 9 October 1998. Approval given 28 October 1998.

Article 3(c)

BBC Worldwide joint venture with Discovery Corporation (approval also granted under article 3(u)). Application dated 3 September 1997; approval given 6 March 1998.

Launch of BBC News 24 on analogue cable. Application dated 16 September 1997; approval given 9 October 1997.

Article 3(u)

BBC Worldwide joint venture with Tele Alliance Ltd. Application dated 22 October 1997; approval given 10 November 1997.

Establishment of BBC Resources Ltd. Application 30 January 1998; approval given 16 June 1998.

Incorporation of a new subsidiary company (Centre House Productions Ltd.) for the purposes of entering into sale and leaseback transactions. Application dated 11 September 1998; approval given 28 October 1998.

Establishment of the Pro-MPEG Forum. Application dated 16 September 1998, approval given 30 September 1998.

Setting up of a subsidiary company to enable BBC Knowledge to be launched on Digital Terrestrial Television Multiplex A. Application dated 7 April 1999; approval given 6 May 1999.

SOCIAL SECURITY

Income Support (Wandsworth)

Mr. Cox: To ask the Secretary of State for Social Security how many people living in the London Borough of Wandsworth were on income support on 1 June. [87451]

Angela Eagle: The administration of benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Tom Cox, dated 22 June 1999:

The Secretary of State has asked me to reply to your recent Parliamentary Question about the number of people living in the London Borough of Wandsworth on Income Support (IS) on 1st June.

This information is not available in the format requested, the Benefits Agency does not hold collate information by local authority boundary. However, a figure can be obtained by identifying the postcode of customers living in the area.

The number of IS claims from within the London Borough of Wandsworth is approximately 18,000. This represents the number of IS claims, not the total number of beneficiaries of those claims. It is rounded to the nearest thousand cases, and is subject to a degree of sampling error. The sample size was 5% of the IS live load, taken from the IS Statistics Quarterly Enquiries, November 1998.

I hope this is helpful.

Invalid Care Allowance

Mr. Goggins: To ask the Secretary of State for Social Security how many people claimed invalid care allowance in each of the last three years. [87612]

Mr. Bayley: The administration of benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. I have therefore asked him to write to my hon. Friend.

Letter from Peter Mathison to Mr. Paul Goggins, dated 22 June 1999:

The Secretary of State has asked me to reply to your recent Parliamentary Question about how many people claimed Invalid Care Allowance (ICA) in each of the last three years.

The total numbers of claims for ICA received during each of the financial years 1996/97, 97/98 and 98/99 are as follows:

1996/97: 165,092
1997/98: 162,130
1998/99: 152,283.

I hope this is helpful.

Council Tax Benefit

Mr. Webb: To ask the Secretary of State for Social Security how many new claims for council tax benefit have been subject to the cap on properties above Band E since the new rules were introduced. [87813]

Angela Eagle *[holding answer 22 June 1999]:* Provisional data are expected to be available from late January 2000 on the number of cases affected by this restriction, based on information from the annual 1 per cent. sample of cases which were receiving Council Tax Benefit on 14 May 1999.

We are committed to monitoring the effects of these changes, in partnership with local authorities. Research is now under way, the findings of which will be published in due course.

Pensions

Mr. Field: To ask the Secretary of State for Social Security what proportion of the poorest 20 per cent. of pensioners receive *(a)* a full basic pension and *(b)* a partial basic pension. [87982]

Mr. Timms: Information is not available in the form requested as there is no data source that includes information on both the amount of basic pension received and total income which would enable the poorest 20 per cent. of pensioners to be identified. Such information as is available is in the table.

The table provides a similar analysis based on total amount of State Retirement Pension received including additions such as additional pension (SERPS), graduated retirement benefit and increments.

State Retirement Pension receipt among the poorest 20 per cent. of pensioners in Great Britain in 1996–97

Gross weekly income from State Retirement Pension	*Percentage*
Poorest 20 per cent. of single pensioners	
None	4
Less than £61.15	23
£61.15 or over	74
All	100
Poorest 20 per cent. of pensioner couples	
None	1
Less than £97.75	16
£97.75 or over	83
All	100

Notes:

1. The State Retirement Pension consists of basic pension, graduated retirement benefit and additional pension (SERPS).
2. In 1996–97, £61.15 was equal to the level of the full basic pension for a single person; £97.75 was equal to the level of the full basic pension for one person plus adult dependant.
3. Gross weekly income from State Retirement Pension is measured in current (1996–97) prices.
4. Estimates should be treated with caution since results are based on survey respondents' identification of different elements of benefit income and therefore may be subject to misreporting.
5. The distribution of pensioners' incomes, used to identify the poorest 20 per cent. is calculated using unequivalised net income before housing costs. The distribution is calculated separately for single pensioners and pensioner couples.
6. Estimates are rounded to the nearest 1 per cent. although they are not necessarily accurate to that level. Columns may not sum to 100 per cent. due to rounding.

Source:
Family Resources Survey 1996–97

Mr. Field: To ask the Secretary of State for Social Security what proportion of those aged 80 years and over are in each quintile of the income distribution for the population as a whole. [87981]

Mr. Timms: The information is in the table.

Percentage of people aged eighty years and over by quintile of the income distribution of the population as a whole

	Percentage of people aged 80+	
Quintile (total population)	*Before housing costs*	*After housing costs*
1 (Bottom)	29	21
2	33	39
3	20	18
4	11	14
5 (Top)	6	8
All 80+ (percentage)	100	100
All 80+ (millions)	1.8	1.8

Notes:

1. All figures are estimates and are taken from the Households Below Average Income (HBAI) data set which is based on the Family Resources Survey (FRS). The FRS does not include Northern Ireland. 1996–97 is the latest year for which information is available.
2. The income measure used is weekly net (disposable) equivalised household income (that is to say 'actual' income that is adjusted to reflect the composition of the household).
3. Results may be sensitive to the choice of equivalence scale.
4. It is standard HBAI practice to give results for income both before and after housing costs, in order to allow for the effect of variations in housing costs between households.
5. Component percentages may not sum to one hundred due to rounding.

6. It should be noted that the FRS only covers those individuals living in private households. Therefore the figures quoted above do not include those individuals living in institutions (in this case, for example, hospitals and retirement/nursing homes).
7. It should also be noted that analyses of quality of the survey suggest that response rates are likely to be lower for those aged over 80 and therefore any survey data based on this age group may be more prone to bias than that for the population as a whole.
Source:
Family Resources Survey 1996–97

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the proportion of pensioners who will be receiving *(a)* a full basic pension, *(b)* a partial basic pension and *(c)* no basic pension in (i) 2010, (ii) 2020, (iii) 2030 and (iv) 2040. [87980]

Mr. Timms: The information is not available in the form requested. Such information as is available is in the tables.

Table 1: Estimated percentage of GB population over state pension age with and without some basic Retirement Pension in payment

Percentage

	With basic RP			*Without basic RP*		
Year	*Men*	*Women*	*Total*	*Men*	*Women*	*Total*
2010	98.7	96.6	97.4	1.3	3.4	2.6
2020	98.7	98.5	98.6	1.3	1.5	1.4
2030	98.7	99.1	98.9	1.3	0.9	1.1
2040	98.8	99.2	99.0	1.2	0.8	1.0

Table 2: Estimate average percentage rate of standard Category A Retirement Pension (RP) for those with RP

Percentage

Year	*Men*	*Women*	*Total*
2010	97.4	81.8	87.6
2020	96.8	85.5	90.6
2030	96.6	89.4	92.7
2040	96.5	91.3	93.7

Notes:
1. Percentages are rounded to one decimal place.
2. Estimates have been provided by the Government Actuary's Department.
3. Figures relate to GB only—overseas cases are excluded.
4. In table 1, the percentage without RP includes those deferring retirement, who have entitlement to RP but who are not actually in receipt; and married women with no entitlement of their own but who will become entitled when their husband reaches State pension age.

Mr. Field: To ask the Secretary of State for Social Security how many pensioners claiming a category A retirement pension are living with another pensioner claiming a category A retirement pension. [87978]

Mr. Timms: The pensions administrative computer system only collects information on individuals, it does not hold information on other household members. None of the household surveys available collect full information of the category of pension.

Mr. Field: To ask the Secretary of State for Social Security what is the estimated cost of raising (i) the level of income support paid to pensioners and (ii) the basic state pension and related benefits by *(a)* £5 per week, *(b)* £10 per week and *(c)* £20 per week. [87983]

Mr. Timms: The information is in the tables.

The estimated cost in 1999–2000 of raising the level of Income Support (IS) paid to pensioners by £5, £10 and £20 per week

£ million

Option	*Income Support*	*Housing Benefit*	*Council Tax Benefit*	*Total cost*
£5 per week	390	110	50	550
£10 per week	820	210	100	1,120
£20 per week	1,800	370	170	2,350

Notes:
1. Costs are derived from the June 1999 PSM model based on the 1996–97 Family Resources Survey uprated to 1999–2000 prices with IS administrative adjustments and ASD4's pensioner forecasts.
2. All costs exclude RCNH cases.
3. Costs are rounded to the nearest £10 million and therefore may not sum.

The estimated cost, net of means-tested benefits, of increasing Basic State Pensions (category A rate) and related benefits by £5, £10 and £20 per week from April 1999 onwards

£ million

Amount of increase in category A rate	*Net cost 1999–2000*
£5 per week	2,110
£10 per week	4,240
£20 per week	8,570

Notes:
1. Estimates of costs are rounded to nearest £10 million and in 1999-2000 benefit rates. Costs include related benefits with a statutory link to Retirement Pension (for example, Incapacity Benefit and Widows Pension).
2. Contributory benefit effects have been provided by the Government Actuary's Department.
3. Means-tested benefit offsets were estimated using the 1996–97 Family Resources Survey and the May 1997 Income Support Quarterly Statistical Enquiry.

Appeals

Mr. Rooney: To ask the Secretary of State for Social Security what action his Department is taking to improve clearance times for appeals. [88212]

Angela Eagle: The new Executive Agency of the DSS responsible for the administration of appeals will be set up from April 2000, for which demanding targets will be set. In preparation for this change, responsibility for the administration of appeals passed to the Secretary of State from the President of the Independent Tribunal Service (ITS) on 1 June. The phased implementation of the new appeals procedures introduced in the Social Security Act 1998 will continue during the rest of the year and preparations will be made for Agency launch.

Appeals have been taking, on average, around 7 months to be heard and this is wholly unacceptable. During the past year, ITS has taken action to improve the situation and in 1998–99 began to make significant in-roads into its backlog of cases, ITS figures showing a record case clearance of 370,008 cases. However, there remains much to do before ITS/The Appeals Service reaches an acceptable level of performance.

A dual strategy to achieve the necessary improvements during 1999–2000 has been agreed with the new Chief Executive of ITS/The Appeals Service. First, ITS/The Appeals Service is mounting a systematic assault on its backlog of older and oldest appeals (defined for this exercise as any case lodged with ITS before 1 October 1998). Secondly, and in parallel, tackling this finite backlog of cases, ITS/The Appeals Service is seeking to

reduce both the numbers of all other cases outstanding and the length of time individual appellants have to wait for their appeals to be dealt with.

In assessing performance during the coming year we have therefore agreed to monitor two new performance indicators. First, we will be monitoring the number of cases in the backlog and the length of time for which these cases have been outstanding. It is the intention that the vast majority of these cases should be cleared by the end of 1999–2000. Secondly, for cases not in the backlog, we will be monitoring the age profile of outstanding cases, by month; and the age profile of cases which have been cleared, by month. This will give a clear picture of how long appellants still in the ITS/The Appeals Service queue have been waiting, and how long those cases have just been cleared actually had to wait. While efforts are being concentrated on the backlog in the early part of the year, progress here will not be as quick as we would like, but the intention is that both waiting times and clearance times will have been reduced by the end of 1999–2000.

The use of average clearance times as the key indicator of performance has not provided appellants, commentators, or ITS itself with a true picture of the levels of performance being achieved. First, average clearance times mask a wide range of performance and, in past years, did not expose the full extent of the backlog of cases which was building up. Secondly, average clearance times actually provide a perverse incentive not to clear backlog cases—the more effective ITS/The Appeals Service is in tackling its backlog of older cases, the less successful it appears in terms of average clearance times as cases which have been outstanding for too long are brought to account. Thirdly, the new performance indicators will provide a better picture of exactly how the caseload is being affected by the changes, which are being phased in over the coming months. And, additionally, the new appeals processes presently being introduced would in any event mean that future clearance times statistics were not directly comparable with those for past years.

This dual strategy has already paid dividends in terms of performance in the last few months. At the end of February, ITS/The Appeals Service figures showed that the backlog contained 70,348 cases and represented almost 50 per cent. of the caseload. By the end of May, the backlog had been reduced to 34,194 cases. During April and May, a total of 64,647 cases were cleared. Due to the changes which came on stream in April, the intake of appeals in April and May has been much lower than usual—ITS/The Appeals Service has taken full advantage of this opportunity and the cumulative effect of the record clearances and lower intake has been that, by the end of May, the outstanding caseload has fallen below 100,000, to 99,410, for the first time since November 1995.

Means Tests

Mr. Field: To ask the Secretary of State for Social Security what would be the net public expenditure cost of changing the rate of deemed income from capital for means-tested benefits to £1 per week for *(a)* each £300 of capital, *(b)* each £400 of capital and *(c)* each £500 of capital. [87979]

Angela Eagle: The information is in the table.

Cost of changing the tariff income rule

£ million

Option	*Income support*	*Jobseeker's allowance (income based)*	*Housing benefit*	*Council tax benefit*	*Total cost*
£1 per week of every £300	10	Less than £2.5m	20	10	40
£1 per week of every £400	15	Less than £2.5m	45	25	85
£1 per week of every £500	20	Less than £2.5m	65	30	115

FOREIGN AND COMMONWEALTH AFFAIRS

Iran (Organ Transplants)

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Iran concerning the role of the Iranian state in procuring for cash body parts from living donors for use in transplants. [87648]

Mr. Hoon: We have not, so far, made any such representations to the Iranian Government.

Mozambique (Elections)

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance he is offering Mozambique in connection with the forthcoming presidential and parliamentary elections. [87858]

Mr. Tony Lloyd: Presidential and parliamentary elections are due to take place in Mozambique before mid-December. The EU has committed 21 million euros (£13 million) to the election process, of which around 15 per cent., or 3.2 million euros (£2 million), will come from the United Kingdom's contribution to the EU budget. Our High Commission in Maputo is actively involved in the international donor group which is working closely with the Mozambican authorities, including the National Elections Commission, to co-ordinate international support for the elections.

The United Kingdom is ready to consider sending election observers, if invited to do so by the Government of Mozambique.

The Gambia

Mr. McDonnell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the human rights record of the present Gambian Government. [87947]

Mr. Tony Lloyd: We regularly review the Gambian human rights record, on a bilateral basis, and as a member of the Commonwealth Ministerial Action Group which has a standing remit to monitor the situation in The Gambia. We have consistently made it clear that developments in the bilateral relationship, not least in the

UK's development assistance programme, depend on Gambian observance of human rights and commitment to good governance.

There have been some improvements in recent months: harassment of the independent media has declined and the UDP opposition party has managed to hold regular rallies without interference. Nonetheless, we continue to press for Decrees which proscribe certain politicians and which place heavy burdens on the independent media to be repealed.

We have also raised the recent abduction of Mr. Nyassi of the opposition UDP party and are pressing for an independent inquiry into the incident.

Mr. McDonnell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of the Gambia with regard to the arrest and disappearance of Mr. Shyngle Nyassi of the United Democratic Party. [87945]

Mr. Tony Lloyd: Our High Commissioner in Banjul pursued the matter with the Ministry of Foreign Affairs on 27 and 28 May. He called on the Foreign Minister on 31 May and tried repeatedly to obtain a response from the Gambian Government.

He carried out a UK-inspired demarche on behalf of the EU on 9 June, urging the Government to take urgent action to secure Mr. Nyassi's release and punish those responsible for his detention. He pursued the matter again with the Foreign Minister on 11 June and, with other Diplomatic colleagues in Banjul, met President Jammeh on 18 June.

I am pleased to report that Mr. Nyassi was subsequently released on 21 June.

WALES

Physiotherapists

Mr. Caton: To ask the Secretary of State for Wales what action he is taking to encourage recruitment of physiotherapy staff to the NHS in Wales. [87799]

Mr. Jon Owen Jones: The recruitment of physiotherapists is essentially a matter for the service but we commission training numbers to meet service need. There are two modes of training currently—full-time and mixed mode—to ensure as wide an entry gate as possible is available.

The links between career development opportunities and positive recruitment of staff were identified in the J. M. Consulting Ltd. report entitled "PAMs Career Development Project". NHS Trusts and Health Authorities have been encouraged to take forward its recommendations. Also my officials are currently working with the NHS Staff College to develop a Clinical Leadership Programme, which should provide further opportunities for physiotherapists and other Professions Allied to Medicine (PAMs) staff groups.

Following the transfer of functions, this issue will be a matter for the National Assembly.

HOME DEPARTMENT

Passport Agency (Compensation)

Mr. Beith: To ask the Secretary of State for the Home Department how much compensation the Passport Agency has paid to applicants who made complaints in *(a)* each of the last 12 months and *(b)* each of the last three years; and if he will make a statement. [87435]

Mr. Mike O'Brien: The Passport Agency's compensation policy is to reimburse the reasonable out-of-pocket expenses incurred by customers as a direct consequence of clear operational errors, or failure to provide an acceptable level of service by means of an ex-gratia payment. Each case is considered carefully on its merits. It is not the Agency's normal policy to make compensation payments for distress and inconvenience arising from such errors and failures.

The information requested on compensation payments made by the Agency is shown in the table.

Year	*Total number of complaints where compensation paid*	*Total compensation paid (£)*
1996–97	1,517	42,357
1997–98	1,622	43,876
1998–99	2,313	76,311

Within the last 12 months the position is as follows:

Date	*Number of complaints where compensation paid*	*Total compensation paid (£)*
June 1998	160	5,256
July 1998	266	7,460
August 1998	244	6,079
September 1998	188	7,234
October 1998	194	7,453
November 1998	180	8,127
December 1998	179	7,166
January 1999	181	5,785
February 1999	196	7,955
March 1999	245	5,453
April 1999	256	7,748
May 1999	219	7,551

Parliamentary Questions

Mr. Brady: To ask the Secretary of State for the Home Department how many parliamentary questions have been tabled to his Department for written answer on a named day since 15 April; and what percentage of them received a substantive response on that day. [87331]

Mr. Straw: Between 15 April 1999 and 18 June 1999, a total of 173 "Named Day" parliamentary questions were tabled for answer by my Department. Of these, 96 per cent. (166) received a substantive reply on that date.

Correspondence

Jane Griffiths: To ask the Secretary of State for the Home Department if he will make a statement on the location of an Ethiopian asylum seeker whose identity has

been provided to the Parliamentary Under-Secretary of State with responsibility for asylum in a letter dated 15 June. [87423]

Mr. Mike O'Brien: I have written to my hon. Friend.

London River Police

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 June 1999, *Official Report*, columns *332–33*, on the London River Police, what operational assessment the Commissioner for the Metropolitan Police has made of the workload increase for the river police over the millennium public holiday; and if he will make a statement. [87403]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that his operational planning assumes there will be a high level of activity on the river over the millennium public holiday. However, organisers of many proposed events have not yet confirmed the extent of these events. There will be a need for maximum operational deployment of river police both to police the areas involved and to support other agencies, such as the Port of London Authority.

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 June 1999, *Official Report*, columns *332–33*, on the London River Police, if the river police are currently deployed on a 24-hour shift pattern; and what changes to the current pattern are proposed for the millennium public holiday. [87404]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that the river police are currently deployed on a 24-hour shift pattern; and that 24-hour cover will be provided throughout the millennium period, with the number of officers on duty at any time reflecting the operational demand.

Mr. Cohen: To ask the Secretary of State for the Home Department what measures have been put in place to ensure public safety on London rivers over the millennium public holiday. [87406]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that there are ongoing discussions on the joint measures that may be necessary between the Port of London Authority, who are responsible for river safety, and the Metropolitan Police Service. It would be premature to make final decisions on the total resources to be deployed, or on operational plans.

Paedophiles

Mr. Llew Smith: To ask the Secretary of State for the Home Department if he will make a statement on the implementation of the multi-agency strategy to deal with the monitoring and observation of paedophile activity. [87498]

Mr. Boateng: On 15 February 1999, *Official Report*, columns 601–13, my right hon. Friend the Home Secretary announced the Government's intention to consider the case for legislation in relation to dangerous people with severe personality disorder. A consultation paper on this will be published shortly. He also said that we would look to the national steering group on dangerous offenders to help the various agencies working with sex offenders to plan together for the safe resettlement of offenders into the community. The Steering Group has met twice and I can report the following progress: an early warning system has been put in place to allow proper time to prepare for a dangerous person's re-entry into the community; and a support group made up of staff from the operational services will begin work in July to support the Steering Group in its work.

Young Offenders

Dr. Cable: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 May 1999, *Official Report*, column *30*, on young offenders, for what reasons he will not seek funding from local education authorities for the education of young offenders who are in custody. [87640]

Mr. George Howarth: It would be extremely complex, costly and time consuming to seek funding from local education authorities for the education of young offenders who are in custody.

Young people are often in prison for a very short time and school budgets are set for the whole year, dependent generally on the number on roll in January.

Dr. Cable: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 May 1999, *Official Report*, column *32*, on education at Feltham Young Offenders' Unit, for what reasons the number of teaching hours purchased for 1999 is less than in 1998. [87643]

Mr. George Howarth: Although there has been a small reduction of 105 in the number of teaching hours purchased for 1999, the number of education hours has not decreased. The new education contract which came into effect on 1 January 1999, allows the governor to also purchase testing and assessment of prisoners from the education contractor to ensure that education programmes are focused on their needs. 192 such hours will be purchased in 1999. Previously this assessment was included in the teaching hours.

Dr. Cable: To ask the Secretary of State for the Home Department what percentage of young juvenile and young offenders convicted of sexual offences are enrolled under a sex offender treatment programme; and what was the percentage in each of the last three years. [87621]

Mr. George Howarth: The information is not available in the form requested. However, the expected number of offenders under 21 convicted of sex offences who will complete an accredited sex offender treatment programme (SOTP) in 1999–2000 is 36.

The number of such offenders under 21 received into the prison system and the number of completions of a sex offender treatment programme by such offenders are given in the table.

	Receptions of offenders under 21 convicted of sex offences	*Completions of SOTP by offenders under 21 in young offender institutions*
1996–97	145	37
1997–98	191	48
1998–99	[1]96	48

[1] Provisional

Dr. Cable: To ask the Secretary of State for the Home Department what percentage of young offenders and juveniles were held on remand in *(a)* Feltham young offenders' unit and *(b)* other young offenders' units for eight weeks or more in each of the last three years and in the period from November 1998 to May 1999. [87619]

Mr. George Howarth: The available information is given in the table.

Percentage of young offenders in Her Majesty's Offender Institution Remand Centre (HMYOI/RC) Feltham and other young offender institutions by length of time since first reception, 1996–99

Percentage

Length of time since first remand into prison	*Juveniles*[1]		*Young offenders*[2]	
	HMYOI/RC Feltham	*Others*	*HMYOI/RC Feltham*	*Others*
30 June 1996				
Up to 8 weeks	54	62	49	51
8 weeks or more	46	38	51	49
30 June 1997				
Up to 8 weeks	59	61	46	53
8 weeks or more	41	39	54	47
30 June 1998				
Up to 8 weeks	53	60	53	53
8 weeks or more	47	40	47	47
30 November 1998				
Up to 8 weeks	57	60	52	52
8 weeks or more	43	40	48	48
30 April 1999[3]				
Up to 8 weeks	61	62	54	54
8 weeks or more	39	38	46	46

[1] Persons aged 15–17 years
[2] Persons aged 18–20 years
[3] Latest available provisional figures

Dr. Cable: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 May 1999, *Official Report*, column *30*, on young offenders, when the revision of the selection criteria for staff working with offenders aged under 18 years will be completed; and if he will make a statement on the revised criteria. [87639]

Mr. George Howarth: The particular skills required by new entrant prison officers who will work with young offenders aged under 18 include, tolerance, commitment and the ability to deal with and positively influence the behaviour of young people. These requirements have been reflected in additions to the competence questionnaire which forms part of the application form and in additional exercises at the job simulation assessment centres used in the recruitment of prison officers.

The recruitment process for new prison officers to work in the under 18 estate in preparation for the introduction of the Detention and Training Order in April 2000 began earlier this month, and incorporates these additional selection criteria.

Dr. Cable: To ask the Secretary of State for the Home Department what part education plays in rehabilitation programmes for young offenders and juveniles in young offenders' units. [87618]

Mr. George Howarth: The main thrust of the Prison Service education policy is the improvement of basic and key skills through the prison education core curriculum which includes basic skills, information technology, social and life skills and English for speakers of other languages. The curriculum's emphasis on improving the employability of young offenders and juveniles increases their rehabilitation prospects.

The Prison Service is a co-signatory to the National Framework Document to assist in the development of local agreements to improve the employment prospects of offenders.

Dr. Cable: To ask the Secretary of State for the Home Department if he will list the studies he has commissioned into rehabilitation programmes for juveniles and young offenders and the consequent recommendations he has made about such programmes. [87620]

Mr. Boateng: The Home Office has a long established policy of developing, implementing and evaluating rehabilitative programmes for young offenders, either directly or by commissioning them from outside bodies and academics.

A wide range of such programmes have been examined over a long period of time—including programmes addressing offender behaviour (for example sex and violence offenders), particular offender problems (for example drugs and alcohol abuse problems), educational and numerical deficits, social skills deficits, parenting and other offending issues.

As a result, the Home Office has concluded that the most effective rehabilitative interventions are those carefully matched to the particular needs of offenders, those which employ a cognitive-behavioural approach to their work, and those which are closely managed and delivered by well trained staff. Programme accreditation—ensuring that programmes have to meet (and continue to meet) an established body of criteria in order to be recognised as effective programmes (and which can be supported by the prison or probation services)—is also an established way of helping to ensure effectiveness.

Wherever possible, these principles inform the development of regimes and programmes for young offenders.

Drug Smuggling (Prisons)

Mr. Cox: To ask the Secretary of State for the Home Department how many people were *(a)* arrested and *(b)* charged for attempting to smuggle drugs into prisons in England and Wales in each of the last three years. [87653]

Mr. George Howarth: The number of visitors arrested for possible drug-related offences is given in the table. Figures for the number subsequently charged are not kept centrally.

Visitors to prison establishments arrested for possible drug-related offences

Year	Number
1996	1,317
1997	1,183
1998	1,109
1999 (to May 31)[1]	366

[1] Provisional figure

Driving (Illegal Drug Use)

Mr. Cox: To ask the Secretary of State for the Home Department how many convictions there have been in England and Wales for driving a motor vehicle while under the influence of illegal drugs in each of the last three years. [87656]

Mr. Boateng: The information requested is not separately identifiable from convictions for driving under the influence of alcohol in the statistics collected centrally.

However, figures obtained from the Forensic Science Service show that 1,266 blood samples were submitted to them for analysis by police forces in England and Wales in 1996–97 and 1,863 in 1997–98, and approximately 90 per cent. of the samples submitted were found to contain one or more drugs.

The high proportion of positive findings is likely to be as a result of the absence of specific training or other aids to identifying drug impaired drivers, so that police officers arrest only motorists who are obviously and grossly impaired. Moreover, before a sample can be taken a police surgeon has to agree that drugs are an explanation for the motorist's condition.

Unlawful Proxy Voting

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many persons have been *(a)* prosecuted and *(b)* convicted since 1969 for unlawfully casting a proxy vote. [87647]

Mr. Boateng: The information is unavailable centrally as such offences are not identified separately by the Home Office Court Proceedings Database.

Illegal Immigrants

Mr. Cox: To ask the Secretary of State for the Home Department how many illegal immigrants have been caught while seeking to enter the United Kingdom by hiding in vehicles since 1 January. [87655]

Mr. Mike O'Brien: Information is not recorded centrally on the precise circumstances in which illegal entrants are detected. It is not, therefore, possible to say how many clandestine entrants are detected while concealed in vehicles and how many come to light at some later point. Regrettably, I am therefore, unable to provide the information requested.

Provisional data on persons issued with notice of illegal entry, including clandestine entrants, between 1 January and 31 May 1999 is given in the table.

Persons issued with notice of illegal entry January to May 1999[1]

Number of persons[1]

Month	All persons issued with notice of illegal entry	Of whom: clandestines
January	1,160	n/a
February	1,000	n/a
March	1,060	n/a
April	1,130	n/a
May	1,700	n/a

[1] Figures are provisional and rounded to 10
n/a = not available

Unlicensed Guns

Mr. Hunter: To ask the Secretary of State for the Home Department what statistics he has collated regarding the use of unlicensed guns in the committing of crimes during the last three years; and if he will publish them. [87850]

Mr. Boateng: An exercise to obtain information on homicides involving firearms was carried out in 1996 covering the years 1992 to 1994. Out of a total of 196 homicides involving the use of a firearm, it was known whether the firearm was legally or illegally held in 151 cases, and of these it was illegally held in 128 cases.

From 1997, the question as to whether firearms used in crime are legally or illegally held has been routinely asked but has been provided by the police in only 6 per cent. of cases. It was decided therefore, that the information was not complete enough to be published.

Animal Experiments

Dr. Cable: To ask the Secretary of State for the Home Department how he plans to implement European Directive 86/609/EEC. [87853]

Mr. George Howarth: The Animals (Scientific Procedures) Act 1986 already implements, and in several ways, exceeds European Directive 86/609/EEC.

The most important ways in which the Act exceeds the Directive are:

the Directive requires, at Article 12, that either the experiments themselves or the details of the person conducting such experiments be notified in advance. The 1986 Act requires both that the programme of work be authorised by a project licence and that the individuals carrying out the procedures hold personal licences;

Article 12 of the Directive also requires that for experiments that might cause severe and prolonged pain, the authority must be satisfied that the experiment is of sufficient importance for meeting the essential needs of man or animal. Section 5(4) of the 1986 Act requires that, for all applications for project licences, the likely adverse effects on the animal concerned be weighed against the benefits likely to occur; and

the 1986 Act regulates the production and breeding of genetically modified animals, and harmful mutants as well as their use in scientific procedures. The Directive only covers their use in scientific procedures.

LD50 Test

Dr. Cable: To ask the Secretary of State for the Home Department what plans he has to abolish the LD50 test. [87897]

Mr. George Howarth: I refer the hon. Member to the reply I gave my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) on 13 April 1999, *Official Report*, column *19*, and to the reply I gave the hon. Member for Portsmouth, South (Mr. Hancock) on 8 December 1998, *Official Report*, column *110*.

Identity Cards

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department if he will investigate ways of facilitating the use of smart cards designed for electronic Government transactions as national identity cards. [86801]

Mr. George Howarth: The White Paper on Modernising Government proposes the development of a framework for the use of smart cards in support of the delivery of Government services. No decision has so far been taken on the merits of a national identity card, but the potential for using smart card technology for this purpose is something we will keep in mind.

Open Government

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to make advice given to Ministers public. [86781]

Mr. Straw: Under the proposals set out in clause 14 of the draft Freedom of Information Bill, published on 20 May, Departments will be required to consider whether to exercise their discretion to disclose advice given to Ministers taking into account all the circumstances of the case including:

(a) the public interest in allowing public access to the information; and

(b) whether the disclosure to the applicant of the information in question would be in the public interest.

The proposed Information Commissioner would be able to regulate the exercise of the discretion by virtue of his powers under clause 43 of the draft Bill. As disclosure of this kind of information is discretionary he will not be able to require the Department to disclose any particular information, but he will be able to:

(a) require the Department to make a decision in accordance with that section; and

(b) specify matters to which the Department must have regard in making that decision.

Advice to Ministers is exempt from the statutory requirement to disclose information under clause 8 of the draft Bill by virtue of the exemption set out in clause 28.

Domestic Violence

Mr. Kemp: To ask the Secretary of State for the Home Department what plans he has to establish courts dedicated to dealing with cases of domestic violence in the north-east of England. [87680]

Mr. Vaz: I have been asked to reply.

The listing of cases is the responsibility of each of the courts in the area. The magistrates court in Leeds has recently started an experimental project using one courtroom on one afternoon each week exclusively to hear cases of domestic violence. This will ensure that those with the necessary expertise will be available to deal with these cases. HALT, the local voluntary agency supported by National Lottery funding, and the Probation Service will have a representative in court.

HEALTH

Medicines (Bovine Material)

Mr. Baker: To ask the Secretary of State for Health, pursuant to his answer of 8 June 1999, *Official Report*, column *280*, concerning precautionary measures in respect of medicines in whose manufacture bovine material was used, whether the precautionary measures enacted also required manufacturers to prevent the further use of existing supplies of medicinal products which in their early stage of manufacture had used bovine material (i) prohibited for use in human food at that point and (ii) subsequently prohibited for use in human food. [86773]

Ms Jowell *[holding answer 15 June 1999]:* The precautionary measures introduced in 1989 and subsequent amendments to them did not require manufacturers to prevent the use of existing supplies of medicinal products which had used bovine material in their early stage of manufacture. Neither did the later guidelines issued by the European Commission in 1992.

Managerial Suspensions

Mr. Boswell: To ask the Secretary of State for Health how many chief executives and their deputies of (i) health authorities and (ii) NHS trusts are currently suspended on full pay; and what this figure is as a percentage of the total number of persons in these categories, respectively. [86878]

Mr. Denham *[holding answer 14 June 1999]:* One National Health Service trust chief executive is currently suspended on full pay. There are 402 NHS trusts and 100 health authorities. Deputy chief executives are not formally recognised in NHS trusts or health authorities, although arrangements will normally be made for a director post to deputise.

Medicines Control Agency

Mr. Tredinnick: To ask the Secretary of State for Health what steps he is taking to ensure that the procedures to be adopted by the Medicines Control Agency under the provisions of the Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999 (S.I., 1999, No. 267) accord with principles of natural justice and transparency. [86939]

Ms Jowell *[holding answer 14 June 1999]:* The Regulations clarify and strengthen existing procedures in the control of medicines advertising. We have clear legal advice that the proposals are compatible with both Community law and the European Convention on Human Rights.

There are specific circumstances under which notices may be issued to advertisers under the procedures in the amending Regulations. These are:

Under paragraph 1—to request a copy of an advertisement;

Under paragraph 3—to advise an advertiser that Health Ministers are "minded to" make a decision that an advertisement is in breach of the Advertising Regulations;

Under paragraph 4—to advise an advertiser that an advertisement would not be in breach; and

Under paragraph 5—to advise an advertiser that, after consideration of the advice of the Independent Review Panel Health Ministers have decided an advertisement is in breach.

Notices under paragraphs 1 or 3 may require an advertiser to cease advertising on an interim basis. At any stage, the recipient of a notice can seek judicial review of the decision to issue that notice.

The issue of notices under the Schedule will not be automatic—the Medicines Control Agency will continue, as now, to discuss problems with advertising with the company concerned so as to secure acceptable changes. The formal procedures will come into play only when informal negotiation fails to reach an appropriate outcome.

As regards transparency, reports of the Review Panel meetings will be publicly available. The MCA has also established a working group, the Medicines Advertising Liaison Group, to provide a forum for all regulatory and self-regulatory bodies concerned with the advertising of medicines to exchange information and opinions on issues.

Ministerial Meetings (Ireland)

Mr. Matthew Taylor: To ask the Secretary of State for Health on how many occasions ministers in his Department have held meetings with ministers and officials of the Irish Government since 1 January 1998, indicating the dates and locations, the ministers involved and the names of the Irish ministers and officials in each case. [87382]

Ms Jowell: Once, I met Dr. Tom Moffatt, the Irish Deputy Minister for Health, at the Council of Europe Ministers meeting in Athens on 22 April 1999. I was accompanied by my Private Secretary.

Human Embryos (Research)

Mr. Dalyell: To ask the Secretary of State for Health, pursuant to the Minister of State's letter (DOH/3/5437/71), on cloning tissue, what action he is taking to permit research into mitochondrial diseases and treatment for diseased or damaged tissues or organs; and what research he has commissioned into the use of cells or tissue, derived from human embryos, for the treatment of diseased or damaged tissues. [87181]

Ms Jowell: The joint Human Genetics Advisory Commission and Human Fertilisation and Embryology Authority report "Cloning Issues in Reproduction, Science and Medicine" recommends, among other things, that regulations should be made under the Human Fertilisation and Embryology Act 1990 to extend the purposes for which human embryos may be used in research. This would enable research to be conducted into a number of serious disorders including the so-called mitochondrial diseases and for the treatment of diseased or damaged tissues. The Government are considering the recommendations in the Report very carefully indeed. A response is expected shortly.

The Government provide funding for many research projects both directly and indirectly. The Medical Research Council receives most of its funding from the Department of Trade and Industry, with smaller amounts from various other sources including the Department. I understand that the Council currently funds one major research programme, at the University of Edinburgh, which is looking at the development potential of embryonic cells. This is being undertaken under the terms of a licence from the Human Fertilisation and Embryology Authority in accordance with the provisions of the Human Fertilisation and Embryology Act 1990.

Eye Damage (Solar Eclipse)

Ms Atherton: To ask the Secretary of State for Health what assessment his Department has made from previous solar eclipses of eye damage caused by exposure to the sun's rays; and if such evidence was used as the basis for Government guidelines. [87446]

Mr. Denham: Anecdotal evidence suggests that, in 1927, 13 people lost their sight due to retinal burns caused by viewing the sun directly during the last total eclipse visible from the United Kingdom. More recently, the Manchester Royal Eye Hospital carried out a study of patients presenting for treatment following the partial eclipse that occurred on 30 May 1984. They identified 11 patients of whom 7 suffered some enduring deterioration in visual acuity.

This evidence prompted us to collaborate with the optical professions in preparation of a guidance leaflet which is about to be published. It warns that looking directly at the sun is very dangerous. The radiation could permanently damage the eye. The safest way to view the eclipse is indirectly with, for example, a pinhole projection viewer. If people ignore this advice and decide to use a solar filter or a pair of eclipse spectacles, they do so at their own risk. They would be well advised to buy the device from a reputable outlet and ensure that it had a CE mark to show it had been approved under the Personal Protective Equipment Directive and also ensure that it came with full instructions for use, that it fitted closely to the face and that the lenses were not scratched or damaged.

Mixed-sexed Wards (Greater London)

Mr. Cox: To ask the Secretary of State for Health how many NHS hospitals covering the greater London area have mixed-sex wards. [87399]

Mr. Denham: The information is not available in the format requested. However, the Government are committed to eliminating mixed-sex accommodation. The National Health Service Executive has set three specific targets for the NHS, and is monitoring progress. It will issue a monitoring report, which will contain results of health authorities' progress towards achievements of the objectives, shortly.

Salt

Mr. Todd: To ask the Secretary of State for Health (1) what steps he is taking to encourage people to reduce their levels of salt consumption; [87411]

(2) what action he is taking to inform the public of risks associated with a diet with a high salt intake. [87645]

Ms Jowell: The Government have issued healthy eating advice which mentions the risks associated with high salt intakes. It includes the recommendation to reduce levels of salt consumption by cutting down on salty foods and using less salt in cooking and at the table. To enable consumers to make an informed choice, the Government are encouraging manufacturers to include the level of both sodium and the salt equivalent on the labels of all pre-packed foods and pressing for this to become a requirement throughout the European Union.

The Government are also discussing with the food industry the scope for reducing the levels of salt in processed foods. Following initial discussions between the Ministry of Agriculture, Fisheries and Food/Department of Health Joint Food Safety and Standards Group and the Food and Drink Federation ((FDF) acting for the food and drink manufacturing industry as a whole) the FDF has announced that it will be conducting a systematic review of the purpose and usage of sodium in manufactured foods. We welcome this review.

Physiotherapy (Recruitment)

Mr. Caton: To ask the Secretary of State for Health what action he is taking to encourage recruitment of physiotherapy staff to the NHS. [87800]

Mr. Denham: The Government are ensuring that effective recruitment and retention policies are in place to make the best use of trained staff and that training levels are sufficient to get a better match between supply and demand.

The Government are taking a number of steps which will help to address the issue of recruitment and retention of physiotherapists. These include the publication of the framework for the management of human resources for the whole of the National Health Service, "Working Together: Securing a quality workforce for the NHS", which sets targets for local employers to improve recruitment and retention year on year. We have issued guidance to the service on improving working lives and we will shortly be issuing guidance on Lifelong Learning and Continuing Professional Development. In addition, physiotherapy staff are to get their biggest real terms pay increase in the last 10 years, and, for the first time in 5 years, the award is being paid nationally, in full and with no staging.

GP Lists (Removals)

Mr. O'Hara: To ask the Secretary of State for Health if he will list the responsibilities of health authorities regarding the removal of patients from GPs' lists. [87972]

Mr. Denham: The responsibilities health authorities have regarding the removal of patients from a general practitioner's list are contained in the National Health Service (General Medical Services) Regulations 1992, copies of which are available in the Library.

Residential and Nursing Homes

Mr. Steen: To ask the Secretary of State for Health (1) what evaluation he has made of the effect on the (i) capital and (ii) running costs of *(a)* residential homes and *(b)* nursing homes of the introduction of rules and regulations affecting the running of these homes in the last three years; [87893]

(2) what Fiche d'Impact was undertaken by the EC on each of the legislative initiatives affecting *(a)* residential homes and *(b)* nursing homes introduced in the last three years; [87895]

(3) if he will list the European Union (i) legislation and (ii) other rules introduced in the last three years which relate to the running of *(a)* residential homes and *(b)* nursing homes. [87894]

Mr. Hutton: The responsibility for the organisation and delivery of health care and social care in the European Union, including residential homes, lies with member states. As such, there is no European Community legislation or other rules for which the Department is responsible which relate to the running of residential homes and nursing homes and no fiches d'impact have been undertaken.

In the last three years, there have only been two regulations introduced by the Department which relate specifically to residential and nursing homes.

The National Health Service (Health Authorities) (Open Reporting of Nursing Home and Mental Nursing Home Inspections) Directions, made by my right hon. Friend the Secretary of State under Section 17 of the NHS Act 1977, required health authorities, from 1 April 1998, to make their inspection reports on nursing homes available to the public. This matched the existing requirement for local authorities to publish their residential care home inspection reports. This change involved no increase in costs to nursing homes.

With effect from 1 May 1998, Health Service Circular 1998/057 and Local Authority Circular (98)12 increased the registration and annual fees which residential care homes and nursing homes are required to pay to the local or health authority with which they are required to register. The purpose of the fees is to cover the cost to local and health authorities of registering and inspecting homes. Prior to last year, there had been no increase in fees since October 1992.

For a residential care home with 20 beds, the increase in fees would cost an extra £100 a year. For a nursing home, the increase would cost an extra £480 a year.

NORTHERN IRELAND

Women's Organisations (Consultation)

Jackie Ballard: To ask the Secretary of State for Northern Ireland if she will list the women's organisations which have been consulted over proposed legislation by her Department during this session; and if their responses have been published. [86997]

Mr. Paul Murphy: The Government are committed to making sure that policies are inclusive and take full account of the needs and experience of all those affected

by them. The Northern Ireland Act 1998 makes statutory provision for two proposals in the White Paper, "Partnership for Equality"—an obligation on the public sector to promote equality of opportunity and a unified Equality Commission. This will replace the existing Policy Appraisal and Fair Treatment (PAFT) guidelines.

Consultation has taken place with the following women's organisations during this Parliamentary session:

Ardoyne Women's Group
Ballybeen Women's Centre
Belfast Women's Training Services
Falls Women's Centre
Footprints Women's Centre
Lisburn Women's Centre
NI Women's Coalition
Soroptomist International for Northern Ireland
Training for Women Network
Upper Andersonstown Women's Network
Windsor Women's Centre
Women in Politics
Women's Information Group
Women's News
Women's Resource and Development Agency
Women's Support Network.

None of the responses has been published.

Imports

Mrs. Ellman: To ask the Secretary of State for Northern Ireland what was the *(a)* volume and *(b)* value of imports to Northern Ireland for each of the last five years for which information is available. [87650]

Mr. Ingram: Official statistics on imports relate to the United Kingdom as a whole. It is therefore not possible to provide information on the volume and value of imports by Northern Ireland or any other UK region.

Planning Appeals Commission

Mr. Forsythe: To ask the Secretary of State for Northern Ireland if she will make a statement on the Northern Ireland Planning Appeals Commission. [87689]

Mr. Paul Murphy: Following the transfer of responsibility for planning from local to central government in 1973, The Planning Appeals Commission (PAC) was established under the Planning (NI) Order 1972, to provide an independent appeals mechanism for decisions made by the then Ministry of Development (later to become the Department of the Environment for Northern Ireland).

The Commission also has a hearing/reporting role where it holds hearings and inquiries as requested by the Department in respect of specific matters. In this role, the Commission hears evidence and reports its findings and recommendations to the Department. The final decision on these matters is taken by the Department following consideration of the Commission's report.

The PAC conducts its business using the principles of impartiality, openness and fairness.

Internet

Mr. McNamara: To ask the Secretary of State for Northern Ireland when and for what reasons, officials responsible for the internet public service website for press releases were authorised to include information provided by the Police Federation for Northern Ireland in an equivalent position to that of the Police Authority and the RUC. [87483]

Mr. Paul Murphy *[holding answer 21 June 1999]:* The inclusion of information provided by the Police Authority and RUC was a mistake. This was done by a technical grade at 11.30am on 8 June 1999 in response to an urgent request from the Police Federation and was done in good faith. The situation was rectified at 2.00pm on 16 June 1999.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list those non-Governmental organisations which are itemised with links on the public service Internet web site. [87487]

Mr. Paul Murphy *[holding answer 21 June 1999]:* The Northern Ireland Public Service website was developed with the intention of providing the public with a mechanism for quickly accessing information relating to the Northern Ireland Office, Departments, Agencies, Non-Departmental Public Bodies, other public bodies and Commissions. In encouraging the public to access the site, the website also provides links to a wide range of non-governmental organisations, as follows:

Educational establishments

Queen's University Belfast
NUS/USI Northern Ireland Student Centre
University of Ulster
Stran Web—Stranmillis College www
St. Mary's College
Upper Bann Institute of Further and Higher Education

Education and Library Boards

North Eastern Education and Library Board

Media

Newspapers
- Irish News—daily editions
- Belfast Telegraph—daily editions
- Andersonstown News and North Belfast News

Television
- BBC 1 and 2—BBC Northern Ireland BBC
- UTV—Ulster Television
- Channel 4—UK-wide broadcasting

Radio
- BBC Radio
- COOL FM—covers the greater Belfast area
- Downtown Radio—covers the greater Belfast area
- Q102 FM, based in Derry, covers the Derry area

Political Parties

Alliance Party
Conservative Party
Democratic Unionist Party (DUP)
Labour
Natural Law Party
Progressive Unionist Party (PUP)
Sinn Fein (SF)
Social Democratic and Labour Party (SDLP)

Ulster Democratic Party
UK Unionist Party
Ulster Unionist Party
Women's Coalition
Workers Party of Ireland (WP)
Northern Ireland Green Party

Tourism

Ireland's National Tourism Service
Northern Ireland Tourist Board
Hotels

Transport

Rail
NIR
Airports
Belfast International Airport
Ports
Port of Larne
Ferries
SeaCat
P&O
Stena Line
Norse Irish Ferries

Utilities

Northern Ireland Electricity (NIE)
British Telecom
CabelTel
Mercury Communications

Community Groups

CINNI—Community Information Network Northern Ireland

Economic Development

Northern Ireland Grown Challenge (NIGC)
Northern Ireland Economic Council (NIEC)
Enterprise Ulster

Other Government Sites

Northern Ireland Local Councils

Antrim Borough Council
Ards Borough Council
Castlereagh Borough Council
Derry City Council
Larne Borough Council
Moyle District Council
North Down Borough Council
Strabane District Council

Miscellaneous Government Related Topics

The Scottish Office Education and Industry Department
HPSS—Health and Personal Social Services
The Drive for Energy Efficiency
Northern Ireland Local Government Officers' Superannuation Committee

Other Internet Service Providers

GPL www Server
Unite Solutions www Server
NIWEB www
Northern Ireland Global Gateway
BIC Systems
TRIP
BTNET
Ireland On-line
Compuserve
Unipalm pipex
Digital Equipment Co. Ltd.
Nova Internet
CMI Ltd.
Rexco's Irish Trade Page
Aaranet
The American Ireland Fund
Direct Net @ccess
Creative Online Media Ltd.
Infosite
The Internet Business
PM workshop
The Trinity Group Ltd.
The Solutions Group
Belfast ISP—WydeWorld.Com

Mr. McNamara: To ask the Secretary of State for Northern Ireland who has responsibility to *(a)* define the political parameters of, *(b)* set goals and targets for and *(c)* maintain and update the Government internet website. [87486]

Mr. Paul Murphy *[holding answer 21 June 1999]:* Material appearing on the Northern Ireland public service website is the sole responsibility of the originating organisation (Northern Ireland Office, departments, agencies, non-departmental public bodies, other public bodies and commissions) as is the responsibility for setting parameters, goals and targets. The Business Development Service (BDS) provide a technical maintenance service including the design and update of information provided by the originating organisations. BDS is currently reviewing the management and editorial responsibilities associated with the Northern Ireland Public Service website.

Voting Applications

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) how many absent vote applications were made for each parliamentary constituency in Northern Ireland for the election held on 10 June; how many applications were made on each ground for which such an application can be made, in each constituency; for each constituency how many applications were made for proxy votes; and how many in each category were *(a)* granted and *(b)* refused; [87598]

(2) what evidence she has obtained of attempts fraudulently to acquire absent votes in parliamentary constituencies in Northern Ireland for the election to the European Parliament on 10 June; and in which parliamentary constituencies investigations are being undertaken. [87599]

Mr. Paul Murphy *[holding answer 22 June 1999]:* The only readily available statistics for absent vote applications in respect of the European Parliamentary elections on 10 June 1999 relate to the overall number of absent vote applications, granted and refused, for each parliamentary constituency in the Northern Ireland region. This information is detailed in the table.

As far as evidence of fraudulently acquired absent votes, the Secretary of State is aware that the Chief Electoral Officer is currently investigating attempts made to abuse the absent voting system but his investigations are as yet incomplete.

European Parliamentary election—10 June 1999
Northern Ireland electoral region

Constituency	Registered electors applying to vote by post		Registered electors applying to vote by proxy	
	Granted	Refused	Granted	Refused
Belfast East	214	8	39	1
Belfast North	115	3	201	35
Belfast South	215	10	99	9
Belfast West	115	35	222	35
East Antrim	206	5	58	1
East Londonderry	488	5	140	11
Fermanagh and South Tyrone	1,659	39	815	53
Foyle	579	16	701	34
Lagan Valley	358	5	56	6
Mid Ulster	823	24	1,063	101
North Antrim	345	7	102	3
North Down	322	5	62	1
Newry and Armagh	630	30	534	33
South Antrim	192	23	63	0
South Down	302	8	225	13
Strangford	354	5	51	2
Upper Bann	367	6	87	0
West Tyrone	931	28	1,079	86
Totals	8,215	262	5,597	424

Land Registers

Mr. Browne: To ask the Secretary of State for Northern Ireland what performance targets have been set for Land Registers of Northern Ireland in 1999–2000. [88209]

Marjorie Mowlam: For 1999–2000, the following performance targets have been set for LRNI:

1. To achieve a customer satisfaction rate, measured against complaints of 98.5 per cent.
2. To achieve a registration accuracy rate of at least 98.5 per cent.
3. To process regular Land Registry dealings in an average of 20 days.
4. To process regular Registry of Deeds dealings in an average of 4 days.
5. To process regular Statutory Charges Registry dealings in an average of 15 days.
6. To process pre-completion Land Information Applications in an average of 5 days.
7. To achieve a weighted unit cost target of £24.80 (exclusive of PFI costs).
8. To process 115 application units per member of staff per month.
9. To increase overall productivity by at least 1.5 per cent.
10. To cover Agency costs out of Free Income.

EU Support Programme

Mr. Browne: To ask the Secretary of State for Northern Ireland what the level of take-up by the two main communities in Northern Ireland has been of funds under the EU Special Support Programme for Peace and Reconciliation for each of its sub-programmes and for the main types of funding body. [88206]

Mr. Paul Murphy: The figures requested are listed in Tables 1 and 2: Technical details of the research on which these figures are based are given in "European Union Special Support Programme for Peace and Reconciliation—Analysis of Community Uptake Report", a copy of which is available in the House of Commons Library.

Table 1: Approved funding by sub programme and religious community

Percentage

Estimated take-up	Catholic	Protestant
Employment	59	41
Urban and Rural Regeneration	63	37
Cross-border Development	46	54
Social inclusion	58	42
Productive investment	42	58
Partnerships	52	48
Programme overall	54	46

Table 2: Approved funding by funding body and religious community

Percentage

Estimated take-up	Catholic	Protestant
District Partnerships	52	48
Government Departments	48	52
Intermediate Funding Bodies/Sector Partners	57	43
Programme overall	54	46

Notes:

1. Figures are based on 14,748 project applications out of a total of some 15,460 applications for funding within Northern Ireland notified by September 1998.
2. The religion of beneficiaries of funding is based on the religious composition of the geographical area of origin of the application.

Agency Targets

Mr. McCabe: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Environment and Heritage Service in 1999–2000. [88207]

Marjorie Mowlam: For 1999–2000 the following performance targets have been set for the Environment and Heritage Service.

Volume of Output

Bring about a 10 per cent. reduction in the number of 'high' and 'medium' severity water pollution incidents by the year 2000 on 1996 figures.

Establish regulatory systems for the COMAH (Control of Major Accident Hazard) Regulations in conjunction with the Health and Safety Executive for Northern Ireland by 31 December 1999.

Issue large combustion plant authorisation under the Industrial Pollution Control Order by 31 October 1999.

Progress the Areas of Special Scientific Interest designation programme by:

declaring 15 Areas of Special Scientific Interest bringing the total to 174, and preparing statements of conservation objectives for 50 sites.

Complete public consultation on the draft Northern Ireland Biodiversity Strategy and publish the agreed strategy and implementation plan.

Consult on and publish a policy statement on Protected Landscapes.

Schedule 70 historic monuments to bring the total to 1,435.

Complete an assessment of the condition of state care monuments.

Complete the second survey of historic buildings in 24 wards to bring the total resurveyed to 78.

Publish an EHS strategy for environmental education.

Quality of Customer Service

Respond to 90 per cent. of written inquiries or requests for information within 15 working days.

Determine 85 per cent. of applications of Water Act consents, wildlife licences, ASSI and scheduled monument consents within the timescales quoted in our Customer Service Guides.

Provide a round the clock response for water pollution incidents. We will assess and prioritise all reported incidents within 30 minutes of receipt by EHS, and aim to begin investigation of such incidents as soon as practicable—in all cases within 24 hours.

Efficiency

Achieve the following unit and activity cost and efficiency targets:

Water Act Consents—trade consent reduce by 1 per cent. on 1998–99 costs—domestic consent reduce by 1 per cent. on 1998–99 costs.

Food and Environment Protection Act—construction licence reduce by 1 per cent. on 1998–99 costs—disposal licence reduce by 1 per cent. on 1998–99 costs.

Radioactive Substances Act certificates (section 7/10) reduce by 1 per cent. on 1998–99 costs (section 13/14) reduce by 1 per cent. on 1998–99 costs.

Not to exceed 1998–99 running cost expenditure levels for ongoing existing activities for operation Country Parks.

Reduce total Corporate Affairs activity costs by 1 per cent. on 1998–99 costs.

Not to exceed 1998–99 running cost expenditure levels for ongoing existing activities for presenting and marketing Historic Monuments.

Achieve 3.75 per cent. efficiency gains on running costs expenditure.

Complete implementation of EHS's Y2K action plan by 31 December 1999.

These targets are subject to endorsement or amendment by local Ministers in the event of the Northern Ireland Assembly being established.

Mr. McCabe: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Valuation and Lands Agency in 1999–2000. [88208]

Mr. Paul Murphy: The 1999–2000 the following key performance targets have been set for the Agency:

1. To complete 85 per cent. of new rating revision casework within three months of receipt, up to a maximum volume of 23,000 casework units.

2. To reduce the backlog of rating revision casework so that by 31 March 2000 the average age of outstanding casework will be two months or less.

3. To achieve a turnaround of 16 weeks on average for all rating appeals.

4. To complete 97 per cent. of all client casework subject to Service Level Agreements within agreed time limits.

5. To review all client Service Level Agreements, agree service requirements and establish meaningful customer service measurement criteria for the next business year, by 31 December 1999.

6. To achieve a unit cost of casework no greater than the 1998–99 unit cost in real terms.

7. To achieve a standard in all rating valuations such that 90 per cent. of those determined on appeal are within plus or minus 10 per cent. of the initial assessment.

8. To issue 93 per cent. of certificates for Continuous Revision cases subject to retrospective backdating within 12 months of the event giving rise to the revision of the Valuation List.

9. To demonstrate the ability to achieve full cost recovery in respect of client services.

10. To have in place by 31 January 2000 an agreed specification by which external providers could bid for new systems design and installation.

11. To achieve Investors in People accreditation by 31 March 2000.

Full details are set out in the Agency's Forward Plan, copies of which have placed in the Library of the House.

EDUCATION AND EMPLOYMENT

Booster Classes

Charlotte Atkins: To ask the Secretary of State for Education and Employment how many children have attended year 6 booster classes in 1998–99. [87676]

Ms Estelle Morris: We do not yet have this information. LEAs are required to provide a report on the number of Year 6 pupils who attended the booster classes. The information is to be provided at the end of the 1999 Summer term.

Charlotte Atkins: To ask the Secretary of State for Education and Employment what plans there are to continue year 6 booster classes in 1999–2000. [87677]

Ms Estelle Morris: We will make an announcement shortly about the 1999–2000 Year 6 booster programme.

Charlotte Atkins: To ask the Secretary of State for Education and Employment in which *(a)* local education authorities and *(b)* districts year 6 booster classes have been introduced. [87675]

Ms Estelle Morris: All LEAs were allocated funding for additional literacy and numeracy classes for Year 6 pupils.

We do not hold nationally data on the distribution of Standards Fund grant at district level.

Drug Education Forum

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment what grants he has made to the Drug Education Forum; who are its members; what arrangements he has made to monitor its use of funds; and if he will make a statement. [87892]

Mr. Charles Clarke *[holding answer 22 June 1999]:* We have agreed to a grant of up to £50,000 for the Drug Education Forum for each of the three years from 1998–99 to 2000–01. This supports a full-time co-ordinator post, and also covers administrative and information support, including the production of a drug education newsletter for teachers in schools. Grants of £13,000 and £26,000 were provided in 1996–97 and 1997–98 respectively.

The Forum's membership is made up of representatives of each of the six main teacher unions; the Association of Chief Police Officers; the Drug Education Practitioners

Forum; the Evangelical Coalition on Drugs; the Health Education Authority; Hope UK; Life Education Centres; the Local Government Drugs Forum; the National Association of Youth and Community Education Officers; the National Children's Bureau; the National Health Education Group; the National Standing Committee of Advisors, Inspectors and Consultants of Personal and Social Education; Release; the Roehampton Institute London; the Standing Conference on Drug Abuse, and the Advisory Council on Alcohol and Drug Education.

A condition of grant to the Forum is that the books and records relating to the claiming and use of the grant are open to inspection by the National Audit Office and representatives of the Secretary of State as and when they may require. The Forum's work is also monitored by officials from my Department, along with those of Department of Health, Home Office and the UK Anti-Drugs Co-ordination Unit, who attend the Forum's regular meetings as observers.

LORD CHANCELLOR'S DEPARTMENT

Adult Protective Legislation

Mr. O'Hara: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to introduce legislation to reform *(a)* adult protective legislation and *(b)* enduring power of attorney. [87632]

Mr. Vaz: The Government published the consultation paper "Who Decides?" in December 1997 about the recommendations of the Law Commission on decision-making for mentally incapacitated adults, which included proposals for reform of enduring powers of attorney. We wish to give very careful consideration to all the issues involved before deciding the way forward. No decisions have yet been taken on whether there should be legislation and, if so, when it should be introduced.

SCOTLAND

Genetically Modified Fish

Joan Ruddock: To ask the Secretary of State for Scotland what plans he has to license test projects for the farming of genetically modified fish in Scotland. [87259]

Mr. Macdonald: None. No applications for consent to release GM fish into the environment have been made under the Environmental Protection Act 1990 and the Genetically Modified Organisms (Deliberate Release) Regulations 1992 (as amended).

Policy on this issue will be devolved from 1 July 1999.

DEFENCE

Depleted Uranium

Mr. Flynn: To ask the Secretary of State for Defence what tests were carried out on members of the 21 EOD Squadron who conducted clean-up operations in Kuwait in 1991 in relation to damage from ingesting depleted uranium dust. [86947]

Mr. Doug Henderson *[holding answer 15 June 1999]*: None. However, as I set out in the detailed paper, "Testing for the Presence of Depleted Uranium in UK Veterans of the Gulf conflict: The Current Position", published on 19 March 1999, all Gulf veterans who are concerned that their health has been adversely affected by service during the Gulf conflict (that is, August 1990 to July 1991), including by possible exposure to depleted uranium (DU), are entitled to seek a referral to the Gulf veterans' Medical Assessment Programme (MAP) for a full medical assessment. Copies of the DU Testing paper have been placed in the Library of the House.

Kosovo

Mr. Bercow: To ask the Secretary of State for Defence if he will make a statement on the timetable for disarming the KLA. [87306]

Mr. George Robertson: In the undertaking signed with KFOR on 21 June, the KLA have agreed that, within thirty days, all prohibited weapons with the exception of automatic small arms will be handed in to secure weapons storage sites. Automatic small arms will be handed in in phases over ninety days.

I am placing a copy of the undertaking in the Library of the House.

Mr. Paul Marsden: To ask the Secretary of State for Defence what day to day contact British officers have with their Russian counterparts in Kosovo; and if he will make a statement. [87569]

Mr. George Robertson: Day-to-day communication between British forces and the Russian contingent in Kosovo has been through a Russian-speaking UK liaison officer. There have also been meetings between KFOR commander Lt Gen Jackson and the commander of the Russian forces in Kosovo, Gen Zavarzin. Gp Capt Morley, the UK officer responsible for the establishment of an air port of disembarkation (APOD) for NATO forces at Pristina airport, has also held discussions with Russian officers. Following the recent agreement on the integration of Russian forces into the peacekeeping effort in Kosovo, more formal lines of communication are now being established.

Mr. Paul Marsden: To ask the Secretary of State for Defence what steps he is taking to ensure NATO remains solely in charge of Operation Joint Guardian in Kosovo; and if he will make a statement. [87568]

Mr. George Robertson: Operation Joint Guardian remains a NATO led operation. As far as Russian participation in KFOR is concerned, the arrangement recently negotiated between the US and Russian Defence Ministers, and agreed by the North Atlantic Council, ensures that there will be unity of command under the NATO Commander of Operation Joint Guardian, Lieutenant General Sir Mike Jackson. Political direction will continue to be given by the North Atlantic Council, with consultations on Russian participation through the Permanent Joint Council.

Mr. Burgon: To ask the Secretary of State for Defence what is the total number of British forces committed to Kosovo operations. [88210]

Mr. George Robertson: As of 21 June, some 13,000 UK service personnel were deployed on Kosovo related operations, as follows:

Royal Navy: 880

Army: 10,320 (7,300 in Kosovo, 2,900 in Former Yugoslavia Republic of Macedonia and 120 in Albania)

RAF: 1,800.

The RAF element of the UK contribution to Kosovo operations will be reduced to around 900 as a result of the decision announced yesterday to re-deploy all 12 RAF Tornados from Solenzara in Corsica to RAF Bruggen, five VC10 tankers from Ancona in Italy to RAF Brize Norton and 10 Harrier GR7s from Gioia del Colle in Italy to RAF Wittering. Six GR7s will remain in at Gioia del Colle, two Tristars at Ancona and up to three E-3Ds at Aviano in Italy. Nimrod R reconnaissance sorties will continue to be flown, albeit at reduced frequency. The aircraft withdrawn to their home bases remain available for Kosovo operations if required.

Agency Targets

Mr. Jim Murphy: To ask the Secretary of State for Defence what key targets have been set for the Naval Bases and Supply Agency for 1999–2000. [88277]

Mr. Doug Henderson: The following targets have been set for the Naval Bases and Supply Agency for 1999–2000.

Key Target 1:

To provide 31,871 Standard Berthing Unit days.

Key Target 2:

To complete the Fleet Time Maintenance Loading programme to within three per cent. of budget.

Key Target 3:

To supply 80 per cent. of available Material within demand timescales while achieving agreed targets for high priority operational defects.

Key Target 4:

To supply 95 per cent. of available, maintained Munitions within demand timescales.

Key Target 5:

To ensure 99 per cent. availability of the Food product range in meeting customer's requirements.

Key Target 6:

To provide 30 per cent. of entitled personnel with Accommodation to JSP 315 Grade 2 standard or better and the remainder with Grades 3 and 4.

Mr. Jim Murphy: To ask the Secretary of State for Defence what key targets have been set for the Ships Support Agency for 1999–2000. [88278]

Mr. Doug Henderson: The following key targets have been set for the Ships Support Agency for 1999–2000.

Key Target 1:

To deliver upkeep periods with less than eight per cent. overrun.

Key Target 2:

To contain the cost of upkeep periods within three per cent. of the budget.

Key Target 3:

To limit to less than six per cent. the fleet time during which vessels are unable, for Material reasons, to perform their programmed tasks.

Key Target 4:

To limit to less than four the average number of Operational Defects outstanding per vessel in fleet time.

Key Target 5:

To provide 70 per cent. materially available vessel days.

Key Target 6:

To provide materially available vessel days for less than £39.4K each.

Key Target 7:

To achieve a stock turnover ratio of less than 2.9:1.

Military Provost Guard

Mr. Derek Twigg: To ask the Secretary of State for Defence if he will make a statement on the future of the Military Provost Guard Service. [88076]

Mr. Doug Henderson: Following a two year pilot scheme of the use of the Military Provost Guard Service to carry out armed guarding duties at a number of Army establishments, I have decided, subject to consultation, to extend the scheme. Over five years, the Military Provost Guard Service will initially expand from its existing strength of 118 local engagement regulars to a strength of over 600, providing armed guarding services to a total of 27 Army establishments nation-wide. They will in most cases replace Ministry of Defence Police who currently carry out armed guarding duties but who will in future concentrate on their primary role of carrying out constabulary duties. Where the MPGS replace MDP they will provide a cost-effective method of guarding, achieving savings rising to over £7 million per annum by comparison with existing arrangements once the scheme is fully up and running. This will be done without any changes to security standards. There will be consultation with the Defence Police Federation on these proposals which will involve a reduction in the overall numbers of MOD Police.

I am writing to hon. Members whose constituencies are to be affected by these changes, and a report by the Commander in Chief Land Command on the pilot scheme will be placed in the Library.

Ulster Defence Regiment

Mr. Hunter: To ask the Secretary of State for Defence how many members of the Ulster Defence Regiment were engaged for *(a)* one year, *(b)* two years and *(c)* three years, in (i) 1985, (ii) 1986 and (iii) 1987. [87849]

Mr. Doug Henderson: This information is not held centrally and could be provided only at disproportionate cost.

Bloody Sunday

Mr. Gerald Howarth: To ask the Secretary of State for Defence, pursuant to his oral statement of 10 June 1999, *Official Report*, column 808, concerning the disclosure of soldiers' names, if he has decided to provide protection to those potentially at risk. [87828]

Mr. George Robertson *[holding answer 22 June 1999]:* We have assessed the implications of the disclosure of six names. The former soldiers concerned are being offered appropriate assistance. For obvious reasons I cannot give further details.

PRIME MINISTER

United Nations Reform

Q19. **Mr. Corbyn:** To ask the Prime Minister what plans he has to promote reform of the United Nations. [86823]

The Prime Minister: We have given strong support to the UN Secretary General's plans for reform of the UN and its institutions. We recognise the need for new ways to be found to ensure that the UN and the Security Council work more efficiently and effectively. The Government will be pursuing this with other member states in the coming months. At the same time we will continue to press for enlargement of the Security Council to make it more representative of the world today. We will be working towards securing proper funding for the UN together with effective and transparent accountability arrangements. We will also discuss how the UN might improve co-ordination of its activities.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 23 June. [87660]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Housing Benefit

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimates he has made of the number and percentage of private sector landlords whose rent is derived from housing benefit in each local authority area in England. [87349]

Angela Eagle: I have been asked to reply.

The information requested is not available in the format requested as the Department does not collect data on the total number of private sector landlords. The table gives information on the number of tenants in receipt of rent allowance in each local authority.

Rent allowance recipients in the private sector in England (excluding housing association) August 1998

Local authority	*Recipients*
Adur	810
Allerdale	1,420
Alnwick	440
Amber Valley	1,410
Arun	3,120
Ashfield	1,360
Ashford	890
Aylesbury Vale	900
Babergh	910
Barking	2,240
Barnet	6,920
Barnsley	3,200
Barrow in Furness	2,300
Basildon	1,450

Rent allowance recipients in the private sector in England (excluding housing association) August 1998

Local authority	*Recipients*
Basingstoke and Deane	590
Bassetlaw	1,510
Bath and North East Somerset	2,330
Bedford	1,960
Berwick upon Tweed	480
Bexley	2,700
Birmingham	17,240
Blaby	470
Blackburn with Darwen	2,630
Blackpool	8,690
Blyth Valley	830
Bolsover	1,470
Bolton	3,990
Boston	540
Bournemouth	7,380
Bracknell Forest	600
Bradford	10,900
Braintree	1,200
Breckland	1,230
Brent	10,060
Brentwood	420
Bridgnorth	520
Brighton and Hove	13,290
Bristol	7,590
Broadland	1,060
Bromley	3,110
Bromsgrove	510
Broxbourne	710
Broxtowe	1,350
Burnley	2,390
Bury	2,070
Calderdale	3,470
Cambridge	1,010
Camden	5,650
Cannock Chase	740
Canterbury	2,720
Caradon	2,050
Carlisle	1,320
Carrick	2,290
Castle Morpeth	440
Castle Point	1,230
Charnwood	2,010
Chelmsford	1,010
Cheltenham	1,760
Cherwell	1,330
Chester	1,790
Chester le Street	490
Chesterfield	1,710
Chichester	1,190
Chiltern	1,220
Chorley	910
Christchurch	500
City of London	120
Colchester	2,050
Congleton	570
Copeland	1,010
Corby	430
Cotswold	850
Coventry	6,740
Craven	810
Crawley	410
Crewe and Nantwich	1,300
Croydon	7,600
Dacorum	890
Darlington	1,760
Dartford	1,020
Daventry	370
Derby	4,020
Derbyshire Dales	610
Derwentside	1,260
Doncaster	5,070
Dover	3,070

Rent allowance recipients in the private sector in England (excluding housing association) August 1998

Local authority	*Recipients*
Dudley	2,050
Durham	610
Ealing	7,370
Easington	1,420
East Cambridgeshire	570
East Devon	2,070
East Dorset	740
East Hampshire	860
East Hertfordshire	750
East Lindsey	3,320
East Northamptonshire	720
East Riding of Yorkshire	5,870
East Staffordshire	1,370
Eastbourne	3,050
Eastleigh	910
Eden	600
Ellesmere Port and Neston	620
Elmbridge	1,100
Enfield	5,620
Epping Forest	1,150
Epsom and Ewell	580
Erewash	2,140
Exeter	2,510
Fareham	600
Fenland	1,450
Forest Heath	500
Forest of Dean	820
Fylde	1,580
Gateshead	3,860
Gedling	1,350
Gloucester	2,500
Gosport	890
Gravesham	1,530
Great Yarmouth	3,080
Greenwich	4,410
Guildford	1,180
Hackney	8,710
Halton	1,520
Hambleton	880
Hammersmith and Fulham	4,080
Harborough	370
Haringey	11,870
Harlow	540
Harrogate	2,110
Harrow	4,060
Hart	360
Hartlepool	2,190
Hastings	5,330
Havant	1,080
Havering	2,500
Herefordshire	2,670
Hertsmere	650
High Peak	1,300
Hillingdon	3,140
Hinckley and Bosworth	730
Horsham	790
Hounslow	3,620
Huntingdonshire	1,080
Hyndburn	2,120
Ipswich	2,210
Isle of Wight	4,140
Isles of Scilly	20
Islington	4,700
Kennet	750
Kensington and Chelsea	3,470
Kerrier	2,700
Kettering	900
Kings Lynn and West Norfolk	1,850
Kingston upon Hull	7,810
Kingston upon Thames	1,460
Kirklees	6,440
Knowsley	2,950

Rent allowance recipients in the private sector in England (excluding housing association) August 1998

Local authority	*Recipients*
Lambeth	7,170
Lancaster	4,590
Leeds	10,640
Leicester	3,960
Lewes	1,660
Lewisham	7,000
Lichfield	510
Lincoln	2,040
Liverpool	20,680
Luton	3,870
Macclesfield	1,360
Maidstone	1,480
Maldon	670
Malvern Hills	680
Manchester	14,160
Mansfield	1,610
Medway	4,750
Melton	430
Mendip	1,850
Merton	3,000
Mid Bedfordshire	620
Mid Devon	1,160
Mid Suffolk	660
Mid Sussex	1,000
Middlesbrough	2,980
Milton Keynes	1,660
Mole Valley	600
New Forest	1,840
Newark and Sherwood	1,280
Newcastle under Lyme	940
Newcastle upon Tyne	6,290
Newham	12,960
North Cornwall	2,680
North Devon	2,690
North Dorset	410
North East Derby	690
North East Lincoln	4,820
North Hertfordshire	900
North Kesteven	730
North Lincolnshire	2,280
North Norfolk	1,920
North Shropshire	710
North Somerset	4,050
North Tyneside	3,470
North Warwickshire	750
North West Leicester	610
North Wiltshire	820
Northampton	2,100
Norwich	2,490
Nottingham	5,980
Nuneaton and Bedworth	1,460
Oadby and Wigston	480
Oldham	2,670
Oswestry	520
Oxford	2,480
Pendle	1,900
Penwith	2,470
Peterborough	3,120
Plymouth	7,730
Poole	2,280
Portsmouth	4,980
Preston	1,790
Purbeck	730
Reading	2,750
Redbridge	6,650
Redcar and Cleveland	2,100
Redditch	460
Reigate and Banstead	790
Restormel	3,070
Ribble Valley	500
Richmond upon Thames	2,190
Richmondshire	450

Rent allowance recipients in the private sector in England (excluding housing association) August 1998

Local authority	*Recipients*
Rochdale	3,420
Rochford	830
Rossendale	1,060
Rother	2,460
Rotherham	3,010
Rugby	670
Runnymede	670
Rushcliffe	950
Rushmoor	750
Rutland	260
Ryedale	690
Salford	4,540
Salisbury	1,630
Sandwell	2,940
Scarborough	3,490
Sedgefield	850
Sedgemoor	1,750
Sefton	6,470
Selby	510
Sevenoaks	860
Sheffield	5,660
Shepway	3,710
Shrewsbury and Atcham	1,140
Slough	1,520
Solihull	1,180
South Bedfordshire	820
South Buckinghamshire	350
South Cambridgeshire	610
South Derbyshire	1,020
South Gloucestershire	1,630
South Hams	1,610
South Holland	570
South Kesteven	1,320
South Lakeland	1,490
South Norfolk	1,000
South Northants	410
South Oxfordshire	910
South Ribble	620
South Shropshire	650
South Somerset	1,940
South Staffordshire	590
South Tyneside	2,060
Southampton	5,460
Southend on Sea	7,040
Southwark	3,950
Spelthorne	720
St. Albans	790
St. Edmunsbury	820
St. Helens	2,100
Stafford	880
Staffordshire Moorlands	740
Stevenage	1,170
Stockport	3,620
Stockton on Tees	2,620
Stoke on Trent	3,810
Stratford on Avon	1,060
Stroud	1,180
Suffolk Coastal	1,810
Sunderland	4,670
Surrey Heath	330
Sutton	1,550
Swale	2,310
Swindon	1,670
Tameside	3,330
Tamworth	500
Tandridge	460
Taunton Deane	1,950
Teesdale	390
Teignbridge	2,850
Telford and Wrekin	1,310
Tendring	3,930
Test Valley	640

Rent allowance recipients in the private sector in England (excluding housing association) August 1998

Local authority	*Recipients*
Tewkesbury	680
Thanet	6,490
Three Rivers	480
Thurrock	1,830
Tonbridge and Malling	830
Torbay	6,560
Torridge	1,920
Tower Hamlets	2,610
Trafford	2,480
Tunbridge Wells	1,160
Tynedale	600
Uttlesford	500
Vale of White Horse	690
Vale Royal	820
Wakefield	3,450
Walsall	2,120
Waltham Forest	8,830
Wandsworth	5,630
Wansbeck	1,230
Warrington	1,650
Warwick	1,230
Watford	1,020
Waveney	4,100
Waverley	830
Wealden	1,670
Wear Valley	950
Wellingborough	660
Welwyn Hatfield	470
West Berkshire	980
West Devon	1,060
West Dorset	1,170
West Lancashire	1,330
West Lindsey	1,210
West Oxfordshire	820
West Somerset	990
West Wiltshire	1,620
Westminster	5,660
Weymouth and Portland	1,750
Wigan	3,270
Winchester	750
Windsor and Maidenhead	1,080
Wirral	11,730
Woking	560
Wokingham	550
Wolverhampton	2,810
Worcester	1,350
Worthing	2,520
Wychavon	710
Wycombe	850
Wyre	2,060
Wyre Forest	1,050
York	2,380

Source:
Housing Benefit Management Information System.

George Green Tunnel (Wanstead)

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions on what date the Highways Agency staged the mock accident in the George Green Tunnel, Wanstead; what the results were; and if he will make a statement. [87278]

Ms Glenda Jackson: A limited staged incident was held on 28 May 1999 in the George Green Tunnel. It was arranged to give the London Fire Brigade the opportunity to react to and deal with a mock accident within the tunnel, before it is opened to traffic. In addition a smoke generator was employed to confirm that smoke from an incident would dissipate from the tunnel. Both

exercises were carried out successfully and the Highways Agency is expecting to receive a copy of the fire brigade's report on the exercise in due course.

A full staged incident, involving all the emergency services, will be undertaken after the whole of the A12 Hackney to M11 Link Road works are completed in the autumn. Staged incidents are carried out as a normal part of the Highways Agency's safety procedures and in this tunnel, are likely to be repeated every few years.

World Environment Day

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what events were organised by his Department to mark World Environment Day on 5 June. [87495]

Mr. Meale: We ran special adverts, referring to World Environment Day, on TV and Radio as part of the 'Are You Doing Your Bit?' campaign which was launched on 17 June. The theme of the campaign—the impact individuals can make to improve the environment—is closely linked with the World Environment Day theme, 'Our Earth—Our Future—Just Save it!'.

Environment Council

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what proposals *(a)* originating from and *(b)* relevant to United Kingdom environmental policy are due for discussion at the Environment Council in Luxembourg on 25 June. [87503]

Mr. Meacher: The Environment Council will take place in Luxembourg over two days on 24–25 June. The following proposals will be discussed and will be relevant to United Kingdom environmental policy;

Proposal for a Council Directive on incineration of Hazardous waste

Common Position

Amended Proposal for a Council Regulation on a revised Community eco-label award scheme

Common Position

Amended proposal for a European Parliament and Council Directive amending Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms

Common Position

Proposal for a Council Regulation allowing voluntary participation by organisations in a community eco-management and audit system

Common Position

Proposal for a Council Regulation concerning the financial instrument for the environment (LIFE)

Common Position

Proposal for a European Parliament and Council Directive on the approximation of the laws of the member states relating to the noise emission by equipment used outdoors

Common Position

Proposal for a European Parliament and Council Directive on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC

Common Position

Proposal for a Council Directive on end-of-life vehicles

Common Position

Amended proposal for a Council Directive on the effects of certain plans and programmes on the environment

Policy Debate

Situation in the negotiations with automobile manufacturers which are not members of the EAMA (JAMA/KAMA)

Council Conclusions

Preparation for the 5th Conference of the Parties to the Convention on Biological Diversity

Council Conclusions

Development of the European Community's policy on chemical products

Council Conclusions.

Transport and Works Act 1992

Mr. Snape: To ask the Secretary of State for the Environment, Transport and the Regions what is the average period of time taken by his Department to process applications for orders under the Transport and Works Act 1992 following submission of an Inspector's report. [87581]

Ms Glenda Jackson: For those Transport and Works Act applications that have been decided following a public inquiry, the average time taken from receipt of the Inspector's report to decision has been 11 months.

Mr. Snape: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions applications for orders under the Transport and Works Act 1992 have been opened up to further consultation with objectors following an interim decision letter from him. [87580]

Ms Glenda Jackson: Three Transport and Works Act applications have been subject to further consultation following an interim letter from the Secretary of State. These cases related to the East London Line extension; the proposed international station at Sratford on the Channel Tunnel Rail Link; and the Welsh Highland Railway.

Mr. Snape: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the working of the Transport and Works Act 1992. [87579]

Ms Glenda Jackson: The operation of the Transport and Works Act 1992 is constantly kept under review. Although we have no immediate plans to amend the Act itself, we do intend shortly to revise the Rules governing the procedures for dealing with applications for orders under Part I of the Act. The new Rules will implement the revised EC Directive on environmental impact assessments and will make a number of improvements based on experience of operating the existing Rules.

Landfill Directive

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions how oil and grease will be classified under the new landfill directive. [87623]

Mr. Meale: The Special Waste Regulations 1996, implementing the Hazardous Waste Directive, classify certain difficult to handle wastes as special. In general all mineral oils, for example hydraulic oils and lubricating oils, are likely to be special wastes. The Landfill Directive is not expected to have any impact on waste classification.

Climate Change Levy

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the climate change levy is being imposed on timber-based industries. [87682]

Mr. Meale: All sectors will need to play their part in achieving our climate change targets, including the legally binding Kyoto target of a 12.5 per cent. reduction in greenhouse gas emissions over the period 2008 to 2012 compared with 1990. By changing relative prices, the climate change levy will help stimulate the implementation of further measures to improve energy efficiency in all sectors of business. These measures are expected to lead to a reduction in carbon dioxide emissions of 1.5 million tonnes carbon per annum by 2010. The revenue from the levy will be recycled in full to business, principally through a 0.5 per cent. cut in employers' NICs.

Taxicard

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to transfer responsibility for Taxicard to Transport for London; [87657]

(2) what powers he has to transfer responsibility for Taxicard from London boroughs to the Greater London Authority. [87658]

Ms Glenda Jackson *[holding answer 21 June 1999]*: We will honour the commitment made in the White Paper, "A Mayor and Assembly for London" (Cm 3897) to transfer Taxicard to Transport for London (TfL). However, we have also indicated that the precise timing of the transfer will be for the Mayor to decide, in the context of his or her overall transport strategy. That is the most sensible way forward, given the current complexity of the scheme, which is operated, on a discretionary basis, by only 29 boroughs with differing levels of funding and services.

Subject to the passage of the Greater London Authority Bill, the Mayor will have the necessary powers to effect the transfer of the Taxicard scheme, or to operate a similar scheme. I made clear on 25 February 1999, *Official Report, Standing Committee A*, column 865, that the GLA Bill provisions concerning London boroughs' Local Implementation Plans will be able to deal with Taxicard. The Mayor will be required to include in his or her transport strategy proposals for the provision of transport which is accessible to persons with mobility problems. Those proposals will doubtless include measures on how Taxicard and services like it should be operated. The Mayor will be able to require the boroughs to reflect those proposals in their Local Implementation Plans. Each borough will be required to submit these plans to the Mayor for his or her approval.

Rail Companies (Void Days Rule)

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the benefits of abolishing the void days rule that allows rail companies to exclude certain performance data from their published figures. [87862]

Ms Glenda Jackson: No days are excluded from the Opraf financial incentive/penalty schemes on the grounds of failure to provide an effective service. Neither are days taken out of the Opraf contractual threshold for cancellations on these grounds.

Opraf are aware that the omission of void days from the Passenger's Charter performance statistics does not give a comprehensive picture of the overall performance of the Train Operating Companies and is consulting widely within the rail industry with a view to devising a better method of presenting performance data.

National Railway Track

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of national railway track was classified as *(a)* poor, *(b)* good and *(c)* very good for each year from 1990 to date. [87603]

Ms Glenda Jackson *[holding answer 22 June 1999]*: The following figures are available from the Booz-Allen & Hamilton report commissioned by the Office of the Regulator:

Track quality 1994/95–1997/98

	Condition percentage of network			
Date	*Very good*	*Satisfactory*	*Poor*	*Very poor*
1 January 1994	63.7	26.2	7.1	2.8
1 January 1995	62.6	26.6	7.5	3.2
1 February 1996	58.8	28.3	8.8	3.9
19 February 1997	59.4	28.4	8.5	3.6
31 January 1998	62	26.8	7.8	3.2

These figures represent passenger comfort issues associated with the quality of ride experienced. It does not follow that track classified as 'poor' or 'very poor' on this measure is therefore unsafe.

Figures between 1990 and 1993 are not available on the same basis.

British Railways Board (Land Sales)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the land sales by the British Railways Board since the moratorium on such sales was introduced, giving in each case *(a)* the date of sale, *(b)* the location and *(c)* the price agreed. [87605]

Ms Glenda Jackson *[holding answer 22 June 1999]*: Land sales by the British Railways Board since 20 July 1998 are as follows. Individual sale prices cannot be given as they are commercially confidential.

Sales completions since 20 July 1998		Date sold
Ayr Harbour	Land off Saltpans Rod	19 November 1998
Boston	Former Park Sidings	3 August 1998
Boston	Land at Broadfield Street	14 April 1999
Brandon	Downside Yard	19 February 1999
Bristol Temple Meads	Former garage	4 November 1998
Cheddar	Bridge over River Yeo	31 March 1999
Chislehurst	Former yard	30 March 1999
Crainlarich	5 houses	11 November 1998
Darlington	Land off Haughton Road	12 October 1998
Glasgow Barnhill	Land at Petershill Road	7 April 1999
Glasgow	St. Rollox	7 April 1999
Glenboig	Section of closed branch line	18 March 1999
Guide Bridge	Former station offices and land	14 December 1998
Hull	Priory Park[1]	4 May 1999
Inverness	Eastgate	4 May 1999
Leeds Stourton	Former Rothwell Haigh sidings	15 April 1999
Liverpool	Part Speke sidings	29 April 1999
+Liverpool	Part Speke sidings	4 May 1999
Melksham	Former upside yard	31 March 1999
Meltham	Footbridges 20 and 21	22 December 1998
Montrose	Land at Provost Reid's Road	3 November 1998
Northampton	Southbridge Yard (Far Cotton)	23 December 1998
Oswestry	Former cattle pens	30 July 1998
Plymouth	Head of cattlewater branch	17 November 1998
Skegness	Land off Richmond Drive	12 August 1998
Southport	Derby Road yard	6 May 1999
Strathcarron	Station House	12 February 1999
Swindon	Shell Oil Depot	24 September 1998
Tadworth	Land near Kingswood Road	23 April 1999
Trowbridge	Innox Footpath	4 December 1998
Uckfield	Sewer[2]	5 March 1999
Wigston	Former carriage and wagon depot	14 May 1999
Woodville	Land over tunnel	7 August 1998
Worcester (Midland)	Land off Midland Road	13 January 1999
York	Land at Toft Green	28 September 1998
York	Holgate Dock	16 February 1999

[1] Transaction is a lease
[2] A phased disposal part sold and part still to be sold
[3] Transaction was the grant of a permanent easement

Bicycle Parking (Stations)

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what guidance his Department gives to Railtrack and other station operators on the provision of parking for bicycles. [87703]

Ms Glenda Jackson *[holding answer 22 June 1999]*: We encourage all operators to adopt the voluntary Code of Practice, "Providing for Cyclists" which sets out a checklist of things that operators can do to improve facilities for cyclists. The objectives, Instructions and Guidance which we issued to the Franchising Director also require him to encourage franchise operators to provide suitable facilities for cyclists at stations. My Department is also contributing to the consultancy Bikerail, which is able to offer guidance to Railtrack and train operators on integrating bicycle use with rail journeys.

Red Routes

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many miles of red routes cover the Greater London area; what is the proposed red route mileage outstanding in the London Borough of Wandsworth area; and if he will make a statement. [87974]

Ms Glenda Jackson: The total length of the red route network is 315 miles. The roads in Wandsworth designated as red routes are the A3, A24, A205, A214, A217, A306, A3205, and A3220. Together these total some 21 miles. The current implementation timetable in Wandsworth is given in the table. The aim is to have the whole of the network operational in 2000.

Red route	Implementation
A3	Most fully operational. Remainder to have red line controls before the end of 1999. Implementation of remaining measures[1] to be complete by the end of 2001.
A24	All red line controls fully operational. Implementation of remaining measures[1] to be complete by end of 1999.
A205	All red line controls fully operational. Implementation for remaining measures[1] to be complete by the end of 1999.
A214	Detailed design recently commenced.
A217	Detailed design underway. Red line controls to be operational by end of 1999.
A306	Fully operational.
A3205	All red line controls fully operational. Implementation of remaining measures[1] to be complete by the end of 1999.
A3220	Detailed design recently commenced.

[1] As well as red line controls, red routes consist of a package of measures such as bus and cycle lanes, facilities for pedestrians and traffic calming, which will vary depending on local needs. These are aimed at improving the movement of people and goods and providing particular help for buses, cyclists, pedestrians and people with disabilities.

Tenant Participation Compacts

Mr. White: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the consultation exercise earlier this year on tenant participation compacts. [88073]

Ms Armstrong: On 25 January 1999 we published the consultation paper, "Tenant Participation Compacts". This put forward the Government's proposals for increasing tenant involvement through negotiation of local agreements (tenant participation compacts) between local authority landlords and tenants on how tenants are involved in local decisions relating to their homes.

The consultation paper flowed from the work of the Best Value in Housing Steering Group, whose work also informed the consultation paper Best Value in Housing Framework on which I made a separate announcement on 25 May 1999.

Consultation on the framework for tenant participation compacts ended on 31 March 1999. We received 386 responses from across a wide range of local authorities, tenant and resident associations, housing associations, housing groups and individual tenants.

These responses have been considered and have informed the "National Framework for Tenant Participation Compacts" which is being launched today.

The consultation showed overwhelming agreement with the principle of developing tenant participation through compacts, building on existing good practice. Respondents also identified the links between best value in housing and tenant participation as fundamental to giving tenants a real say in local decision making. However, tenants, officers and elected members would need to work together to make compacts successful.

In supporting the principles behind compacts, a number of respondents raised resource, staffing and budgetary concerns relating to the implementation of compacts. We accept that there are likely to be some initial set up costs in implementing compacts properly, and I am making available £12 million to local authorities over the next two years, specifically to help them and their tenants to implement compacts.

The national framework for tenant participation compacts is a toolkit to help local authorities and tenants develop, implement and review their local compacts, including the standards considered necessary to ensure meaningful and sustainable tenant participation.

It will allow compacts to be tailored to meet the needs of the local area and to reach specific groups of tenants such as the elderly, young people, or ethnic minority tenants. (Compacts can also be developed to involve the wider community or to extend beyond housing services where tenants and local authorities wish). The framework also takes account of respondents' concerns that new tenants' groups should be encouraged and that demands on existing organisations should be reasonable. However, tenants' organisations with a role in decision-making will be expected to be accountable, democratic and open to all tenants.

The framework does not impose particular structures. It will allow compacts to de developed at a pace at which tenants are comfortable and which they can sustain; and tenants can choose how they will be involved and what they will be involved in.

We recognise that not all tenants and councils will be able to implement compacts that meet the full needs of tenants by 1 April 2000. Nonetheless, by that date, we will expect all tenants and local authorities to have agreed the final outcomes expected from compacts and have in place a clear, measurable action plan, matched by resources, to bring these about. Tenants and local authorities should be working towards this.

The published framework is being sent to all local housing authorities, and to tenant and other interested organisations, and copies are available in the Library of the House.

I am placing a list of the respondents, excluding any who requested confidentiality, in the House Library together with a report providing an analysis of the responses. The list and specific responses are available in the Department of the Environment, Transport and the Regions Library, Ashdown House, 123 Victoria Street, London SW1E 6DE, telephone 0171 890 3039.

GM Crops

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress of trials for the growing of genetically modified crops. [86788]

Mr. Meacher: The farm-scale evaluations are investigating whether there are any differences in the diversity and abundance of wildlife associated with the management of genetically modified (GM) herbicide tolerant oil seed rape and maize compared with the management of equivalent conventional crops.

The research contractors, the Institute of Terrestrial Ecology, the Institute of Arable Crop Research and the Scottish Crop Research Institute have begun to assess the biodiversity in each field. This year there are now two paired comparisons of winter oil seed rape and four of maize.

The ecological studies are being reviewed by an independent scientific steering committee. The committee comprises scientists drawn from English Nature, the Royal Society for the Protection of Birds, the Game Conservancy Trust and academia. The first meeting was on June 14 and the progress of the research was reviewed. The committee considered the work to be making satisfactory progress and that the approach being taken to investigate the effects on wildlife was scientifically sound. Details of progress and steering committee meetings will be made publicly available. A web-site is being set up to provide this information in due course.

Later this year farm-scale evaluations of winter oil seed rape fields will commence. Next year the ecological studies in the farm-scale evaluations will be extended to approximately 20 paired comparisons of each crop.

Regional Chamber (North-East)

Mr. Hepburn: To ask the Secretary of State for the Environment, Transport and the Regions when he will designate the regional chamber for the North East Regional Development Agency. [88211]

Mr. Caborn: I am pleased to announce that we have today issued a direction to One North East designating the North East Regional Chamber as its regional chamber under the Regional Development Agencies Act 1998.

Section 8 of the Regional Development Agencies Act 1998 provides that if the Secretary of State is of the opinion that there is a body which is representative of those in the RDA's area with an interest in its work, and that body is suitable to be given the role of regional chamber for the RDA, he may designate it.

RDAs must take full account of regional interests. Regional chambers will provide a mechanism through which RDAs can take account of regional views and account for their activities. Ministers expect that each RDA will have regard to the chamber's view in preparing its strategy, consult the chamber on its corporate plan and give an account of its performance to the chamber.

We are currently considering applications for designation from bodies in other regions.

INTERNATIONAL DEVELOPMENT

EU Fraud (Chernobyl)

Mr. Cohen: To ask the Secretary of State for International Development what estimates he has made of the extent of fraud in the EU budget relating to decontamination payments following the Chernobyl accident. [87379]

Clare Short: My Department is unaware of any fraud in the EU budget relating to decontamination payments following Chernobyl. There has been no reference to this in reports by the Court of Auditors.

If my hon. Friend has any such information, I would be grateful for details.

TRADE AND INDUSTRY

BSI BS8600

Mr. Amess: To ask the Secretary of State for Trade and Industry what plans he has to encourage the use of the new BSI BS8600 for customer complaints. [85339]

Dr. Howells: The Government support the work of the British Standards Institution in creating better and fairer systems for the benefits of consumers and suppliers. This Department is keen to promote the rights and responsibilities of customers in all sectors and notes the new BSI standard for customer complaints as a contribution to this.

Knowledgeable and well informed consumers play an important role in enhancing the competitiveness of UK businesses. The new standard BS8600 offers useful guidance and is one of a number of options that can help businesses in setting up effective systems for responding to customer complaints.

Dog and Cat Pelts

Helen Jackson: To ask the Secretary of State for Trade and Industry what estimate he has made of the extent of the trade in dog and cat pelts through British ports; and if he will make a statement. [87417]

Mr. Wilson: There are no official figures relating to the trade in dog and cat pelts. Imports of dog and cat pelts are not separately classified in the HM Customs and Excise Integrated Tariff.

Animal Welfare

Helen Jackson: To ask the Secretary of State for Trade and Industry if he will take action to provide safeguards for the welfare of animals in the European Union autumn trade round. [87416]

Mr. Wilson: The Government are committed to promoting high standards of animal welfare.

Following initiatives taken by the UK during our Presidency last year, the agreement on the Directive concerning the protection of farm animals included a commitment that the Commission should consider the scope for seeking changes to WTO rules in the next round to accommodate animal welfare concerns. We will consider this further in the run-up to the third WTO Ministerial at the end of this year.

Exports (Northern Ireland)

Mrs. Ellman: To ask the Secretary of State for Trade and Industry what was the *(a)* volume and *(b)* value of exports from Britain to Northern Ireland for each of the last five years for which information is available. [87642]

Mr. Wilson: Official statistics on exports relate to the United Kingdom, as a whole. It is, therefore, not possible to provide information on the value or volume of exports from Britain to Northern Ireland.

European Commission Information Exchange

Sir Richard Body: To ask the Secretary of State for Trade and Industry if he will make a statement on the extent of interchange of information with Unit A-1 of Directorate-General IV; and if he will deposit papers published by the Unit in the Library. [87692]

Dr. Howells: DTI officials are from time to time in contact with Unit A-1 of Directorate General IV on a variety of issues relating to competition policy. The Unit does not publish papers in its own right; material published on behalf of the Commission by Directorate General IV can be found on the Commission's internet site.

Business Links

Mr. Cotter: To ask the Secretary of State for Trade and Industry what procedures his Department has established to monitor the quality of services by Business Links. [87714]

Mr. Wills: The Department has a range of procedures to monitor the quality of services provided by Business Links.

The main procedure is a system of Accreditation under which each Business Link is required to meet rigorous quality standards in order to be able to use the Business Link brand. These standards are set by an independent Accreditation Advisory Board and include meeting ISO9001 and Investors in People requirements as well as other specific requirements, for example, on customer service. The Accreditation Advisory Board is responsible for advising Ministers on whether or not each Business Link is meeting the standards.

Business Links are also required to submit information on a quarterly basis on the number of businesses and individuals who have accessed different services and the fee income they have generated. Government Offices use this data, along with local intelligence, to monitor the performance of individual Business Links. Copies of these reports are held in the Library of the House. From April 1998, we have also required Business Links to track the impact of their services on client businesses.

At national level the performance of the Business Link Network as a whole is assessed through regular customer satisfaction and evaluation studies. The most recent evaluation report on Business Links was published in October 1998. A copy of this is also available in the Library of the House.

Small Businesses

Mr. Cotter: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 11 June 1999, *Official Report*, columns *400–01*, on small businesses, what assessment was made of the level of awareness of business support services by small business owners in the research conducted since May 1997. [87772]

Mr. Wills: The September 1997 MORI survey showed that spontaneous (able to name Business Link) awareness of Business Link was 19 per cent. and prompted awareness was 66 per cent. among directors of businesses with 10–200 employees. For businesses with between 5 and 9 employees, spontaneous awareness of Business Link was 16 per cent. and prompted awareness was 59 per cent.

AGRICULTURE, FISHERIES AND FOOD

GM Material (Irradiation)

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will list the studies which he has evaluated examining the effects of irradiation processes on GM material; what safety requirements apply to such practices; and if he will make a statement [87512]

Mr. Rooker *[holding answer 22 June 1999]:* I am not aware of any studies specifically to examine the effects of irradiation on GM material but a considerable amount of work has been carried out on the effect of this treatment on a wide range of genetic material consumed as food. There is therefore already an extensive body of information available to show that irradiation of non-living material, whatever its make-up, does not render it inherently harmful.

GM Food Additives and Flavourings

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what progress he has made in securing labelling of genetically modified additives and flavourings in food. [87607]

Mr. Rooker *[holding answer 22 June 1999]:* Progress on this in Brussels has been delayed as a result of the resignation of the Commission. However, we are continuing to press for proposals to be brought forward as quickly as possible.

Recombinant Bovine Somatotropin

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what assessments he has made of the implications for animal welfare of the use of recombinant bovine somatotropin on cows. [87610]

Mr. Rooker *[holding answer 22 June 1999]:* A Working Group of the independent Veterinary Products Committee (VPC) has considered human and animal safety aspects of the use of recombinant bovine somatotropin in dairy cows. The Group has reported to the VPC and the VPC will advise Ministers when it has considered the report. Also, the Farm Animal Welfare Council (FAWC), which also provides independent advice to Ministers, reported on the Welfare of Dairy Cattle in 1997. The report covers the subject of rBST and copies were placed in the Library of the House.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the relationship between levels of insulin-like growth factor 1 in milk from cows which have been injected with recombinant bovine somatotropin and the incidence of breast and prostate cancers in humans; and if he will make a statement. [87609]

Mr. Rooker *[holding answer 22 June 1999]:* I refer the hon. Member to the reply given to the hon. Member for Totnes (Mr. Steen) on 14 June 1999, *Official Report*, column *25*.

Bovine TB

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he will publish the research obtained by his Department from the Irish Republic on the subject of bovine TB. [87295]

Mr. Rooker *[holding answer 21 June 1999]:* My offices liaise with their counterparts in many other countries, including the Republic of Ireland, regarding research into TB in cattle and badgers. It is for other countries, not MAFF, to publish research for which they are responsible. The project to remove badgers in East Offaly in Ireland was recently reviewed in the Irish Veterinary Journal (Volume 52(4) 1 April 99).

Contaminated Animal Feeds (Belgium)

Mr. Sayeed: To ask the Minister of Agriculture, Fisheries and Food when the Government first received reports of the possibility of dioxin-contaminated animal feeds in Belgium. [87156]

Mr. Rooker: I refer the hon. Member to the statement given by my right hon. Friend the Minister on 8 June 1999, *Official Report*, columns *480–81*.

Eggs (Battery Cages)

Mr. Peter Bottomley: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on ending egg production in battery cages. [87638]

Mr. Morley: I am delighted to say that the Council of Agriculture Ministers has decided that this practice must end across the EU by 1 January 2012.

Farms (Taxation)

Sir Geoffrey Johnson Smith: To ask the Minister of Agriculture, Fisheries and Food if he will discuss with the Inland Revenue the case for reviewing the rules that a farm must make a profit once in seven years if its losses are to be tax-allowable against profits from other sources. [87263]

Mr. Rooker: Prior to the last Budget the agriculture industry submitted to the Minister and the Chancellor of the Exchequer various detailed tax proposals including the recommendation that the rules restricting the set-off of farming losses against other income should be modified. These were considered.

At present losses cannot be set off against profits from other sources if a farming business has made losses for five years. The "five year tax rule" was introduced to protect the Exchequer from subsidising the cost of continued loss-making farming activities where farming is taken up by people who are not dependent upon it for a livelihood. However tax relief is not lost as losses can be carried forward against future profits from the same source. Thus farming losses can be offset against future farming profits.

Pesticides

Mr. Swayne: To ask the Minister of Agriculture, Fisheries and Food what recent discussions his Department has had with the Treasury regarding the proposed tax on pesticides; and if he will make a statement. [87292]

Mr. Rooker: My officials have taken part in discussions with Treasury and other departments on various issues relating to the current consultation exercise on possible pesticides tax. As with all taxation matters, a final decision on such a tax lies with my right hon. Friend, the Chancellor of the Exchequer.

Women's Organisations (Consultation)

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food if he will list the women's organisations which have been consulted over proposed legislation by his Department during this session; and if their responses have been published. [87275]

Mr. Rooker: The Government are committed to making sure that policies are inclusive and take full account of the needs and experiences of all those affected by them.

Although the nature of the Ministry's responsibilities means that much of its legislative programme does not have a gender specific impact potentially interested women's groups are included in the consultations over proposed legislation. Groups which have been consulted this Session are listed on the following schedule.

Responses to such consultation exercises are generally available upon request unless those who respond indicate that they wish their response to be confidential.

Women's groups which have been consulted this Session by MAFF

Al-Hasaniya Moroccan Women's Centre
An-Nisa Society
British Housewives' League
Co-operative Women's Guild
Good Housekeeping Institute
National Alliance of Women's Organisations
National Association of Women's Clubs
National Association of Women of Great Britain
National Council of Women
National Federation of Women's Institutes
National Federation of Women's Institutes, Welsh Office
National Housewives' Association
Royal College of Midwives
Soroptomist International
Townswomen's Guild
UK Federation of Business and Professional Women
Wiltshire Federation of Women's Institute
Women's Environmental Network
Women's Farm and Garden Association
Women's Food and Farming Union
Women's National Commission
Women's Royal Voluntary Service.

Transgenic Plants

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food what funding his Department provides to scientists at *(a)* Rothamsted and *(b)* elsewhere investigating the nectar and pollen production of transgenic plants and the foraging behaviour of bees on transgenic plants. [87180]

Mr. Rooker: The Ministry has placed a programme of research at the Institute of Arable Crops Research at Rothamsted, to investigate the interactions between insects and plants. Funding of £950,000 is planned for 1999–2000. This work underpins EU and DETR funded research which looks specifically at interactions between GM crops and beneficial insects. MAFF is also funding a project at the Scottish Crops Research Institute, costing £57,000 in 1999–2000, which includes studies of the role of bees in cross-pollination of genetically modified oilseed rape. Relevant research on the role of bees was reviewed in the recent MAFF report on organic farming and gene transfer from GM crops. This review cost £25,000.

The Ministry currently funds no work on nectar and pollen production in transgenic plants.

CABINET OFFICE

Emotional Intelligence (Civil Servants)

9. **Mr. Boswell:** To ask the Minister for the Cabinet Office what plans he has to enhance awareness of, and competence in, emotional intelligence issues among civil servants. [86789]

Mr. Kilfoyle: The Civil Service College has run courses for over a decade which deal with leadership, management and interpersonal skills and two new courses, specifically on these subjects, for both junior and senior managers, will start in the Autumn.

GM Organisms

10. **Mr. Andrew George:** To ask the Minister for the Cabinet Office what assessment he has made of the co-ordination of policy on genetically modified organisms across Government Departments. [86790]

Dr. Jack Cunningham: Policy on genetically modified organisms is co-ordinated through the Ministerial Group on Biotechnology and Genetic Modification (MISC 6) which I chair.

19. **Mr. Tyler:** To ask the Minister for the Cabinet Office what representations the ministerial group on biotechnology and genetic modification has received on the importation of genetically modified seeds and food products from the USA. [86799]

Dr. Jack Cunningham: None.

Electronic Red Boxes

11. **Mr. Fabricant:** To ask the Minister for the Cabinet Office what progress has been made with electronic red boxes. [86791]

Mr. Kilfoyle: A variety of secure technologies are available to link Ministers with their private offices.

Long-term Planning

12. **Dr. Cable:** To ask the Minister for the Cabinet Office what steps he is taking to ensure that Government policy takes account of the need for long-term planning. [86792]

Mr. Kilfoyle: The Modernising Government White Paper highlighted the need for policies to be better focused on the Government's long-term goals. The Performance and Innovation Unit is working with Departments to identify the key challenges that the Government will face in the medium to long term.

Next Steps Agencies

13. **Dr. Whitehead:** To ask the Minister for the Cabinet Office what plans he has to appraise the effectiveness of the provisions for quinquennial review of the continued status of each next steps agency as a public sector body. [86793]

Mr. Kilfoyle: The Modernising Government White Paper set out our commitment to change the approach to quinquennial reviews. In the future, reviews will be directed more closely through our drive for high quality public services. We will publish guidance on the new approach in the Autumn.

Public Appointments

14. **Mr. Amess:** To ask the Minister for the Cabinet Office what recent representations he has received about the procedures for making public appointments. [86794]

Dr. Jack Cunningham: I have received a small number of recent representations from hon. Members and others about the public appointments scheme.

Electronic Correspondence

15. **Mr. Ian Bruce:** To ask the Minister for the Cabinet Office what progress he has made in co-ordinating the development of a system to enable Departments to deal with hon. Members' correspondence by e-mail. [86795]

Mr. Kilfoyle: Through the Government Secure Intranet we are building up an infrastructure to enable services such as these to be developed. Twenty-six departments and agencies are now connected to the GSI.

Better Government Initiative

16. **Mr. Bercow:** To ask the Minister for the Cabinet Office if he will make a statement on the better government initiative. [86796]

Dr. Jack Cunningham: The Modernising Government White Paper clearly sets out our programme for the reform and renewal of public services. This is a long term programme with a significant package of initiatives designed to provide services to better meet the way people live their lives. We will publish the milestones for meeting the commitments in the White Paper, and the criteria against which to judge their success, this summer.

Duchy of Lancaster

18. **Mr. Gordon Prentice:** To ask the Minister for the Cabinet Office how he intends to celebrate the 600th anniversary of the Duchy of Lancaster. [86798]

Dr. Jack Cunningham: I will welcome Her Majesty The Queen, Duke of Lancaster and His Royal Highness the Duke of Edinburgh to Lancaster next month on the 600th anniversary of the Duchy's link with the crown.

Regional Government Offices

20. **Mr. David Heath:** To ask the Minister for the Cabinet Office when he expects to publish the findings of the study by the performance and innovation unit on the role of Government offices in the regions. [86800]

Mr. Kilfoyle: The Performance and Innovation Unit is studying the "Role of Central Government at the Regional and Local Level". The study is due to be completed in the Autumn. I expect decisions flowing from the study to be announced in due course.

Archway Tower

21. **Mr. Corbyn:** To ask the Minister for the Cabinet Office what plans he has for the use of Archway tower, Junction road, London, N19; and if he will make a statement. [86802]

Mr. Kilfoyle: Refurbishment of Archway Tower is almost complete. Marketing is currently underway to let the building within Government or the private sector.

Drugs Tsar

22. **Mrs. Ann Winterton:** To ask the Minister for the Cabinet Office what representations he has received following publication of the first annual report and national plan by the UK anti-drugs co-ordinator. [86803]

Dr. Jack Cunningham: I have received many favourable representations, some from hon. Members, following the publication of the UK Anti-drugs Co-ordination Report.

Policy Presentation

23. **Mr. Sheerman:** To ask the Minister for the Cabinet Office what steps he is taking to encourage cross-departmental co-ordination on the presentation of Government policy. [86804]

Dr. Jack Cunningham: I hold regular meetings with Ministers and officials to improve the co-ordination and the presentation of Government policy.

2 Marsham Street

Mr. Leigh: To ask the Minister for the Cabinet Office when he expects to make a decision on the future of the former Government buildings in Marsham street. [86797]

Mr. Kilfoyle: The decision to demolish 2 Marsham street has already been made. However, immediate demolition has been deferred because re-use is one of the options being considered by the Home Office under its PFI project. A final decision on the timing of demolition cannot be made until the Home Office has completed another round of bidding, the result of which is expected later this year.

Security Facilities Executive

Mr. Beith: To ask the Minister for the Cabinet Office if he will make a statement on progress on the transfer of services previously provided by the Security Facilities Executive. [87774]

Mr. Kilfoyle: The Security Facilities Executive closed as an Agency on 30 June 1998 and became a Division of the Cabinet Office—Security Facilities Division (SFD).

The security guarding services are gradually being transferred to their home departments and are either being taken in-house or market tested (TUPE will apply). 339 Custody Guards have already transferred and the remaining 251 will transfer from SFD by the end of this calendar year.

Assessment and development of security equipment and explosive protection advice is planned to transfer to the Home Office (Police Scientific Development Branch) later this year. The remaining services which mainly comprise the manufacture, installation and maintenance of the AC12 alarm system and associated security devices and the consultancy advice to customers are being considered for a public private partnership.

Written Answers to Questions

Thursday 24 June 1999

FOREIGN AND COMMONWEALTH AFFAIRS

Kosovo

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral Statement of 14 June 1999, *Official Report*, column 22–33, on Kosovo, what response he has received from Hashen Thaqi about ending violence in Kosovo. [87591]

Mr. Tony Lloyd: As the Prime Minister pointed out in his statement to the House on Kosovo on 21 June 1999, *Official Report*, columns 761–64, and at the G8 Summit, the KLA has now agreed an undertaking to demilitarise in phases over 90 days, beginning with an immediate ceasefire.

Mr. Paul Marsden: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to support the gathering of evidence in Kosovo on behalf of the War Crimes Commission. [87875]

Mr. Tony Lloyd: We are doing all we can to help ICTY investigate crimes against humanity in Kosovo. A UK Scenes of Crime team has been initially tasked by ICTY to examine sites of two of the worst atrocities thought to have taken place in Kosovo. The UK team was the first such team operating on the ground in Kosovo.

In April, we appointed a UK Kosovo war crimes co-ordinator who is responsible for ensuring that as much information as possible is passed to ICTY that might be relevant to the Tribunal's investigations.

We have contributed an extra £290,000 this year to ICTY in addition to the UK's assessed contribution of US$5.1 million.

Euro (EC Seminars)

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will deposit in the Library documentation relating to the seminars provided by the European Commission to EU consumer organisations in November and December on training in important aspects of the transition to the euro, from the consumer's viewpoint; [87672]

(2) if he will make a statement on the *(a)* nature and *(b)* cost of the assistance supplied by the European Commission to the TUC to encourage public debate on EMU; [87686]

(3) if he will make a statement on the nature of the project financed by the European Commission relating to vulnerable sectors of the population and preparation for the advent of the euro. [87659]

Ms Hewitt: I have been asked to reply.

These projects appear to be financed by the European Commission from the European Union Budget, line B3–306, Information Programme for European Citizens (Prince).

The Prince programme exists to stimulate public debate on the EMU. I understand that the Commission gave the European Trades Union Congress (ETUC) 200,000 euro under the Prince programme in 1997. ETUC distributed this money to the national trades union organisations. The money received by the TUC was used to help organise seven conferences aimed at stimulating public debate on the EMU.

The seminars for consumer organisations were also organised under the Prince programme.

TRADE AND INDUSTRY

Special Advisers (US Visits)

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 17 May 1999, *Official Report*, column *253*, which special advisers visited the United States of America on 10 and 11 September 1997; and if he will list the meetings which these special advisers held with members and officials of the US Government during the visit, stating the dates and locations of each meeting and the names of the US ministers and officials at each meeting. [87414]

Mr. Byers: My right hon. Friend the Member for Derby, South (Mrs. Beckett), as the then President of the Board of Trade met Charlene Barshefsky (US Trade Representative), William Daley (US Commerce Secretary) and Elizabeth Moler (US Deputy Energy Secretary) during her visit to the United States of America in September 1997. She also participated in other meetings involving Senators and Congressmen. She was accompanied by her Special Adviser, Mr. Corry, at these meetings.

US Tariffs

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry if he will make a statement on the tariffs imposed by the United States on European Union goods as a result of the banana dispute. [87506]

Mr. Wilson: The point at issue in this dispute is the compatibility of the EU's banana import regime with the rules of the World Trade Organisation (WTO).

This regime was revised during 1998 to take account of the earlier adverse WTO rulings, but the WTO Panel ruled on 12 April that the revised regime is still not fully WTO-compliant. In addition, the WTO arbitrator determined that the annual loss to the US from the current regime is $191.4 million. On 19 April, the US was given formal WTO authority to retaliate up to that level.

The US issued a revised retaliation list on 9 April removing several sectors which had been included on an earlier list. Whilst this scaling down was welcome, we remain acutely aware that many UK businesses are adversely affected by the retaliation still in effect.

We are continuing to make representations to the US about the harm which is being caused to UK businesses in the affected sectors.

We are also continuing to press for the EU to work with the US and other interested parties to achieve an early end to this unnecessary damage to business. We are pressing for further intensive consultations with all the parties involved on the options for reforming the banana regime, in order to make it unambiguously compatible with the WTO.

Correspondence

Mr. Steen: To ask the Secretary of State for Trade and Industry when he will reply to the letter of 18 May from Rosemary Maddock of Highclere, Slapton, near Kingsbridge, Devon, about a former employee of Anchorpac Ltd. [87986]

Mr. Wills: I understand that a reply was sent by an Official in the Employments Relations Directorate on 23 June.

NORTHERN IRELAND

Rosemary Nelson

Mr. Corbyn: To ask the Secretary of State for Northern Ireland if the security force helicopters operating in the Ashgrove area of Lurgan on Sunday 14 and Monday 15 March were equipped with still or video cameras; and if photographs or video footage from them has been made available to the policy inquiry team investigating the murder of Rosemary Nelson. [86174]

Mr. Ingram *[holding answer 8 June 1999]:* All matters of security force activity in this area over the period of 12–15 March are the subject of major lines of inquiry for Mr. Port's continuing investigation. It is not, therefore, appropriate to go into detail at this stage. However, he has access to all the available information, in whatever form.

Weapons Amnesty

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many weapons and of what calibre were collected during the 1971 weapons amnesty; and how those weapons were disposed of. [87154]

Mr. Ingram *[holding answer 16 June 1999]:* The Northern Ireland Office does not hold the information in the form requested. I understand, however, that a total of 1,619 firearms and 99,440 rounds of ammunition were handed in.

Pre-school Places

Mr. Thompson: To ask the Secretary of State for Northern Ireland if she will list for each *(a)* controlled, *(b)* maintained, *(c)* integrated and *(d)* voluntary sector school in each Education and Library Board area the number of, and the expenditure on, PEAG places for the school year 1998–99. [87674]

Mr. McFall: Under 1998–99 Pre-school Education Development Plans, my Department approved the establishment of new statutory nursery units at the following schools.

School	*Education and Library Board area*	*Management Type*	*Capital cost (£000)*	*Number of part-time places*
Harryville Primary School, Ballymena	North Eastern	Controlled	80	52
St. Joseph's Primary School, Crumlin	North Eastern	Maintained	60	52
Bloomfield Road Primary School, Bangor	South Eastern	Controlled	90	52
Abbey Primary School, Newtownards	South Eastern	Controlled	70	52
St. Aloysius' Primary School, Lisburn	South Eastern	Maintained	90	52
Craigavon Primary School, Gilford[1]	Southern	Controlled	20	12
St. Clare's/St. Colman's Abbey Primary School, Newry	Southern	Maintained	55	52
Ballykelly Primary School	Western	Controlled	66	52

[1] This is an extension to an existing nursery unit

FE Lecturers (Conditions of Service)

Mr. John Cryer: To ask the Secretary of State for Northern Ireland if lecturers in Northern Ireland further education colleges prior to April 1993 were employed on conditions of service similar to the Silver Book agreement in England. [87785]

Mr. McFall: Yes, subject to minor regional variations.

Paramilitary Violence

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list for the week ended Saturday 12 June the number of *(a)* punishment beatings and *(b)* punishments shootings which took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups. [87962]

Mr. Ingram: The number of paramilitary attacks during the period 6–12 June 1999 are as shown.

	Loyalist	*Republican*
Assaults	4	2
Shootings	2	0
Total	6	2

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list for the week ended Saturday 12 June the number of violent incidents involving paramilitary groups which took place in Northern Ireland indicating how many involved *(a)* Loyalist and *(b)* Republican groups. [87961]

Mr. Ingram: The number of security incidents during the period 6–12 June 1999 are as shown:

	Number
Deaths	0
Shooting incidents	2
Bombing incidents	3

The number of casualties as a result of paramilitary-style attacks during the period are as follows:

	Loyalist	*Republican*
Assaults	4	2
Shootings	2	0
Total	6	2

Notes:

1. Figures may be subject to minor amendment
2. The shooting and bombing incidents cannot as yet be firmly attributed to a grouping

Belfast Harbour

Mr. Öpik: To ask the Secretary of State for Northern Ireland what plans the Government have for any sum exceeding the projected £70 million raised from the proposed privatisation of Belfast Harbour; and if she will make a statement. [88118]

Mr. Paul Murphy: The scheme for transferring Belfast Port to the private sector has not yet been finalised and no plans beyond the £70 million assumed in the Northern Ireland estimates for 1999–2000 have therefore been made.

HOME DEPARTMENT

London River Police

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 June 1999, *Official Report*, column *332*, on the London River Police, what estimate he has made of the *(a)* cost of overtime payments and *(b)* total cost for the service, over the millennium public holiday, at a strength of (i) 89 and (ii) 101. [87405]

Kate Hoey: The Commissioner for the Metropolitan Police tells me that all police officers on duty on the millennium public holiday will be entitled to overtime payment for being on duty. It is likely that every officer will be working a 12-hour duty, at an average cost of £297.69 per officer.

The total cost of the millennium public holiday river policing arrangements, based on a 12-hour duty on 31 December and a 12-hour duty on 1 January, using the same figure will be £595.38 per officer. This gives a total cost of £52,988.82 for 89 officers, and £60,133.38 for 101 officers.

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer of 9 June 1999, *Official Report*, column *332*, on the London River Police, for what reasons there will be a reduction in the number of river police in the period to 1 January 2000. [87402]

Kate Hoey: The Commissioner of the Metropolitan Police tells me that the reduction of numbers of river police, to 89 from 101, will align resources more closely to known and potential policing demands and so enhance the efficiency and effectiveness of the river police.

Prisons (Cell Confinement)

Mr. Mullin: To ask the Secretary of State for the Home Department if he will list the prisons in which prisoners are confined to cells for 22 hours a day or more; how many prisoners in each prison are so confined; and what the reasons are. [87957]

Mr. George Howarth: The Prison Service does not collect centrally information on the time individual prisoners spend confined to their cell.

Provisional data show that, for the year 1998–99, the average time prisoners were locked in their cells was 13.4 hours on a weekday and 14.7 hours at weekends.

Within a prison establishment, the period for which individual prisoners or groups of prisoners are unlocked will vary according to a number of factors, including their level on the incentives and earned privileges scheme. Some prisoners may be confined to their cells for most of the day, though usually only for short periods. Reasons for this might include for the maintenance of good order and discipline, because the individual prisoner has declined regime activity or because of operational demands.

Correspondence

Mr. Sanders: To ask the Secretary of State for the Home Department when he expects to reply to the letter from the hon. Member for Torbay of 9 May, in regard to the return of Mr. Melik's passport. [87839]

Mr. Mike O'Brien: Mr. Melik was granted leave to remain as a visitor and his passport returned to him on 21 June. A reply to the hon. Member will shortly be sent to this effect.

Mr. Sanders: To ask the Secretary of State for the Home Department when he expects to reply to the letter from the hon. Member for Torbay, of 9 May in regard to the return of documents belonging to Mr. and Mrs. Strange. [87840]

Mr. Mike O'Brien: I will reply shortly, but can say that Mrs. Strange has been given leave to remain in the United Kingdom for a further 12 months and her passport was returned on 22 June.

Immigration and Nationality Directorate

Mr. Sanders: To ask the Secretary of State for the Home Department if he will make a statement on the performance of the Immigration and Nationality Directorate. [87838]

Mr. Mike O'Brien: The Immigration and Nationality Directorate's caseworking operation is undergoing major accommodation and organisational changes. These changes are necessary to modernise the work of the Directorate to enable it to meet the Government's commitment to a fairer, firmer, faster immigration control. I regret any delays caused by this.

My right hon. Friend, the Home Secretary, has established a project team, working to tight deadlines, to plan and deliver urgent measures to ensure the Directorate returns to previous levels of service.

The team is looking at a range of organisational and strategic measures aimed at improving the performance of the Integrated Casework Directorate, and has developed systems for projecting future output levels so as to target improvements more effectively.

Siemens Business Services delivered the computer system on 14 June. It will now be rigorously tested and piloted to ensure that the Directorate's requirements are met. The system will then be progressively introduced and should become operational early next year.

Police Car Response Times

Dr. Cable: To ask the Secretary of State for the Home Department, pursuant to his answer of 15 June 1999, *Official Report*, column 93, on police car response times, what plans he has to commission research on this matter. [87975]

Mr. Boateng: We have no plans to commission research on this subject.

Wormwood Scrubs

Mrs. Humble: To ask the Secretary of State for the Home Department when he expects Her Majesty's Chief Inspector of Prisons' report on his inspection of HMP Wormwood Scrubs to be published. [88449]

Mr. Straw: I understand that Sir David Ramsbotham intends to publish his inspection report on Wormwood Scrubs prison on Monday 28 June. I have arranged for copies of his report to be placed in the Library and the Vote Office on publication.

CULTURE, MEDIA AND SPORT

Film Companies (Locations)

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport what support the Government give to encourage film companies to use British locations. [87877]

Janet Anderson: The Government fund the British Film Commission (BFC), which provides information and advice to overseas and domestic film production companies on making use of suitable British locations and facilities. In addition, the Government contribute to the British Film Office in Los Angeles which provides similar advice within the Hollywood community.

The UK also has a network of regional film commissions which work to attract filming to their regions. On 15 June the British Tourist Authority published its "Movie Map" which highlights the number of first class films which were made in this country.

Stonehenge (Vandalism)

Mr. Key: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of damage to Stonehenge and the World Heritage Area over the period of the summer solstice; and if he will make a statement. [88091]

Mr. Alan Howarth: While I deplore the public disorder at Stonehenge over the summer solstice, I am pleased that specialist staff from English Heritage have ascertained that there has been no structural damage to the monument. The modern perimeter fence was damaged and there was some scuffing and dislodging of lichen caused by those who climbed on the stones. The National Trust has also confirmed that although there were people camping and lighting small fires on its adjoining land within the area of the World Heritage Site, no damage was caused beyond scorching and flattening of grass.

BBC Director-General

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Chairman of the BBC concerning the procedures for selecting the next Director-General; and if he will make a statement. [88149]

Janet Anderson: None. The appointment of the Director-General of the BBC is a matter for the Board of Governors.

INTERNATIONAL DEVELOPMENT

Gambia

Mr. McDonnell: To ask the Secretary of State for International Development if she will list the projects for which aid has been provided to the Gambia during the last three years and the amounts for each project. [87946]

Clare Short: The following table shows British aid provided to the Gambia during the last three years. (The totals have been rounded up or down to the nearest £000).

£000

Project/programme title	*1996–97*	*1997–98*	*1998–99*	*1996–97 to 1998–99*
Good Government (Voter Registration Programme)	147	—	30	177
In-Service Education	296	226	16	539
Health Management Strengthening	106	24	—	130
Hospital Maintenance	40	14	9	63
Primary Health Care	60	87	—	148
Economic Management Capacity Building	—	—	50	50
Assistance to Auditor General	—	—	50	50
Mainstreaming Poverty and Gender	—	—	25	25
Records Management Improvement Project	—	—	120	120
Action Aid Capacity Building	—	—	100	100
Total expenditure	649	351	400	1,402

Kosovo

Mr. Streeter: To ask the Secretary of State for International Development if she will make a statement about her Department's involvement in the planned reconstruction of Kosovo. [88115]

Clare Short: The European Union, with the support of the World Bank, will assume the lead role in the reconstruction of Kosovo within the overall UN-led civil implementation structure. We are in close touch with all the international agencies, as well as bilateral donors, concerned with reconstruction.

The European Union and World Bank, who have set up a joint headquarters in Brussels, are coordinating damage and needs assessment and will be organising a series of donor conferences over the coming months to mobilise the necessary international effort to help reconstruct Kosovo.

We are working to ensure that the arrangements for managing EU assistance are effective and allow programmes to be implemented speedily. We are also seeking to ensure that the World Bank plays as wide a role in reconstruction as the legal status of Kosovo will allow.

SOCIAL SECURITY

Child Support Agency

Mr. Jim Murphy: To ask the Secretary of State for Social Security (1) how many people were employed by the Child Support Agency Independent Case Examiner in each of the past three years; [87575]

(2) how many cases have been dealt with by the Child Support Agency Independent Case Examiner in each of the past three years; [87573]

(3) what was the average time taken by the Child Support Agency Independent Case Examiner to conclude each case referred to him in the past three years; [87574]

(4) what plans there are to review the role and responsibility of the Child Support Agency Independent Case Examiner. [87576]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Faith Boardman to Mr. Jim Murphy, dated 23 June 1999:

I am replying to your Parliamentary Questions to the Secretary of State for Social Security about the Child Support Agency Independent Case Examiner.

I have answered three of your questions by presenting the information in table format annexed to this letter.

Table 1 shows the numbers of staff employed by the Independent Case Examiner (ICE). Senior management grades and the Independent Case Examiner herself are included in the category of investigation staff. The ICE Office began its work on 7 April 1997 but staff were recruited and receiving training from the preceding February.

Table 2 shows the intake of cases for two complete years of operation. It breaks down the number dealt with to those which received a full investigation and those which were rejected. When a complaint is received, the issues are identified and ICE check that the case can be accepted. If, for example, the Child Support Agency's complaints procedures have not been exhausted ICE will reject the case.

The rise in figures might at first sight suggest a deterioration in CSA customer service, however, this can be attributed to the legitimately rising workloads coupled with rising awareness of ICE following the launch of the first ICE Annual Report in September 1998 which generated a great deal of media interest and new work. September 1998 was the highest intake for ICE in a single month.

Table 3 gives the average time taken to carry out an investigation and report findings. A process was introduced in 1998/99 which allows appropriate cases to be identified and referred to the Child Support Agency for early resolution of the problem by taking prompt action. Thus negating the need for a full investigation by ICE. One effect of this initiative is to lengthen the average time taken to resolve those complaints where early resolution proved impossible and full investigation was needed.

In your fourth question you asked what plans there are to review the role and responsibility of the ICE. The post of Independent Case Examiner is a three year, fee paid, contract with the Department of Social Security, with the possibility of renewal by mutual consent. The three-year period for Mrs Parker does not expire until February 2000. Any announcements about this will be made to Parliament in the normal way.

The ICE acts as an impartial referee and conducts investigations into cases where CSA customers feel that they have been badly treated by the Agency. The ICE makes recommendations on redress, whether that takes the form of an apology, or financial compensation, and also makes recommendations on how the Agency might improve its administrative systems for the benefit of customers. The ICE role does not extend to investigating complaints relating to Child Support legislation, or those which have undergone, or are undergoing, investigation by the PCA.

There are also certain criteria that need to be satisfied for a complainant to obtain the services of the ICE. The ICE will only take on a case if the Agency's own complaints procedures have been exhausted, and the complainant has received a letter from, or on behalf of, myself in response to their complaint, within the last 6 months.

I hope you find this helpful.

Table 1: Number of staff employed by ICE

Year	*Investigation staff*	*Support staff*	*Total*
1996–97	35	5	40
1997–98	36	5	41
1998–99	34	4	38

Table 2: Intake of cases

	1997–98	*1998–99*
Number at start of year	0	267
New cases	1,087	1,536
Total	1,087	1,803
Dealt with:		
Rejected	616	832
Investigated	204	474
Total dealt with	820	1,306
Carried forward	267	497

Table 3: Average time for investigation and report

weeks

Year	*Early resolution*	*Full report*
1997–98	—	17.4
1998–99	17.2	33.6

Note:
These figures should be viewed in conjunction with Table 2 showing increased intake and outputs

Stakeholder Pensions Advisory Group

Kali Mountford: To ask the Secretary of State for Social Security what progress he has made in setting up his stakeholder pensions advisory group. [88722]

Mr. Darling: The new stakeholder pensions advisory group will complement the formal consultation process for stakeholder pensions. It will draw on the experience of people with day-to-day experience of pensions—including employers and the pensions industry—to help make sure that the detail of stakeholders pensions is right, and that costs for the pensions industry and employers are kept to a minimum.

Members of the group will be: Chair: Tom Ross (Aon Consulting and Scottish Life); large employer: Mark Hodgkinson (Barclays Bank); medium-sized employer: Judy Lever (Blooming Marvellous Ltd.); small employer: Ken Lewis (Dutton Engineering); insurance industry: Adrian Boulding (Legal & General); occupational pension scheme: David Morgan (CMT); independent financial adviser: Terry Bennet (PIFC); union fund: Joanne Segars (TUC); trust manager: Dugald Eadie (Hendersons).

Housing Benefit Claimants (Rent)

Mr. Webb: To ask the Secretary of State for Social Security for how many current recipients of housing benefit their eligible rent is below the actual rent which they pay because of (i) the single room rent rules, (ii) the average reference rent rules and (iii) either of the above; and, in each case, what is the average amount by which the eligible rent falls short of the actual rent paid. [87778]

Angela Eagle: The information is not available in the format requested. We do not centrally collect information of individuals' contractual rent because it will commonly include items not eligible for Housing Benefit.

The measures which limit the rent for Housing Benefit purposes are:

certain service charges included in the contractual rent which are not generally eligible for Housing Benefit, for example, charges for cleaning, laundry, fuel, meals and personal care and nursing;

the range of determinations, including determinations of single room rents, made by rent officers in respect of most claims from tenants living in the private rented sector; and

where local authorities consider that the rent is unreasonably high or the accommodation overlarge or the eligible rent is nonetheless too high in respect of a particular case.

Pension Schemes

Mr. Webb: To ask the Secretary of State for Social Security if he will list the existing pension schemes with charges at or below one per cent. to which he referred in his press statement of 2 June; and if he will make a statement on whether these schemes meet the other proposed requirements of stakeholder pensions. [86459]

Mr. Darling: I have written to the hon. Member today in response to his question. A copy of the letter has been placed in the Library.

Poverty Audit Index

Dr. Gibson: To ask the Secretary of State for Social Security what plans he has to establish and publish the Poverty Audit Index. [87087]

Angela Eagle: We will publish the first annual report on tackling poverty and social exclusion later this year.

Incapacity and Invalidity Benefit

Mr. Berry: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women have claimed (i) invalidity benefit and (ii) incapacity benefit in each year since 1991. [87589]

Mr. Bayley: The information is in the table.

The number of spells of Invalidity Benefit[1] (1991–92 to 1994–95) and Incapacity Benefit[2] short-term higher rate and long-term rate (the equivalent of Invalidity Benefit) (1995–96 to 1997–98) that commenced during each statistical year

	Men	*Women*
1991–92	233,000	90,000
1992–93	239,000	98,000
1993–94	242,000	106,000
1994–95	232,000	109,000
1995–96	174,000	97,000
1996–97	179,000	104,800
1997–98	182,000	104,000

[1] Invalidity Benefit from 1991–92 to 1994–95.

[2] Incapacity Benefit at the short-term higher and long-term rates (the equivalent of Invalidity Benefit) from 1995–96 to 1997–98.

Notes:

1. It is possible for a person to have more than one spell of benefit during a year.
2. Figures are from a 1 per cent. sample of claimants.

HEALTH

Yellow Card Scheme

Mr. Etherington: To ask the Secretary of State for Health what steps he proposes to take to increase the awareness of the yellow card scheme among medical and dental practitioners. [86157]

Ms Jowell: The Medicines Control Agency (MCA) and the Committee on Safety of Medicines (CSM) continue to investigate methods to increase the awareness of the yellow card scheme among medical and dental practitioners.

A survey of general practitioners was recently undertaken and consideration is currently being given to the findings. Steps that have already been taken or are planned include:

Education:

A forthcoming edition of "Current Problems in Pharmacovigilance" will include a special feature on what happens to reports of suspected adverse reactions and how they help to protect public health.

The MCA and CSM representation and presentations at conferences attended by doctors and pharmacists.

Encouraging Medical Schools to include adverse drug reactions and promote an understanding of the methods of drug safety monitoring as core parts of the curriculum.

Publication of articles in medical and pharmaceutical journals.

Making yellow cards more widely available and easier to use and introducing alternative reporting methods eg fax, phone and electronic.

An electronic yellow card that automatically populates the fields of a pre-formatted yellow card and allows the GP to send the report directly to the MCA via a modem is already in use by a number of GPs.

Improving feedback on the scheme, including changing the format and content of the bulletin "Current Problems in Pharmacovigilance" and the MCA and CSM internet homepages.

Wheelchairs

Mr. Paul Marsden: To ask the Secretary of State for Health what maintenance checks are made on refurbished NHS wheelchairs before they are despatched to disabled people; and if he will make a statement. [87571]

Mr. Hutton: National Health Service Supplies arranges contracts on behalf of NHS trusts for the repair, modification and maintenance of wheelchairs.

Rehabilitation engineers are employed by NHS trusts and among their duties carry out checks on a representative batch of the work completed by the repairers. If the batch inspected fails to meet the standard required, the whole consignment is rejected and has to be reprocessed by the repairer.

Nurses (Costs)

Mr. Öpik: To ask the Secretary of State for Health (1) what is the average daily cost to the NHS of employing nursing staff through private employment agencies, at each grade; and if he will make a statement; [87425]

(2) what is the average daily cost of nursing staff employed directly by the NHS, at each grade; and if he will make a statement. [87426]

Mr. Denham: The information requested is not available centrally.

Insulin Pen Needles

Mr. Cummings: To ask the Secretary of State for Health when he expects pen needles used by insulin-dependent diabetics to be available free of charge; and if he will make a statement. [87641]

Mr. Sanders: To ask the Secretary of State for Health when he expects to make an announcement concerning the prescribing of insulin pen needles; and if he will make a statement. [87644]

Mr. Denham: We have received representations from most of the organisations consulted. We are considering them, and are seeking clarification on certain points before we make our final decisions.

ME

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on progress made by the working group on ME. [87872]

Mr. Hutton: The chronic fatigue syndrome/myalgic encephalomyelitis working group, supported by a sub group looking at children's issues and a wider reference group, is making good progress and remains on target to report to the Chief Medical Officer by the end of next year.

Cloning

Shona McIsaac: To ask the Secretary of State for Health when he expects the Government response to the Joint Human Genetics Advisory Commission and Human Fertilisation and Embryology Authority report, "Cloning Issues in Reproduction, Science and Medicine", to be published. [88432]

Ms Jowell: The Government's response to the joint Human Genetics Advisory Commission (HGAC) and Human Fertilisation and Embryology Authority (HFEA) report, "Cloning Issues in Reproduction, Science and Medicine" has today been placed in the Library.

Following public consultation, the joint HFEA/HGAC report's recommendations included the proposal that consideration be given to regulations under the Human Fertilisation and Embryology Act 1990 to allow research for therapeutic purposes which involved cloning techniques.

The Government reaffirm their policy that human reproductive cloning is ethically unacceptable and cannot take place in this country. Also, more evidence is needed of the potential benefits to human health before the use of cloning for therapeutic purposes is allowed in research. We recognise that regulations to allow therapeutic research should be very carefully considered. We believe, however, that more evidence is required of the need for such research, its potential benefits and risks and that account should be taken of alternative approaches that might achieve the same ends.

That is why we have asked the Chief Medical Officer, Professor Liam Donaldson, to set up and chair an independent expert advisory group to seek the views of a range of experts, both here and abroad, so that we have a clearer idea of the potential benefits of such research for human health.

We expect it will begin work during the summer and report its findings to Ministers early next year.

We welcome the HGAC/HFEA report's recognition that the safeguards currently in place are wholly adequate to prevent human reproductive cloning in the United Kingdom, and that the Government's policy of forbidding this practice received support during the public consultation.

The Government accept the report's recommendations that the adequacy of the safeguards and related issues should be kept under review in order to address public concerns about the rapidity of development in these areas at the cutting edge of science and medicine.

NHS Procurement

Mr. Grogan: To ask the Secretary of State for Health what plans he has to modernise NHS procurement. [88643]

Mr. Denham: My right hon. Friend the Secretary of State for Health is today publishing the report of a Cabinet Office Review of NHS Procurement which sets out a range of recommendations to develop NHS procurement.

Copies have been placed in the Library. We have accepted the broad thrust of these recommendations and the Department of Health, NHS Trusts, and the NHS Supplies Authority will now start to put in place the new arrangements to improve the efficiency and effectiveness of purchasing and supply in the NHS.

A key recommendation was to establish a Supplies Co-ordination Body, drawn from the existing NHS Supplies Authority purchasing and strategy functions to provide a stronger central focus for procurement work. We are announcing today our intention to establish a NHS Purchasing and Supply Agency from 1 April 2000 to take this work forward in the Department of Health.

Waiting Times

Mr. Steen: To ask the Secretary of State for Health what the waiting times are for orthopaedic (i) initial consultation and (ii) operations in *(a)* Dorset, *(b)* Somerset and *(c)* Bristol; and if he will make a statement on the procedures for the referral of a patient for an operation to a hospital outside his health authority area. [88020]

Mr. Denham: The latest information available on inpatient and outpatient orthopaedic waiting times in Avon, Dorset and Somerset Health Authorities is shown in the tables:

Percentage

	Avon	*Dorset*	*Somerset*
Waiting time for trauma and orthopaedic inpatients—Quarter 4 1998–99			
0–5 months	57	100	70
6–11 months	34	0	25
12–17 months	9	0	5
18 months plus	0	0	0
Waiting time for trauma and orthopaedic outpatients—Quarter 4 1998–99			
0–3 weeks	25	20	20
4–12 weeks	30	46	29
13–25 weeks	19	32	29
26 weeks plus	26	2	22

Under the new arrangements for commissioning patient services, general practitioners and consultants will retain the clinical freedom to refer patients for the most appropriate treatment and will base their decision on their professional judgment and assessment of the case.

Where there are consistent patterns of referrals to a service, whether a specialised service or more locally, these are being built into service agreements. Cases that do not fit this will be covered by the new arrangements for out of area treatments. Unlike the extra contractual referral arrangements, there is no formal prior approval mechanism for out of area treatments, so the process for such referrals is simpler.

All out of area treatment referrals will be covered by the standards for quality and effectiveness specified in the main commissioner's service agreement and will be treated under the same agreements and on exactly the same basis.

EDUCATION AND EMPLOYMENT

Departmental Press Releases

Mr. Keetch: To ask the Secretary of State for Education and Employment what was the number of pages issued as press releases from his Department for 16 and 17 June; and if he will make a statement. [87973]

Mr. Mudie: The Department issued nine Press Releases consisting of 29 pages.

Age Diversity

Dr. Cable: To ask the Secretary of State for Education and Employment by what means he plans to monitor the effectiveness of the recently published code of practice for age diversity in employment. [87855]

Mr. Andrew Smith: We plan to evaluate fully the effectiveness of the Code of Practice for Age Diversity. The evaluation will look in detail at employer policies and practices in recruitment and employment and the impact this has on age diversity in their workforce. After a competitive tendering exercise, we have commissioned an independent organisation, NOP, to carry out a large scale research project to help evaluate the effectiveness of the Code.

An employer survey will involve telephone interviews with a random sample of companies employing 10 or more people. The sample will provide a good coverage of different industrial sectors, regions and size of employers. There will also be in-depth case studies in order to explore practices and attitudes towards age discrimination in employment in more detail and to discuss the issues with managers and workers at the establishment.

In addition, a random sample of older people will be interviewed on their current situation and their employment experiences and on whether they have experienced any employment discrimination on grounds of age.

In order to provide a baseline against which to measure change, an initial survey or employers and individuals has been carried out prior to the publication of the Code. Two further surveys will be carried out, towards the end of this year and in late Autumn 2000 to measure the impact of the Code. The evaluation will be completed and findings published early in 2001.

We will also be using the range of key labour market indicators that we set out in Annex E of *Action on Age* to monitor changes and trends in the labour market activity of older workers. These will be published annually in June/July.

Expelled Pupils

Dr. Cable: To ask the Secretary of State for Education and Employment how many year 11, 10 and 9 pupils were expelled from schools in London and the South East in 1997–98. [87856]

Ms Estelle Morris: The information is not available in the form requested. However, the number of permanent exclusions for pupils aged 15, 14 and 13 is shown in the following table:

Academic year 1997–98 (age as at August 1997)

	15	*14*	*13*
Inner London	106	174	147
Outer London	250	349	249
London (Total)	356	523	396
South East	355	513	355
Total (London and South East)	711	1,036	751

This total represents a significant reduction from the 1996–97 year when 757 pupils aged fifteen, 1,070 pupils aged fourteen and 847 pupils aged thirteen were permanently excluded from schools in London and the South East.

Rainsford School, Chelmsford

Mr. Burns: To ask the Secretary of State for Education and Employment, pursuant to his answer of 21 May 1999, *Official Report*, column *475*, when he expects to reach a decision on the appeal made by Rainsford School, Chelmsford, against the direction of Essex County Council to admit a pupil, whose name has been supplied to his Department. [88081]

Ms Estelle Morris: Officials have now received the necessary information from Essex LEA and are drawing up advice for my right hon. Friend the Secretary of State to make his final decision on the case shortly.

EU Education Council

Mr. Sutcliffe: To ask the Secretary of State for Education and Employment what was the outcome of the Council of EU Education Ministers held on 7 June. [88573]

Mr. Andrew Smith: On 7 June, the Council of EU Education Ministers held an exchange of views on the preparations for the implementation of the new EC education and training programmes Leonardo da Vinci II and Socrates II. Ministers also discussed the contribution of education to the European Employment Pact and Forward Planning in the field of education.

Ministers received information on the Conference of European Education Ministers in Budapest from 24 to 26 June 1991, and on the Conference of EU Higher Education Ministers which will take place in Bologna on 18 and 19 June. No formal decisions were taken.

A copy of the official minutes of the Council will be placed in the Library when they become available.

School Standards and Framework Act 1998

Mr. Watts: To ask the Secretary of State for Education and Employment what plans he has to consult on draft regulations under section 38 of the School Standards and Framework Act 1998. [88572]

Ms Estelle Morris: These are significant regulations on which it will be important to have the widest debate. The Education Sub-Committee of the Education and Employment Select Committee is conducting an Inquiry into the Role of Governing Bodies, taking evidence from governing body, head teacher and other interests. As the Inquiry is expected to be completed before the summer recess, I have written to the Chairman of the Sub Committee, my hon. Friend the Member for Croydon, North (Mr. Wicks), to inform him that we plan to consult on the regulations in September 1999 to enable account to be taken of the Inquiry's recommendations. Copies of my letter have been placed in the Library.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Special Advisers

Mr. Tyrie: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the occasions when special advisers in his Department have travelled abroad in an official capacity accompanied by Ministers; and if he will give the total travel cost of each occasion and the place visited. [82431]

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions on what dates special advisers from his Department have travelled abroad on official business since 2 May 1997; which countries were visited on each occasion; and what were the names of the special advisers who travelled abroad on each occasion. [87410]

Mr. Prescott: In the period 2 May 1997 to 31 March 1999, Special Advisers in my Department have accompanied Ministers overseas in an official capacity on 36 occasions to Asia and the Far East, Australasia, the USA, South America and mainland Europe. The total cost of travel and any hotel accommodation is £68,500. All travel complied with the requirements of the Ministerial Code and the Civil Service Management Code.

A303(T)

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about progress towards construction on the A303 (T) of *(a)* the Winterbourne Stoke bypass, *(b)* the cut-and-cover tunnel past Stonehenge and *(c)* a flyover at Countess Roundabout. [86846]

Ms Glenda Jackson: The responses to the Public Consultation on these proposals are being considered. An announcement will shortly be made.

Drivers (Licences and Insurance)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the numbers of drivers *(a)* driving without a full licence and *(b)* driving without adequate insurance; and what plans he has to reduce these numbers. [87149]

Ms Glenda Jackson: In 1997 there were 130,500 prosecutions for driving without a licence, 46,000 for driving while disqualified and 48,500 for failing to produce a driving licence. This suggests that in any one year 225,000 people or approximately 0.8 per cent. of drivers are detected driving while unlicensed. We intend, when a suitable legislative opportunity occurs, to introduce legislation to empower police services to have

direct access, in defined circumstances, to the driver licensing database so that offences can be more readily detected at the roadside.

It is estimated that between 4 per cent. and 6 per cent. of motorists drive while uninsured, an offence for which 310,500 people were prosecuted during 1997. Plans for a motor insurance database have been drawn up by the insurance industry with the support of my Department. Once implemented, police will be able to check insurance details at the roadside.

Rail Services (Carriage of Bicycles)

Mr. Bradshaw: To ask the Secretary of State for the Environment, Transport and the Regions if he will discuss with the Office of Passenger Rail Franchising and South West Trains the re-instatement of bicycle carriage on all trains to a minimum of 10 spaces per five car train. [87256]

Ms Glenda Jackson: The franchise agreements which govern the provision of service require train operators to provide facilities for the carriage of bicycles, so far as it is practicable for them to do so and subject to the availability of space on their rolling stock. The only five car trains operated by South West Trains are Wessex Electrics on services from London Waterloo to Southampton–Bournemouth, Weymouth and Poole. These trains can currently carry five bicycles per five car unit in specially designed racks. We have made it clear that one of the key criteria to be considered in any franchise renegotiation will be the commitment to promote Integrated Transport.

Welsh Highland Railway

Mr. Snape: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to approve the application for an order under the Transport and Works Act 1992 for the reconstruction of the Welsh Highland Railway between Dinas and Porthmadog. [87583]

Ms Glenda Jackson: The application is being given the most careful consideration and I will ensure that my hon. Friend is informed of the outcome.

Ministerial Meetings (Ireland)

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions Ministers in his Department have held meetings with Ministers and officials of the Irish Government since 1 January 1998 indicating the dates and locations, the Ministers involved and the names of the Irish Ministers and officials in each case. [87428]

Mr. Prescott: The information for DETR is as follows:

Date	*Location*	*DETR*	*Irish Minister*
23 February 1998	Dublin	Angela Eagle	Tom Kitt, Minister for Labour, Trade and Consumer Affairs
24–25 April 1998	Chester	Michael Meacher	Noel Dempsey, Minister for the Environment
25 January 1999	London	Glenda Jackson	Mary O'Rourke TD, Minister for Housing
19 February 1999	Dublin	Hilary Armstrong	Robert Molloy, Minister for Housing
25 February 1999	London	Michael Meacher	Joe Jacob, Minister for Agriculture

Relevant officials were also in attendance.

Road Safety (Traffic Speeds)

Mr. Peter Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of how the Slow Down Campaign will benefit vulnerable users of rural roads. [87635]

Ms Glenda Jackson: The DETR is currently engaged in a comprehensive review of speed policy. This will include a full assessment of the measures needed to improve speed management in rural areas and the safety of all road users, particularly the more vulnerable pedestrians, cyclists and equestrians. Officials have met a number of interested parties, including the Slower Speeds Initiative (formerly the Slow Down Campaign).

Mr. Peter Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions how many crashes on rural roads causing injury were associated with excessive speed, listing the fatalities, serious injuries and slight injuries, in the most recent year for which figures are available. [87634]

Ms Glenda Jackson: The national reporting system for injury road accidents does not specifically record whether an accident took place on a "rural road". However, the 1998 casualty data for accidents which took place on roads with a speed limit in excess of 40 mph are shown in the table.

The contribution of speed to these accidents is not comprehensively recorded, but it is estimated that speed is a contributory factor in one third of road accidents on all roads.

Casualties on non built-up roads: GB 1998

Severity	*Casualties*
Fatal	1,855
Serious	14,321
Slight	71,882
All severities	88,058

Note:
Roads with a speed limit in excess of 40 mph with the exception of motorways

Listed Buildings

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many listed buildings in each category have been destroyed since 1992. [87629]

Mr. Raynsford: My Department records, on a financial year basis, cases where local planning authorities in England notify the Department that they intend to grant consent for the total demolition of a listed building, consents which the Department itself issues, and other total demolitions which are brought to our attention. Since

the House of Lords judgment in the case of Shimizu (UK) Ltd. *v.* Westminster City Council, the demolition of a curtilage building is likely to be treated as an alteration and hence is no longer included in the demolition statistics from 1997–98. The figures for the last seven years are:

Year	*Grade I*	*Grade II**	*Grade II*
1992–93	0	0	68
1993–94	0	2	62
1994–95	1	12	79
1995–96	2	0	49
1996–97	1	5	55
1997–98	0	2	56
1998–99	0	0	50

Records are not kept centrally on the extent to which consents are implemented.

Recycling

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions (1) what measures he is taking to encourage recycling by *(a)* local authorities, *(b)* businesses and *(c)* individuals; [87950]

(2) what measures he is taking to encourage a market for recycled products with particular reference to paper; [87951]

(3) what measures he is taking to encourage the use of recycled products. [87952]

Mr. Meale: In July 1998 the Government established a Market Development Group to consider the measures that could be taken to enhance the markets for recycled materials, including paper, and to develop proposals to help overcome any barriers. The Group considered a range of measures, including the use of economic instruments; quality standards and specifications for recycled goods and materials; the concept of eco-design; whether longer term contracts for the sale of recyclable materials might be helpful; and whether it is desirable to set mandatory levels of recycled content for specified goods.

The Group has now finished its work and its report and recommendations for action will be published for consultation at the same time as the draft waste strategy.

Wembley

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with English Partnerships about the regeneration of Wembley around the new English National Stadium. [87792]

Mr. Raynsford: English Partnerships, LB Brent, the English Stadium Trust and Development Company, Sports England and the Government Office for London have jointly sponsored a comprehensive regeneration framework for Wembley. This work is shortly to be completed and in its next stage involves an area masterplan running in parallel with the design of the stadium and intended to secure a significant upgrade in Wembley's economic and physical environment.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with local police and transport police about passenger safety and crowd control at Wembley Park, Wembley Central and Wembley Stadium stations. [87788]

Mr. Raynsford: Wembley's ability to handle large crowds through its public transport infrastructure was central to its successful bid for the new National Stadium. Issues of passenger safety and crowd control are a matter for the long standing and successful liaison arrangements between the stadium operator, local police, London Transport and other rail operators.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what measures he is taking to ensure that the quality of the built environment surrounding the new English National Stadium is adequate to accommodate international events. [87790]

Mr. Raynsford: This is a matter for the London Borough of Brent as local planning authority in the first instance. Their unitary development plan contains policies to protect and enhance the built environment around the Stadium which they will apply to the planning application for the Stadium when it is made and those for other development proposals as they come forward.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what measures he will take to ensure that the redevelopment of Wembley Stadium brings economic benefits to the local area. [87845]

Mr. Raynsford: The Wembley Park Regeneration Partnership between local public and private sector interests was formed for just this purpose. The Partnership has secured Single Regeneration Budget Challenge Fund support of £15,255,000, towards an overall £137 million seven year programme of infrastructure and training/employment initiatives in the Business Park surrounding the Stadium. The programme commenced in April 1996.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the applicability of lessons learned from the regeneration at Greenwich to the regeneration of Wembley. [87793]

Mr. Raynsford: There are distinct differences between the Greenwich Peninsula and the development context at Wembley; not least in the depth and extent of contaminated land and pre-existing levels of transport provision. We are keen however that appropriate lessons from both Greenwich and other key London Regeneration sites are incorporated into the Wembley solution.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with Sport England and the local planning authority on the capacity of the public transport infrastructure around the new English National Stadium. [87789]

Mr. Raynsford: Wembley's successful bid for the National Stadium was based on the adequacy of its local transport infrastructure. The impact of the Stadium on this infrastructure will turn both on detailed design which will not be unveiled until mid summer, and the substance of the planning application to the London Borough of Brent, which I understand will not be made until October. In the

meantime I am a member of the Stadium Development Monitoring Committee, which is the natural focus for visitor management issues, and at which Sport England are represented.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Government Office for London about the SRB5 bid for Wembley submitted by the London Borough of Brent; and on what dates. [87794]

Mr. Raynsford: My right hon. Friend the Minister for the Regions, Regeneration and Planning met with GOL officials and the London Development Partnership on 14 June to discuss all London bids in the current SRB round.

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Parliamentary Under-Secretary of State, the hon. Member for Hampstead and Highgate (Ms Jackson), has to visit Wembley to inspect the public transport infrastructure around the new English National Stadium. [87791]

Mr. Raynsford: My hon. Friend has been invited by the London Borough of Brent to visit the area in early July. No itinerary has yet been finalised but there may well be an opportunity to visit the Stadium environs.

Liquid Petroleum Gas

Mr. Laxton: To ask the Secretary of State for the Environment, Transport and the Regions what grants are available towards the cost of converting private motor vehicles to be able to use liquid petroleum gas. [87959]

Ms Glenda Jackson: The Energy Saving Trust's Powershift programme, funded by my Department, provides grants towards the cost of converting new vehicles (up to one year old) to run on alternative fuels, such as liquid petroleum gas. The value of the grant, which can cover up to 75 per cent. of the conversion costs, is determined by the improvement in emission performance as a result of the conversion. To date, the Powershift programme which is targeted at fleet operators has assisted in the purchase of over 1,000 vehicles.

Voluntary Sports Clubs

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 10 February 1999, *Official Report*, column *245*, on voluntary sports clubs, what was the outcome of the review into rate relief for non-profit making sports clubs; and if he will make a statement. [87874]

Mr. Meale: We are making good progress with the review of the arrangements under which local authorities may grant relief from non-domestic rates to non-profit making sports clubs and will issue a consultation paper later in the year.

Genetically Modified Crops

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many hours HSE inspectors have spent undertaking field inspections of genetically modified trial crop sites for each month since October 1997. [87602]

Mr. Meacher *[holding answer 22 June 1999]*: Over the period in question, on average, HSE has devoted 75 inspector hours per month to inspection and enforcement on GM trial sites under the Genetically Modified Organisms (Deliberate Release) Regulations 1997 (as amended) as required by the agency agreement with DETR. The detailed figures requested are given in the following table, up to April 1999, which is the most recently available information.

	Inspection hours
1997	
October	58.8
November	75.6
December	92.4
1998	
January	105.2
February	79.8
March	86.5
April	71.4
May	56.7
June	132
July	118
August	16.8
September	153.3
October	109.2
November	79.8
December	75.6
1999	
January	42.3
February	21
March	0
April	58.8

Transport Council

Mr. Hood: To ask the Secretary of State for the Environment, Transport and the Regions what was the outcome of the Transport Council held in Luxembourg on 17 to 18 June; and if he will make a statement. [87977]

Mrs. Liddell: The Transport Council met in Luxembourg on 17 June. I represented the United Kingdom.

The Council expressed its condolences to the French and Austrian transport Ministers following the recent fatal fires in the Mont Blanc and Tauern Tunnels. The Presidency said that, during the coming months, the Council would be considering recommendations on tunnel safety, in accord with the remit of the European Council in Cologne.

The Council agreed a common position on a draft Directive aimed at avoiding pollution at sea by ensuring that ships discharge their waste while they are in port into properly planned and adequate waste reception facilities.

A common position was agreed on an amendment to the guidelines on transport Trans-European Networks (TENs), to clarify the eligibility of sea and inland ports for TENs funding.

The Council agreed a Resolution giving its support to the definition phase of the Galileo satellite navigation project. Ministers agreed that the Council should maintain oversight of this work, and at my request the Resolution included an instruction to the Commission to present the

results to the Council as soon as they are available, to allow early consideration of the validity of the project and of its advantages compared with current systems and their developments. The Council agreed to my suggestion that the Commission should in any case present a further report to the October Council.

The Council agreed a Resolution expressing concern about growing air traffic delays. I expressed concern about the inconvenience caused to business and leisure travellers and stressed the need to ensure that the powers in EUROCONTROL's new Convention were implemented and properly used to improve the situation.

The Council took note of reports by Member States on action they are taking to deal with the Year 2000 computer problem in their transport sectors, and agreed to return to the issue at the October Council. The Commission undertook to convene a high-level group to consider whether additional action was needed at Community level.

I joined others at the Council in suggesting that it is time for further progress to be made on EU rail liberalisation. At the end of the debate no agreement was reached, and the Presidency asked for further work to be done.

Under other business, the Council heard reports from the Commission on its negotiations towards Community membership of EUROCONTROL and the proposed new European Aviation Safety Authority. The Commission also reported on: the successful outcome of the renegotiation of the Warsaw Convention, which brings air passenger liability rights in line with Community rules; the establishment of a high-level group to prepare for an "innovation forum", as requested by the informal Transport Council at Dortmund; and the proposed allocation of quotas for lorry transit traffic through Switzerland.

Out-of-town Stores

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on Government policy towards planning applications for out-of-town stores. [88119]

Mr. Caborn: The Government's policy toward out-of-town retail development is set out in our Response to the House of Commons Environment Committee report on Shopping Centres [Cmnd 3729], which reaffirmed our commitment to Planning Policy Guidance note 6 (PPG6): Town Centres and Retail Developments. Further clarification of PPG6 was given in answer to a question from my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson) on 11 February 1999, *Official Report*, columns *309–10*.

Walking

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of journeys were on foot in the most recent year for which data are available. [88162]

Ms Glenda Jackson: In 1995–97, 28 per cent. of journeys in Great Britain were on foot.

Urban Task Force Report

Mr. Pearson: To ask the Secretary of State for the Environment, Transport and the Regions when the Urban Task Force report will be published. [88448]

Mr. Prescott: The Urban Task Force report will be published at 10.30 am on Tuesday 29 June. Copies of the Report and the Executive Summary will be placed in the Vote Office and the Library.

Rail Performance

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's latest assessment of trends in rail performance. [88571]

Mrs. Liddell: My Department has today published the latest quarterly Bulletin of Rail Statistics, a copy of which has been placed in the Library.

Comparing the fourth quarter of 1998–99 with the fourth quarter of 1997–98, punctuality fell from 93.3 per cent. to 92.5 per cent. This is an unacceptable decline in performance. At the Rail Summit in February this year, rail companies agreed to improve performance year on year.

A calculation error made in 1996 means that the figures for national average punctuality have previously been understated. This does not affect the percentage punctuality figures that have been published for individual operating companies. The reliability figures are also unaffected.

However, current measures, including the corrected figures in this Bulletin, remain misleading. They are derived from Passenger Charter statistics, which do not cover all services and allow operators to disregard days ("void days") on which performance is very bad. The shadow Strategic Rail Authority are currently consulting on an improved measure of punctuality and reliability to be finalised this Autumn.

Punctuality is just one of a number of factors considered important by passengers. The new National Passenger Survey will ensure that all major passenger concerns will be monitored for each TOC. This will allow precise identification of areas for improvement and give passengers a voice in the running of the railway. First results from the National Passenger Survey will be published by the end of the year.

ATTORNEY-GENERAL

Treasury Counsel (Common Law)

Mr. Dismore: To ask the Attorney-General what *(a)* representations he made, *(b)* correspondence he had and *(c)* meetings he held about (i) the creation of the vacancy for Treasury Counsel (Common Law) in May 1997 and (ii) the filling of the vacancy. [88016]

The Attorney-General: Soon after I was appointed Attorney-General in May 1997, I became aware of the fact that I would need to appoint a new First Treasury Counsel (Common Law) relatively soon as, although it was a matter for the Lord Chancellor, I believed that the then incumbent might be appointed as a High Court

judge shortly. The then Solicitor-General and I consulted widely, in meetings between May and November 1997, with members of the senior judiciary, the Treasury Solicitor's Department and others who could assist us in reaching a view as to who should be appointed as the next First Treasury Counsel (Common Law). I appointed Philip Sales after a meeting with him on 17 November 1997.

My Department had correspondence with the Treasury Solicitor's Department on the subject and latterly with the Lord Chancellor's Department so that the announcement of the judicial appointment could be synchronised with the announcement of Mr. Sales' appointment.

Hayes *v.* Attorney-General

Mr. Dismore: To ask the Attorney-General if he will place in the Library copies of the witness statements disclosed by the respondent in the case of Hayes v. Attorney General. [88017]

The Attorney-General: No. The statements are subject to legal professional privilege.

Mr. Dismore: To ask the Attorney-General if he will list the documents disclosed by the respondent in the case of Hayes v. Attorney General and place copies in the Library. [88018]

The Attorney-General: No. The documents were disclosed to the applicant only for the purposes of the proceedings in the employment tribunal, where the interests of justice required their disclosure. Many of the documents contain information about third parties which was imparted to me and to others in confidence. I believe that it would be inappropriate to disclose them further. It was not necessary to compile a list of the documents disclosed in the case and to publish a full list now would also breach the confidences referred to above.

AGRICULTURE, FISHERIES AND FOOD

Bovine TB

Lorna Fitzsimons: To ask the Minister of Agriculture, Fisheries and Food what response the Government have made to recommendation 69 of the Standing Committee to the Bern Convention regarding TB and badgers. [88644]

Mr. Nick Brown: The Government submitted a formal response to this recommendation on 12 April. A copy has been placed in the House Libraries.

DEFENCE

Territorial Army

Mr. Evans: To ask the Secretary of State for Defence when the closure of the TA base in Caernarfon was announced; and if he will make a statement on the consultation carried out prior to the decision. [82268]

Mr. Doug Henderson *[holding answer 27 April 1999]:* The Territorial Army (TA) Centre in Caernarfon will remain open as the home of Company 3 Caernarfon Detachment, the Royal Welsh Regiment. This was announced on 17 November 1998. The plan was included, but not challenged, during the extensive rounds of consultation with the Army, TA and TAVRAs, held before decisions were taken in November.

Mr. Paul Marsden: To ask the Secretary of State for Defence what steps he is taking to encourage recruitment to the Territorial Army. [87876]

Mr. Doug Henderson: Territorial Army units continue to recruit locally to meet the overall target of some 10,000 recruits for this year. A national campaign to raise awareness of the TA and to attract recruits was run in February/March of this year involving the press, TV and a National Open Day. This was designed to show that the TA is maintaining its recruitment effort throughout the reform process. A further national campaign specifically aimed at recruiting into the Royal Army Medical Corps is planned for the autumn.

HMS Newcastle

Mr. Hancock: To ask the Secretary of State for Defence what is the (i) current crew size and (ii) establishment of HMS Newcastle; and if he will make a statement. [86379]

Mr. Doug Henderson: The ship's company of HMS Newcastle on 11 June 1999 was 215 and her complement 226.

HMS Monmouth

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the long term future of HMS Monmouth. [86384]

Mr. Doug Henderson: On current plans HMS Monmouth will remain operational for the foreseeable future.

HMS Birmingham

Mr. Hancock: To ask the Secretary of State for Defence what is the short-term and long-term future of *(a)* HMS Birmingham and *(b)* HMS London; and if he will make a statement. [86374]

Mr. Doug Henderson: HMS London was decommissioned earlier this month. HMS Birmingham is currently on operational duty and is expected to be decommissioned later this year.

HMS Beaver

Mr. Hancock: To ask the Secretary of State for Defence what is the *(a)* operational state and *(b)* future of HMS Beaver; and if he will make a statement. [86373]

Mr. Doug Henderson: HMS Beaver was decommissioned earlier this year and has since been placed on the disposal list.

Helicopters (Royal Family)

Mr. Brake: To ask the Secretary of State for Defence under what circumstances Chinook helicopters are made available by his Department for travel by the Royal Family. [87783]

Mr. Doug Henderson: The Royal Family's rotary wing air travel requirements are normally met by a dedicated Sikorsky S76C+ operated by the Royal Household or else by chartered helicopter. However, RAF

Support Helicopters, including the Chinook, are available to transport members of the Royal Family if required, subject to other operational requirements.

Gambia

Mr. McDonnell: To ask the Secretary of State for Defence what talks have taken place between British Military personnel and the Chief of Staff of the Gambian armed forces in recent months; and what was the purpose of the talks. [87948]

Mr. Doug Henderson: Two British military officers visited Gambia in May this year. The purpose of the visit was primarily fact finding, but also to make contact with the Gambian military. During the visit the British officers paid a call on the Chief of Staff of the Gambian armed forces, Colonel Jatta. Discussions covered regional peacekeeping matters.

Submarine Spent Nuclear Fuel Cores

Mr. Corbyn: To ask the Secretary of State for Defence if he will list the number of submarine spent nuclear fuel cores that have been transported to Sellafield in each of the last 10 years. [87706]

Mr. Spellar *[holding answer 22 June 1999]:* The number of spent submarine fuel cores that have been transported to BNFL Sellafield for long term storage in each of the last 10 years was:

Year	*Fuel cores*
1989	1
1990	2
1991	1
1992	1
1993	0
1994	1
1995	3½
1996	3
1997	½
1998	1
1999 (to date)	1

These figures are rounded to the nearest ½ reactor fuel core. Each "NTL3M" transport container will carry a number of individual components equivalent to ¼ of a submarine reactor fuel core.

NATO Peacekeeping Force (Young Soldiers)

Dr. Tonge: To ask the Secretary of State for Defence what is Her Majesty's Government's policy in relation to the deployment of under 18 year olds from British armed forces in the international peace force in Kosovo. [87976]

Mr. Doug Henderson: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Wolverhampton, South-West (Ms Jones) on 22 October 1998, *Official Report*, column *1161*, in which I stated that Service personnel would no longer be deployed if under 17 years of age. That policy applies to the operations currently underway in Kosovo.

Greenwich Hospital

Ms Oona King: To ask the Secretary of State for Defence if he will make a statement about the annual financial estimates and accounts for Greenwich Hospital. [88574]

Mr. Spellar: Greenwich Hospital is a Crown charity, of which my right hon. Friend is the sole trustee. It derives all its income from its property and investments and applies it for the benefit of seafarers and their dependants. I am today laying before Parliament copies of the audited accounts for Greenwich Hospital for 1997–98. Following an undertaking given during the passage of the Greenwich Hospital Bill in 1967 by the then Under-Secretary of State for the Navy (Mr. Foley) it has been the practice also to place in the Library of both Houses copies of the annual financial estimates for Greenwich Hospital which, nowadays, are prepared solely for this purpose. This practice no longer serves a useful purpose, given the more informative published financial accounts, and I have therefore decided to discontinue it.

Tomahawk Missiles

Mr. Menzies Campbell: To ask the Secretary of State for Defence what proposals he has to replace stocks of Tomahawk missiles used in the Kosovo theatre; what contracts exist with the United States for replacement of Tomahawk stocks; and if he will make a statement. [87829]

Mr. George Robertson: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the right hon. and learned Member.

Letter from Sir Robert Walmsley to Mr. Menzies Campbell, dated 24 June 1999:

I am replying to your question to the Secretary of State for Defence about proposals for the replacement of stocks of TOMAHAWK missiles used in the Kosovo theatre, and contracts with the United States for replacement of TOMAHAWK stocks. This matter falls within my area of responsibility as Chief of Defence procurement and Chief Executive of the Defence Procurement Agency.

The arrangements for obtaining replacement TOMAHAWK missiles for those expended in the Kosovo campaign are being discussed with the US government. The US government is approaching these discussions in a positive manner but I am unable to provide further details at present.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is the *(a)* total expenditure by his Department on Tomahawk missiles from the United States and *(b)* average cost of each missile, including support costs. [87831]

Mr. George Robertson: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. and learned Member.

Letter from Sir Robert Walmsley, to Mr. Menzies Campbell, dated 24 June 1999:

I am replying to your question to the Secretary of State for Defence about the Ministry of Defence's total expenditure on TOMAHAWK missiles from the United States and the average cost of each missile, including support costs. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Total expenditure on the procurement of Tomahawk missiles, under the current Foreign Military Sales case with the US, is to be some £52M. The average procurement cost per missile is just over £800K. In addition each missile is likely to need two planned refurbishments at a cost of £210K per refurbishment, but no such payments will be incurred for missiles which have been expended.

Missile costs make up only a part of the overall cost of procuring the Tomahawk system. Overall costs include the procurement of the missiles, test and training systems, submarine weapon handling, and fire control systems, and provision of a mission planning and targeting facility.

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many Tomahawk missiles were *(a)* available for use by the British armed forces and *(b)* in stock on (i) 20 March and (ii) 16 June. [87833]

Mr. George Robertson: I am withholding the detailed information you requested under Section 1a of the Code of Practice on Access to Government Information. Sufficient Tomahawk missiles were available throughout the conflict to enable the UK to maintain its significant contribution to the successful NATO campaign.

Defence Aviation Repair Agency

Mr. Menzies Campbell: To ask the Secretary of State for Defence if he will make a statement on the progress made with setting up the Defence Aviation Repair Agency. [87830]

Mr. Spellar: The Defence Aviation Repair Agency (DARA) came into being on 1 April this year and I had the pleasure of attending the Agency's Launch Day on 7 April 1999 at St. Athan. DARA has been formed by merging the former Naval Aircraft Repair Organisation with elements of the RAF's Maintenance Group Defence Agency and provides MOD's deep maintenance (third line) capability for fixed and rotary wing aircraft. The Ministerial Advisory Board, which I chair, has approved the DARA's Corporate Plan which is now being implemented. This includes moving to Trading Fund status in due course.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what plans he has to renegotiate the RAF repair, overhaul modification and upgrade contracts held by private companies once responsibility for such contracts is transferred to the new Defence Aviation Repair Agency; which RAF repair, overhaul, modification and upgrade contracts are currently under review; and if he will make a statement. [87832]

Mr. Spellar: My Department has no plans to renegotiate or review these contracts as a result of the launch of the Defence Aviation Repair Agency (DARA) and no responsibility for the administration of such contracts is being passed to the Agency.

TA Deployment

Mr. Duncan Smith: To ask the Secretary of State for Defence how many members of the Territorial Army are currently deployed on operations in *(a)* Kosovo, *(b)* Bosnia and *(c)* Germany. [88128]

Mr. Doug Henderson: I refer the hon. Member to the answer I gave to the hon. Member for Eastbourne (Mr. Waterson) on 21 June 1999, *Official Report*, column *300*. There are currently no members of the Territorial Army deployed to Germany.

Depleted Uranium

Mr. Mackinlay: To ask the Secretary of State for Defence, pursuant to his answer of 16 June 1999, *Official Report*, column *148*, if he will place in the Library the March 1999 paper produced by his Department's Gulf Veterans' Illness Unit in respect of testing for the presence of depleted uranium. [87834]

Mr. Doug Henderson: Copies of the detailed paper entitled "Testing for the Presence of Depleted Uranium in UK Veterans of the Gulf Conflict: The Current Position" were placed in the Library of the House when it was published on 19 March 1999.

Mr. Mackinlay: To ask the Secretary of State for Defence, pursuant to his answer of 16 June 1999, *Official Report*, column *146*, on depleted uranium, by what means service personnel can identify a vehicle damaged by depleted uranium ammunition; and if he will make a statement. [87835]

Mr. George Robertson: If Service personnel must, for operational reasons, approach damaged vehicles, they will visually examine the vehicle to identify if the damage is consistent with depleted uranium calibre ammunition. However, Service personnel are instructed not to approach any damaged vehicles unless operationally necessary, due to the wide variety of dangers they present.

WALES

Gwrych Castle

Mr. Evans: To ask the Secretary of State for Wales what representations he has received regarding the condition of Gwrych Castle; and if he will make a statement. [87987]

Mr. Michael: Since June 1997 I have received letters on six occasions (from three sources) expressing concern about the deteriorating condition of Gwrych Castle. It is privately owned but the ownership is presently subject to legal dispute. When this has been resolved, Cadw:Welsh Historic monuments would be willing to consider grant assistance towards a project to repair the fabric of this Grade 1 listed building.

Following the transfer of functions, CADW will be responsible to the National Assembly.

Education Budgets

Mr. Ruane: To ask the Secretary of State for Wales if he will list the education budgets for each county in Wales for *(a)* 1998–99 and *(b)* 1999–2000, indicating the additional allocations of ring-fenced education funding from central Government. [87985]

Mr. Hain: The information requested is given in the following table.

Local authority education budgets

£000

	Budget 1998–99	*Budget 1999–2000*	*Local authority share of earmarked funding 1998–99*	*1999–2000*
Isle of Anglesey	28,906	30,755	1,196	1,689
Gwynedd	47,433	50,045	1,979	2,833
Conwy	40,172	42,388	1,651	2,407
Denbighshire	36,711	37,732	1,554	2,233
Flintshire	59,366	62,705	2,417	3,494
Wrexham	46,783	49,392	1,904	2,737
Powys	55,711	58,850	2,217	3,158
Ceredigion	32,580	34,325	1,234	1,747

Local authority education budgets

£000

	Budget 1998–99	Budget 1999–2000	Local authority share of earmarked funding 1998–99	Local authority share of earmarked funding 1999–2000
Pembrokeshire	50,340	53,410	1,986	2,853
Carmarthenshire	75,554	81,158	2,942	4,165
Swansea	90,124	93,102	3,588	5,142
Neath Port Talbot	60,023	63,616	2,224	3,215
Bridgend	54,499	57,682	2,198	3,155
Vale of Glamorgan	45,366	47,707	1,961	2,833
Cardiff	117,464	124,672	4,868	7,189
Rhondda Cynon Taff	108,752	114,760	4,208	6,014
Merthyr Tydfil	28,401	29,991	1,114	1,571
Caerphilly	73,246	78,797	3,055	4,404
Blaenau Gwent	30,587	32,087	1,214	1,762
Torfaen	39,309	41,784	1,654	2,380
Monmouthshire	31,377	32,788	1,281	1,864
Newport	59,228	62,340	2,323	3,356
Wales	1,211,932	1,280,086	48,767	70,201

Net of all education specific grants and excluding all continuing education and payments to the Further and Higher Education Funding Councils

Source:

Local authority revenue account returns

This will be a matter for the National Assembly for Wales from 1 July 1999.

LORD CHANCELLOR'S DEPARTMENT

Law Reform

Mr. Peter Bottomley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the timetable for the implementation of outstanding Law Commission recommendations for law reform. [87781]

Mr. Vaz: The Government will assess the priority for legislation implementing Law Commission recommendations in the context of the legislative programme as a whole.

Mr. Peter Bottomley: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has for legislation to implement outstanding Law Commission reports on law reform. [87780]

Mr. Vaz: The Government are considering carefully a number of Law Commission reports. Legislation implementing those Law Commission recommendations, which the Government accept, will be introduced when Parliamentary time allows.

Mr. Peter Bottomley: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the savings in costs to public and private funds of the implementation of outstanding Law Commission recommendations over the last four years. [87782]

Mr. Vaz: No such assessment has been made to date. However, under the Better Regulation provisions we will in future be required to make an assessment of the risks, costs and benefits whenever new legislation is published.

Treasury Counsel (Common Law)

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what *(a)* representations he made, *(b)* correspondence he had and *(c)* meetings he held about (i) the creation of the vacancy for Treasury Counsel (Common Law) in May 1997 and (ii) the filling of the vacancy. [88019]

Mr. Vaz: None.

CABINET OFFICE

Government Consultation Papers

Mr. Paul Marsden: To ask the Minister for the Cabinet Office if he will make publicly available on a monthly basis a list of Government consultation papers, indicating the title, summary of the proposals, the issue date and the deadline for submissions. [87867]

Mr. Kilfoyle: I have no plans to publish a monthly list of Government consultation papers. Each Government department and agency is responsible for publishing its own consultation papers, including a summary of proposals and a deadline for submissions. Last year, the Cabinet Office published a guide on conducting written consultation exercises. This states that departments should publicise the existence of consultation documents (for example through an approximately targeted press release), and wherever possible the internet should be used to publish and receive replies.

Ministerial Visits

Lorna Fitzsimons: To ask the Minister for the Cabinet Office which Ministers have visited the north-west region since May 1997; and which constituencies they visited. [88389]

Mr. Kilfoyle: This information is not held centrally and can be obtained only at disproportionate cost.

Special Advisers

Mr. Tyrie: To ask the Minister for the Cabinet Office if he will make a statement on the pension arrangements for departmental Special Advisers. [87963]

Mr. Kilfoyle: The pension arrangements for Special Advisers are set out in the published Cabinet Office document, "Special Advisers Pay System", which is available in the Libraries of the House.

Special Advisers are not eligible to be members of the Civil Service Pension Scheme, nor do their salaries include any element for pension contribution. Instead, a pension contribution of up to a maximum of 16 per cent. of salary is paid directly into an Adviser's existing or new occupational or personal pension scheme.

TREASURY

Families (Support)

12. **Ms Stuart:** To ask the Chancellor of the Exchequer what measures he has put in place to support families. [87068]

Mr. Milburn: The Government have announced an ambitious programme of support for families which will mean that by the end of this Parliament we will be spending an extra £6 billion a year on our 13.8 million children.

Families will benefit from the largest ever increase in Child Benefit—an extra £2.50 a week for the eldest child from this April—and further three per cent. real increases for all children from next April. Together with the introduction of the new Children's Tax Credit in April 2001, a family with one child will receive double the support for their child compared to May 1997—£23 a week. We are also targeting extra support on the poorest families through the introduction of the Working Families Tax Credit and increases in IS. On average, £750 more will be going to each of 5.75 million children in low-income households every year by the end of this Parliament. The WFTC will make 1.5 million families on average £24 a week better off, benefiting three million children. It will provide a guaranteed minimum income of £200 a week (£10,400 a year for a family with someone in full-time work on the National Minimum Wage.

These measures combined will lift 700,000 children out of poverty. Families with children will, on average, be £740 a year better off.

English Wine (Duty)

13. **Mr. David Heath:** To ask the Chancellor of the Exchequer what assessment he has made of the effect of current duty [illegible] the competitiveness of English wines. [87069]

Mrs. Roche: The Chancellor takes account of the state of all sectors of the alcoholic drinks industry in the run up to the Budget.

EU Withholding Tax

14. **Sir Michael Spicer:** To ask the Chancellor of the Exchequer what his policy is on the proposals for a European withholding tax. [87070]

19. **Mr. Loughton:** To ask the Chancellor of the Exchequer if he will make a statement on the European Commission's proposal for a council directive to ensure a minimum of effective taxation of savings income in the form of interest payments within the Community. [87075]

Dawn Primarolo: The Government will not accept the draft directive on Savings in its current form because of its likely impact on our financial markets, particularly the Eurobond market. The ECOFIN Council and the European Commission have come to accept our case, agreed a further review and asked us to submit our proposals for excluding the Eurobond market.

We have received a number of representations from both individuals and City Institutions who share our concern to protect the interests of the UK financial markets. We welcome dialogue and are continuing to work closely with the City.

27. **Mr. Syms:** To ask the Chancellor of the Exchequer what assessment HM Treasury has made of the effects of the proposed European withholding tax on the financial sector in London. [87084]

Dawn Primarolo: The treatment of international bonds as provided for under the draft European Commission Directive on the taxation of savings risks serious damage to the competitiveness of EU financial markets, in particular wholesale markets. The current draft Directive is therefore unacceptable to the UK.

Public Service Agreements

15. **Mr. McNulty:** To ask the Chancellor of the Exchequer if he will make a statement about Public Service Agreements on key public services. [87071]

Mr. Milburn: We have fulfilled our commitment to publish Public Service Agreements covering all the public services. They set out the concrete improvements to be delivered in return for the extra investment we are making.

Single Currency (Convergence Criteria)

17. **Mr. Robathan:** To ask the Chancellor of the Exchequer if he will make a statement on the convergence criteria to be adopted prior to joining the single currency. [87073]

Ms Hewitt: The EC Treaty stresses the need for a

"high degree of sustainable convergence"

in EMU. The Government's fundamental economic test for EMU membership is the same. I have set out five economic tests which must be met before UK membership of the single currency can be considered. Our assessment of those tests concluded that the UK needs a period of stability in order to demonstrate convergence which is settled and sustainable. The Government's new macro-economic framework will help to deliver that stability.

Working Families Tax Credit

18. **Mr. Blizzard:** To ask the Chancellor of the Exchequer if he will estimate the number of families who will be eligible for the Working Families Tax Credit in its first year of operation. [87074]

Dawn Primarolo: We estimate that 1.4 million families will be eligible for the Working Families Tax Credit in 2000–01, the first full year of operation. These families will on average be £24 a week better off from WFTC alone, or £1,280 a year. Taken together with the reforms to tax, NICs and the largest ever increases in Child Benefit, the WFTC will lift 700,000 children out of poverty.

35. **Mr. John Smith:** To ask the Chancellor of the Exchequer if he will make a statement on the implementation of the Working Families Tax Credit. [87093]

Dawn Primarolo: Work is proceeding to plan for the introduction of the Working Families' Tax Credit. From October, this new Tax Credit will provide a guaranteed minimum income of £200 for families with one member in full time work earning the National Minimum Wage.

Third-world Debt

20. **Mr. David Stewart:** To ask the Chancellor of the Exchequer what progress was made at the G8 summit in Cologne on reducing the debt burden for the world's poorest countries. [87076]

Mr. Simon Hughes: To ask the Chancellor of the Exchequer what progress was made on debt relief at the Cologne summit. [87081]

Mr. Gordon Brown: At the G7 Finance Ministers Meeting in Frankfurt, I took forward my proposals for faster, deeper and wider debt relief. Agreement was secured at the G8 Summit in Cologne on an initiative which will reduce the debt owed by the poorest countries by $100 billion.

Pensioners (Taxation)

21. **Mr. Bill O'Brien:** To ask the Chancellor of the Exchequer what representations he has received from pensioner organisations concerning tax payments from pensioners' incomes; and if he will make a statement. [87078]

Dawn Primarolo: Treasury Ministers have received a number of representations on income tax matters, including matters relating to pensioners.

VAT (Service Industries)

22. **Mr. Bob Russell:** To ask the Chancellor of the Exchequer if he will make it his policy to raise the VAT threshold for businesses in the service sector. [87079]

Dawn Primarolo: No. A differential threshold for service traders would further complicate the VAT system and create uncertainty, thereby increasing compliance costs for business and administrative costs for Government. Recent consultation on the effect and level of the threshold revealed only minimal support for such a change.

Housebuilding (Brown-field Sites)

23. **Mr. Grogan:** To ask the Chancellor of the Exchequer what plans he has to introduce fiscal measures to encourage housebuilding on brown-field sites. [87080]

Mr. Milburn: The Government have no present plans to introduce fiscal measures to encourage housebuilding on brown-field sites. However, the Deputy Prime Minister has announced the Government's desire to see the proportion of new homes provided on brown-field sites increased to 60 per cent. over the next ten years. The Government are considering a wide range of measures to help achieve this target. We will study the recommendations of Lord Rogers' Urban Task Force with great interest; and will publish an Urban White Paper later in the year.

Gold Reserves

25. **Mr. Wilkinson:** To ask the Chancellor of the Exchequer what is his estimate of the present value in sterling of the United Kingdom's gold reserves; and what its valuation was on 1 January. [87082]

Mr. Milburn: Table 2 of the Quarterly Report on UK Official Holdings of Foreign Currency and Gold for the period October to December 1998 and January to March 1999 provide a breakdown of the size and composition of the United Kingdom's reserve holdings.

Economic and Monetary Union

26. **Dr. Julian Lewis:** To ask the Chancellor of the Exchequer if he will make a statement on the economic tests to be met before any British application to join the single European currency. [87083]

Ms Hewitt: In his statement to the House of Commons in October 1997, the Chancellor of the Exchequer set out five economic tests which will have to be met before any decision to join a successful single currency can be taken. Applying the economic tests, the Government have concluded that there is no realistic prospect of the UK economy having demonstrated, before the end of this Parliament, convergence which is sustainable and settled. Barring any fundamental and unforeseen change in economic circumstances, making a decision, during this Parliament, to join is not realistic. This position was restated by the Prime Minister in a statement to the House of Commons on 23 February 1999, *Official Report*, columns 179–84.

30. **Mr. Beard:** To ask the Chancellor of the Exchequer if he will make a statement on the effects of UK non-membership of EMU on his policy of ensuring economic stability. [87088]

Ms Hewitt: Locking in stability is a key element of the Government's economic strategy. Reform of the macroeconomic policy framework through a new, open and transparent monetary framework and a new fiscal framework is helping to deliver low inflation and sound public finances.

Achieving sustainable convergence with the euro area is one of the five economic tests which will have to be met before any decision to join is taken.

Income Tax (Self-assessment)

28. **Mr. Gordon Prentice:** To ask the Chancellor of the Exchequer how many people have been surcharged for failing to return their completed self-assessment forms on time. [87085]

Dawn Primarolo: People who fail to return their completed self-assessment forms on time are charged a penalty of £100, and a further penalty of £100 if the return is more than six months late. Surcharges are applied to people who are late in paying the tax due on their self-assessment. There is a 5 per cent. surcharge where payment is more than 28 days late, and a further 5 per cent. surcharge where payment is more than six months late.

The numbers of surcharges and penalties are increasing all the time as more late-issued returns become overdue. However, the great majority of returns are issued in April, and returns and payments become due at the end of the following January.

Figures for the main issue of returns are as follows:

1996–97 tax return, issued in April 1997

First fixed filing penalty (issued in February 1998)—670,000
Second fixed filing penalty (issued in August 1998)—335,000
First surcharge for late payment (issued in March 1998)—142,000
Second surcharge for late payment (issued in August 1998)—59,000

1997–98 tax return, issued in April 1998

First fixed filing penalty (issued in February 1999)—748,000
First surcharge for late payment (issued in March 1999)—180,000

Kosovo (Cost)

29. **Mr. Dalyell:** To ask the Chancellor of the Exchequer what *(a)* has been and *(b)* he estimates will be the effect on the contingency fund of (i) the conflict in Kosovo and (ii) the measures to be taken following the peace agreement relating to Kosovo. [87086]

Mr. Milburn: The Ministry of Defence estimates the total additional cost of Kosovo military operations up to the end of May was £43 million (excluding the costs of munitions). It has been agreed that military costs will form the basis of a claim on the Reserve to the extent that they cannot be absorbed without detriment to other priorities.

It is too early to say what the costs to Departmental Expenditure Limits or the Reserve will be of all the measures to be taken following the peace agreement.

Taxation

31. **Mr. Burns:** To ask the Chancellor of the Exchequer what estimate he has made of the change in tax payable in the last two years. [87089]

Dawn Primarolo: Figures for tax receipts were published in table B10 of the Financial Statement and Budget Report.

Landfill Tax

32. **Mr. Healey:** To ask the Chancellor of the Exchequer what plans he has for the reform of the landfill tax. [87090]

Ms Hewitt: My right hon. Friend announced a number of changes to the landfill tax in his 1999 Budget. The case for any further changes will be examined as and when the need arises.

Climate Change Levy

33. **Mr. Swayne:** To ask the Chancellor of the Exchequer if he will make a statement on the proposed climate change levy. [87091]

Ms Hewitt: The climate change levy will make a very significant contribution to meeting the Government's legally binding target for reducing greenhouse gas emissions set under the Kyoto Protocol, and their domestic goal of a 20 per cent. cut in carbon dioxide emissions by 2010. The levy will encourage energy efficiency in business and is expected to save around 1.5 million tonnes of carbon a year by 2010.

The design of the levy reflects closely the recommendations made by Lord Marshall. It will entail no increase in the overall burden of tax on business as revenues will be fully recycled via a 0.5 percentage point cut in the main rate of employer National Insurance Contributions. Business will also benefit from an additional £50 million for schemes aimed at promoting energy efficiency and support for renewable sources of energy, like solar and wind power.

The Government recognise the need for special consideration to be given to the position of energy intensive industries given their energy usage and exposure to international competition. Consequently, the Government intend to set significantly lower rates of tax for those energy intensive sectors that agree targets for improving their energy efficiency and these detailed negotiations are now underway.

The Government also want to work with business on the detailed design and administration issues relating to the levy and have just completed a consultation covering these issues.

Mr. Martyn Jones: To ask the Chancellor of the Exchequer for what reasons the climate change levy is to be imposed on combined heat and power schemes. [87681]

Ms Hewitt: It is the intention that climate change levy should be charged on industrial and commercial use of electricity. The levy will be charged at the point of supply to the final consumer which means that the input to generation will be exempt.

Combined Heat and Power (CHP) schemes are a form of electricity generation. The Customs and Excise consultation document asked for views on whether they should be treated as conventional generators, by relieving their input fuels and applying the levy to their outputs, or afforded special treatment whereby their input fuels are subject to the levy and the electricity they produced relieved. Officials are currently analysing responses to this exercise.

Economic Stability

34. **Mr. Ben Chapman:** To ask the Chancellor of the Exchequer what fiscal steps he is taking to ensure economic stability. [87092]

Mr. Milburn: The Chancellor's recent Budget continued to lock in sound public finances and to ensure that our tough fiscal rules will be met. By providing a £6 billion boost to the economy, the Budget is supporting monetary policy and helping to steer a course of stability and lay the foundations for high and sustainable levels of growth and employment.

Tax Hypothecation

36. **Mr. Gerrard:** To ask the Chancellor of the Exchequer if he will make it his policy to allocate funds raised by particular taxes to specified services. [87094]

Dawn Primarolo: No. The Government determine their expenditure according to their priorities. However, we look at each case on its merits.

Capital Controls

Mr. Chaytor: To ask the Chancellor of the Exchequer what is the UK's policy advice to developing countries on capital controls; and what assessment he has made of IMF agreements which prohibit a Government from imposing capital controls. [86942]

Ms Hewitt *[holding answer 14 June 1999]:* We encourage emerging markets to carry out capital account liberalisation in a careful and well sequenced manner. However, the use of controls on capital inflows may be justified during transitional periods as emerging markets strengthen the institutional and regulatory environment in their domestic financial systems. Controls on capital outflows may sometimes be necessary in exceptional

circumstances. But controls on capital flows, particularly on outflows, carry costs and are no substitute for necessary reforms.

The international financial crisis has clearly demonstrated that the IMF should play a constructive role in helping countries to liberalise their capital accounts in an orderly way. But the IMF should also further refine its analysis of the experience of countries with the use of capital controls.

World Bank (Social Principles)

Ms Drown: To ask the Chancellor of the Exchequer what measures he is taking to ensure that the social principles drafted by the World bank will be adhered to by the IMF and World bank in any future financial crisis lending. [86988]

Ms Hewitt: My right hon. Friend the Chancellor of the Exchequer has consistently stressed the importance of preserving investment in the health, education and social programmes which are essential for growth and poverty reduction. The World bank are currently working with the IMF to translate the social principles into good practices in social policy, and this work is due to be completed by the Annual Meetings later this year. It will create an operational guide for the World bank and IMF which I hope will be drawn upon by the two institutions.

Ms Drown: To ask the Chancellor of the Exchequer what progress has been made on incorporating the social principles drafted by the World bank into macro-economic decision-making. [86987]

Ms Hewitt: My right hon. Friend the Chancellor of the Exchequer has consistently stressed the importance of preserving investment in the health, education and social programmes which are essential for growth and poverty reduction. He therefore welcomed the endorsement given by the Development Committee at the Spring Meeting in April to the social principles which the World bank had drafted following his call for action in this area at the Annual Meetings last year.

As a matter of urgency, it was agreed that the World bank should report back to the Annual Meetings on policies and practices that could support national and international implementation of the social principles.

Individual Savings Accounts

Mr. Galbraith: To ask the Chancellor of the Exchequer what plans he has to review the operation of ISAs; and if he will make a statement. [87420]

Ms Hewitt: The Government will keep ISAs under review and listen to the views of providers and consumers. A large number of providers are providing both CAT and non-CAT ISAs through a variety of channels and we have no plans to change ISA rules.

Special Advisers

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will list the people employed as paid special advisers in his Department since 1 May 1997, the dates of their employment and to which minister each was attached. [87455]

Ms Hewitt: The information is as follows:

Name	*Dates of employment From*	*To*	*Minister served*
Ed Balls	3 May 1997		Chancellor
Charlie Whelan	3 May 1997	13 January 1999	Chancellor
Ed Miliband	3 May 1997	6 April 1999	Chief Secretary
Ed Miliband	10 May 1999		Chief Secretary
Andrew Maugham	6 May 1997	27 July 1998	Chief Secretary
Spencer Livermore	4 August 1998		Chief Secretary
Ian Austin	21 June 1999		Chancellor

Insurance Companies (Regulation)

Mr. Flight: To ask the Chancellor of the Exchequer what plans he has to review the working procedures within his Department regarding the regulation of insurance companies. [87628]

Ms Hewitt: I have no plans to review working procedures regarding the regulation of insurance companies. The Transfer of Functions (Insurance) Order 1997 transferred Department of Trade and Industry responsibility for regulation of insurance business to the Treasury. The Contracting Out (Functions in Relation to Insurance) Order 1998 empowered the Treasury to authorise a third-party—the Financial Services Authority—to carry out most of these functions from 1 January 1999. Subject to Parliamentary approval, the Financial Services and Markets Bill will vest this responsibility with the Financial Services Authority in its own right. In the meantime, the Treasury retains statutory and policy responsibility.

Employment Rate (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Chancellor of the Exchequer how many people were employed in Shrewsbury and Atcham *(a)* on the last date for which figures are available and *(b)* in May 1997. [87796]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Kidgell to Mr. Paul Marsden, dated 24 June 1999:

In the absence of the Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the number of people employed in Shrewsbury and Atcham.

Information is available for the number of Employee Jobs, derived from the Annual Employment Survey (AES) for September 1997 (latest available date) and September 1996. The persons holding these jobs may live outside the area shown.

Employee jobs at September

Thousand

Year	*Shrewsbury and Atcham*
1996	38.3
1997	39.0

Local Authority District

EU Tax Reform (Joint Working Group)

Mr. Hopkins: To ask the Chancellor of the Exchequer if he will list the organisations represented on the joint working group with business representatives set up by the Paymaster General to examine EU tax reform; which representatives were invited from the accountancy profession; and if he will make a statement. [87988]

Dawn Primarolo: The joint Government-CBI Group on EU tax issues is an informal working group whose main purpose is to allow the Government to get the views of business on European tax matters. At the first meeting of the Group in March, the CBI's team consisted of senior CBI officials and representatives of major companies.

Private Finance Initiative

Ms Lawrence: To ask the Chancellor of the Exchequer when he will publish a revised version of PFI Technical Note No. 1 on How to Account for PFI Transactions. [88733]

Mr. Milburn: I am today issuing revised Treasury guidance, approved by the Financial Reporting Advisory Board (FRAB), setting out the rules governing accounting for PFI transactions within Government.

I am placing a copy of the Revised Guidance in the Library.

Pensioner Incomes

Mr. Waterson: To ask the Chancellor of the Exchequer what proposals he has to improve the fiscal position of people over retirement age. [87077]

Mr. Milburn: The Government recognise that pensioners need fair and decent support. The average pensioner household will be £240 a year better off as a result of measures in the March 1998 and March 1999 Budgets. These measures include a fivefold increase in the winter allowance from £20 to £100, the introduction of a Minimum Tax Guarantee which will mean that no-one over 64 will pay income tax unless their income is over £110 a week, and the minimum income guarantee through Income Support which is set at £75 per week for single pensioners from April 1999.

Written Answers to Questions

Friday 25 June 1999

EDUCATION AND EMPLOYMENT

New Deal (Over-50s)

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment if he will make a statement on progress on the introduction of New Deal 50 plus. [89006]

Mr. Blunkett: The New Deal 50 plus, announced by my right hon. Friend the Chancellor of the Exchequer in his Budget speech, 9 March 1999, *Official Report*, columns 173–90, will offer real and substantial support to people over 50 who wish to find jobs.

The New Deal will be voluntary and will offer people 50 and over who have spent six months on either JSA, Income Support, Incapacity Benefit or Severe Disablement Allowance help with jobsearch through individual advice from an employment adviser and programme centre provision. When an eligible 50 plus client finds a job they can claim an employment credit of £60 per week for full-time work or £40 per week for part-time work for 52 weeks and training support of up to £750. The Employment Credit, when taken with the minimum wage, will represent a minimum income guarantee of £9,000 for people taking full-time jobs. I believe this represents a huge step in providing real help to older workers who face greater difficulties in finding sustainable employment.

We have confirmed the following New Deal units of delivery as pathfinder areas for the launch of New Deal 50 plus in October:

Black Country; City Pride; Dorset; Durham; Edinburgh East and Midlothian; Hull; North Derbyshire; North East Wales; and Oxfordshire.

The pathfinders will enable us to learn lessons about the operation of New Deal 50 plus and spread good practice before national roll out in early 2000.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for Education and Employment when the right hon. Member for North-West Cambridgeshire will receive a reply to his letter of 11 May on behalf of a constituent, Mrs. Hallam. [88409]

Mr. Mudie: A reply will be issued on 28 June 1999.

New Deal (Young People)

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will provide a breakdown of the percentage of participants in each of the New Deal for Young People options who have left for unsubsidised employment up to the most recent date for which information is available; and what assessment he has made of the performance against Government targets on improving employability through undertaking New Deal options. [87179]

Mr. Andrew Smith: The latest Government Statistical Service figures to the end of April 1999 show that 23,900 young people have left one of the New Deal options. Of these 8,860 (37 per cent.) are known to have found sustained unsubsidised employment. This breaks down to 56 per cent. of young people leaving the Employer option, 35 per cent. from the FTET option, 41 per cent. from the Voluntary Sector option and 35 per cent. from the Environment Task Force.

These figures under-estimate the true proportion of young people finding work because many of the clients recorded as having "unknown destinations" will, in fact, have found work although they have not notified the Employment Service.

A recent large scale quantitative survey of young people who left the New Deal for unknown destinations showed that at least 43 per cent. have moved into work.

A quantitative survey of individual participants was launched earlier this year which will assess improvements in employability. Initial results from this survey are expected in September 1999.

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will estimate how many participants in *(a)* the New Deal for Young People and *(b)* the New Deal for over 25s have left the New Deal to be transferred from unemployment benefits to incapacity benefit in the categories of those leaving for (i) other known destinations, (ii) unknown destinations and (iii) transfers to other benefits. [87177]

Mr. Andrew Smith: People who leave New Deal to transfer to Incapacity Benefit are recorded as "transfers to other benefits" in the published statistics as it is not currently possible to break the statistics down to specific types of benefit. The latest Government Statistical Service figures to the end of April 1999 show that 19,170 young people had left New Deal to transfer to other benefits and 7,100 clients left the New Deal for long term unemployed people aged 25 and over for other benefits.

A quantitative survey of individual participants was launched earlier this year which will assess movements into other benefits. Initial results from this survey are expected in September 1999.

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will estimate the proportion of those individuals leaving the New Deal for Young People for unknown destinations who have left to work in the black economy. [87178]

Mr. Andrew Smith: It is difficult to make any reliable estimate of the number of young people who have left New Deal for unknown destinations who have left to work in the "black economy". People who were working and claiming benefit until caught out by the New Deal are unlikely to declare that when they cease claiming Jobseeker's Allowance. Anyone who attempts to reclaim Jobseeker's Allowance within 13 weeks of leaving New Deal will automatically re-enter the New Deal at the point which they left. That reduces significantly the risk of young people working and claiming benefits.

Disabled People (Employment Opportunities)

Mr. Llew Smith: To ask the Secretary of State for Education and Employment what assessment he has made of the implications for employment opportunities for the disabled of the withdrawal of the Green Card DP21, version 1/93. [87493]

Ms Hodge: The arrangements now in place to improve employment opportunities for disabled people are more effective than the previous system based on registration as a disabled person under the Disabled Persons (Employment) Act 1944 giving access to a "quota" of jobs in larger organisations. Experience showed that the registration process leading to the issue of the Green Card (DP21) and quota system failed to secure job opportunities for disabled people.

The Disability Discrimination Act 1995 (DDA) provides a framework of rights for disabled people which are enforced through Employment Tribunals. We have already demonstrated our commitment to comprehensive enforceable civil rights for disabled people through a reduction in the threshold for employment rights to 15 bringing in an extra 70,000 disabled employees within the scope of the DDA; and by introducing the Bill to establish a Disability Rights Commission. The Disability Rights Task Force will be reporting on what further is needed to strengthen employment rights.

Equally, many disabled people are benefiting from the New Deals introduced in the last two years. The New Deal for Disabled People is testing a range of initiatives, to help disabled people and those with long-term illness into work at a cost of £195 million. We have also expanded the specialist disability employment programmes run by the Employment Service. These include help from Disability Employment Advisers, the Supported Employment Programme, Access to Work and the Job Introduction Scheme.

Remploy

Mr. Llew Smith: To ask the Secretary of State for Education and Employment (1) what consultations he had with trades unions in the preparation of the Remploy Corporate Plan; [87491]

(2) what plans he has to review Remploy's Corporate Plan in respect of its potential effect on the skill levels of Remploy employment; [87492]

(3) what guidelines exist to promote the replacement of employees of Remploy with other disabled persons. [87501]

Ms Hodge: There have been no discussions between the Remploy Trade Unions, which represent the weekly paid employees, and the Remploy Management in preparing the Remploy 1999–02 Corporate Plan. I understand that the Remploy Trade Unions were invited by the Remploy Board of Directors to a meeting to discuss the Plan in April this year. The Remploy Trade Union, MSF, which represents the majority of the monthly paid employees, was the sole union to attend the meeting. The Remploy Board have made clear that they would welcome discussions with the Trades Unions before, and during, the development of the next Corporate Plan.

As the Corporate Plan 1999–02 has just been published, there are no plans to review it. I understand that Remploy are not expecting deskilling of employees as a result of planned changes. Remploy has necessarily had a long experience of retraining its disabled employees to adapt to changes in the labour market and increased competition from other countries. By taking the initiative in this way, Remploy continues to best protect the interests of its disabled workforce.

The Government have set the Remploy Board of Directors a range of annual performance targets that are the parameters within which Remploy operates. The targets for 1999 have been announced recently in the House, and include a target to increase the number of disabled people employed by the Company. This year's target is to employ an overall total of 10,150 disabled people. How this will be achieved is a matter for the Remploy Board, but the chief means of doing this will be by recruitment through Remploy's interwork programme.

NORTHERN IRELAND

Further Education Lecturers

Mr. John Cryer: To ask the Secretary of State for Northern Ireland if she will list the changes made in Northern Ireland further education lecturers' conditions of service between 1993 and 1998. [87784]

Mr. McFall: In 1996 a revised contract for full-time FE lecturers was introduced. The working year was increased from 190 to 200 days and the number of vacation days reduced to 49 days plus public holidays. The working week was increased from 30 hours to 36 hours and the maximum number of student contact hours within the working week was increased from 21 to 23 hours. A copy of the contract will be placed in the Library.

Decommissioning

Mr. Moss: To ask the Secretary of State for Northern Ireland if it is her policy that Sinn Fein should be allowed to hold an executive position in the Assembly before the IRA has started decommissioning weapons. [87901]

Marjorie Mowlam: The Government's policy is to implement the Belfast Agreement in full. The Agreement requires the establishment of an Executive Committee on a proportionate basis dependent on the number of seats each party has in the Assembly. The Agreement also commits all parties to the total disarmament of all paramilitary organisations and to use whatever influence they may have to achieve decommissioning of all paramilitary arms within two years of the referendum and in the context of the implementation of the overall settlement. Decommissioning, though not a prior pre-condition to the establishment of the Executive, is a requirement of the Agreement. In order to achieve the successful implementation of the Agreement, everyone must be confident that all aspects will be implemented.

Criminal Justice (Terrorism and Conspiracy) Act 1998

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many individuals have been *(a)* arrested and *(b)* charged with offences under the provisions of the Criminal Justice (Terrorism and Conspiracy) Act 1998. [87890]

Mr. Ingram *[holding answer 22 June 1999]:* To date no one has been arrested or charged under the provisions of the Criminal Justice (Terrorism and Conspiracy) Act 1998.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Fuel Tax Escalator

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the fuel tax escalator on car users in rural areas. [87865]

Ms Glenda Jackson: My Department always keeps under review policies that impact significantly on the areas of transport, environment and other policy areas for which it is responsible, including on any specific sectors, and continues to monitor the impact of the fuel duty escalator. We are, of course, concerned to ensure that a balance is struck between legitimate environmental concerns and the transport needs of rural motorists. Increasing fuel taxation by itself will not be sufficient to achieve all our environmental objectives. People ultimately need real alternatives to the car, and this is one of the reasons behind our development of an integrated transport policy—the framework for which we published in July 1998 in our White Paper on the future of transport, *A New Deal for Transport*. We are also seeking to improve transport choice through the £170 million of additional funding which we have made available for public transport in rural areas.

Car Safety Equipment

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce measures to make the carrying of a warning triangle, first aid kit and spare set of vehicle bulbs, compulsory for all car owners; and if he will make a statement. [87873]

Ms Glenda Jackson: The carriage of warning triangles and first aid kits is already recommended in the Highway Code. However, as it would be dangerous to walk on some roads to place a warning triangle the recommended distance behind the vehicle, the Highway Code advised that they should never be used on motorways.

Most fuel stations carry replacement bulbs and in many cases the motoring rescue and recovery organisations would be able to supply and fit replacements when necessary.

We therefore have no plans to require the carriage of warning triangles, first aid kits or spare bulbs in cars.

Pollution (Older Vehicles)

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has *(a)* commissioned and *(b)* evaluated on pollution caused by older cars, lorries and buses. [87898]

Ms Glenda Jackson: Research into the emission performance of older vehicles is regularly undertaken by my Department, to inform the National Atmospheric Emission Inventory and other air quality models. This involves the comprehensive testing of in-use vehicles of different ages, under different driving conditions. The Cleaner Vehicles Task Force has also been looking at the contribution of older vehicles to traffic pollution, in order to identify the most cost-effective options for reducing emissions from vehicles already in use.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to support the development of new technologies which can be fitted to older vehicles to reduce their emissions; and if he will make a statement. [87899]

Ms Glenda Jackson: The Government are pleased to support the use of technologies to reduce the environmental impact of older vehicles. We provide a VED incentive of up to £1,000 to hauliers and bus operators whose vehicles meet high environmental standards. These standards can be reached through conversion to run on alternative fuels, or the fitment of technologies like particulate traps. Through the Foresight Vehicle LINK programme, the Government are providing £12 million to support the development of a wide range of automotive related technologies. These include exhaust after-treatment systems which can be retrofitted to existing vehicles, as well as hybrid drive systems and lightweight materials for use in the next generation of vehicles. The Cleaner Vehicles Task Force has also been looking at what the most cost-effective solutions for reducing emissions from vehicles in use are.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for the Environment, Transport and the Regions (1) when the right hon. Member for North-West Cambridgeshire will receive a reply to his letter of 28 April to the Minister of State on behalf of a constituent, Mrs. Bamsley; [88408]

(2) when the right hon. Member for North-West Cambridgeshire will receive a reply to his letter of 28 April to the Minister of State on behalf of a constituent, Mrs. Boyall. [88410]

Mr. Meacher: I wrote to the right hon. Gentleman on 22 June about his constituent's concerns regarding urban trees.

District Line Closure

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what studies are in progress into the feasibility of the proposed closure next year of the London Underground District Line between Earl's Court and High Street Kensington. [88428]

Mrs. Liddell: London Underground are building on the lessons learned from the review of this month's Circle Line closure into the planning process for next year's District Line closure between Earl's Court and High Street Kensington.

So far, two options have been modelled and additional modelling is being commissioned by London Underground to forecast the impacts on passenger flows across the whole Underground network.

Recycled Newsprint

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Recycled Content of Newsprint Bill. [87798]

Mr. Meale: One of the aims of this Bill is to increase the amount of recycled newsprint used in newspapers and magazines. We support that aim. We are giving serious consideration to what measures will need to be taken to achieve this, including an assessment of the impact and practicalities of a statutory scheme such as the one my hon. Friend the Member for Bury, North (Mr. Chaytor) has proposed.

We have not ruled out the possibility of introducing legislation ourselves, perhaps under existing powers.

INTERNATIONAL DEVELOPMENT

Serbia

Mr. Streeter: To ask the Secretary of State for International Development how her Department will differentiate between humanitarian aid and aid for reconstruction in relation to Serbia. [88117]

Clare Short: Humanitarian assistance is clearly different from reconstruction and development assistance throughout the international system. We have no plans to support reconstruction as long as Milosevic is in power. We believe this approach is widely shared by our partners and allies.

Montenegro

Mr. Streeter: To ask the Secretary of State for International Development what help her Department is planning for Montenegro. [88116]

Clare Short *[holding answer 24 June 1999]:* We have allocated £90 million for humanitarian assistance in the region, including Montenegro. We shall continue to provide humanitarian assistance there whilst refugees remain and needs exist.

Before the crises we were providing advice on the Government's programme of privatisation. We will review our support in the context of political developments in the region and the plans of the international community.

We are also providing support through the EU, which has donated 13 million euro for refugee-related budgetary assistance to the Government of Montenegro.

HOME DEPARTMENT

Stop and Search

Mr. Gerald Howarth: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 June 1999, *Official Report*, column *264*, on stop and search, if he will list the figures for stop and search nationally. [88228]

Mr. Boateng: Statistics on stop and search are collected centrally only on a quarterly basis. Figures are not yet complete for the period January to March 1999.

Statistical bulletin "Operation of Certain Police Powers unde PACE, England and Wales, 1997–98" (Issue 2/99) contained stop/search figures on an annual basis. A copy is in the Library.

Prisons (Drugs)

Mr. Malins: To ask the Secretary of State for the Home Department how many prosecutions against persons taking drugs into prisons have taken place in each of the last five years; how many resulted in conviction; and of those, how many resulted in a custodial sentence. [88231]

Mr. Boateng: The Home Office Court Proceedings Database identifies prosecutions, convictions and type of sentence given for offences under the Misuse of Drugs Act 1971, as amended. But it does not identify the location of the offence.

TRADE AND INDUSTRY

Correspondence

Mr. Winnick: To ask the Secretary of State for Trade and Industry when the hon. Member for Walsall, North will receive a reply to his letter of 27 April, regarding a constituent. [88230]

Mr. Ian McCartney: I replied to my hon. Friend on 24 June 1999.

Parcelforce

Mr. Fallon: To ask the Secretary of State for Trade and Industry what data he has collated on the extent of the cross-subsidy of Parcelforce by Royal Mail in the financial years from 1994 to 1998. [85734]

Mr. Ian McCartney: The losses incurred by Parcelforce in recent years have been covered by loans from the Group Centre.

Sub-Post Offices

Mrs. Ray Michie: To ask the Secretary of State for Trade and Industry how many sub-post offices in Scotland have closed *(a)* in total and *(b)* on a temporary basis since 1997; and how many have subsequently been reopened. [87902]

Mr. Ian McCartney: I understand from the Post Office that, since 1997, two sub-post offices in Scotland have closed permanently, 77 have closed temporarily, 39 have reopened and three new offices have been opened.

Post Office Pension Scheme

Mr. Fallon: To ask the Secretary of State for Trade and Industry (1) what actuarial advice was received on the employee contribution rate to the Post Office Pension Scheme; and if his approval was sought for the rate chosen; [85736]

(2) what discussions he has had with the Post Office about the future of the Post Office Pension Scheme and Post Office Staff Superannuation Scheme. [85735]

Mr. Ian McCartney: None. Issues concerning the Post Office pension funds are primarily a matter for Post Office management and the trustees of the funds who include representatives of the workforce.

DEFENCE

Peacekeeping

Mr. Ivan Henderson: To ask the Secretary of State for Defence when the Government intend to sign the Memorandum of Understanding with the UN in relation to peacekeeping operations. [88805]

Mr. George Robertson: The Memorandum of Understanding with the UN will be signed in New York today. Our Ambassador to the UN and the UN Under-Secretary General for Peacekeeping will sign on behalf of the Government and the UN respectively. The MOU, which declares the UK forces potentially available for UN peacekeeping operations, reflects the priorities established in the Strategic Defence Review for improvements in our Armed Forces: a larger and better rapid reaction capability; additional strategic lift; and better logistics support. These capabilities are those most relevant to the UN and will enable the UK to make a more effective contribution to UN peacekeeping and humanitarian operations in future.

Submarine Spent Fuel Cores

Mr. Corbyn: To ask the Secretary of State for Defence when the contract for the new Used Core Transport Package for transporting submarine spent fuel cores was awarded; and what was the cost. [87705]

Mr. Spellar *[holding answer 22 June 1999]:* I refer my hon. Friend to the answer I gave to the hon. Member for Lewes (Mr. Baker) on 31 July 1998, *Official Report*, column *714*.

TREASURY

Correspondence

Sir Brian Mawhinney: To ask the Chancellor of the Exchequer when he will reply to the letter of 6 May from the right hon. Member for North-West Cambridgeshire on behalf of Mr. Lee, a constituent. [88407]

Mr. Gordon Brown: I have now responded.

SCOTLAND

Forestry Commission

Mr. Etherington: To ask the Secretary of State for Scotland what is the current Government policy in relation to the sale of land by the Forestry Commission; and if he will make a statement. [87443]

Mr. Macdonald: We have stopped large scale sales of forest land by the Forestry Commission. Our policy is that the Commission may only sell agricultural land, land associated with houses and other buildings, unplantable land and relatively small and isolated blocks of forest land which do not make a significant contribution to its objectives and which are surplus to its requirements. The Commission may also sell areas for development where this is in the public interest. Areas of forest land which are important for public access will not be sold unless an access agreement is in place.

Abattoirs

Mrs. Ray Michie: To ask the Secretary of State for Scotland when he expects the review of the costs of abattoirs and producers to be completed. [87690]

Mr. Macdonald: The review was established earlier this year, in response to widespread concerns, to assess the impact of meat inspection costs on abattoirs and producers and to look at the efficiency of the Meat Hygiene Service. The work is currently underway, the Government hope to complete the review quickly and will announce its conclusions in due course.

HEALTH

Cancer Services

Dr. Gibson: To ask the Secretary of State for Health (1) when the Commission for Health Improvement will review and report progress made by the NHS across the country in cancer services; [87367]

(2) when he will publish new standards for the treatment of certain cancers; [87369]

(3) when he plans to set up a cancer action team to improve cancer care in hospitals; [87364]

(4) when he will set up the NHS on-line guide to cancer symptoms and advice. [87370]

Mr. Hutton: On 20 May at a seminar attended by Health Ministers and leading cancer clinicians, my right hon. Friend the Prime Minister announced a plan of action to tackle cancer and save lives. This included the establishment of a Cancer Action Team to work with the National Health Service in raising standards of cancer treatment and care in all hospitals to that which is already being achieved in the best. A Director for the Cancer Action Team has now been appointed and will take up the post in July.

The Commission for Health Improvement, working with the Audit Commission, will look at cancer as an early priority. Although the establishment of the Commission depends on legislation currently awaiting

Royal Assent, the intention is that the Commission be established later this year and make a start on its first full year programme of work from April 2000.

In response to concerns expressed about the different regional approaches used in the implementation of Calman/Hine, we are developing a set of common national standards and performance measures. We plan to test them this year and roll out nationally next year.

The Government fully support the need for patients to have clear information about cancer services. NHS Direct on-line will be launched in November this year. It will include a range of information about diseases and their treatment including access to good quality accredited information about cancers.

Adoption

Mr. Hunter: To ask the Secretary of State for Health what assessment he has made of Hampshire Social Services record in respect of the processing of applications from aspiring adoptive parents relative to that of other social services departments. [87846]

Mr. Hutton: A survey will begin in July, to be carried out by the Social Services Inspectorate, of adoption services provided by each local authority in England. This is part of a planned assessment of progress made by local authority in implementing guidance we issued last August under circular Local Authority Circular (98) 20: "Adoption—Achieving the Right Balance". The survey will be followed later on in the year by a more detailed questionnaire and an inspection of a number of authorities. The results will be published in 2000.

Mr. Hunter: To ask the Secretary of State for Health what measures he proposes to take to accelerate social services departments' processing of applications from parents to adopt. [87847]

Mr. Hutton: I announced to the House on 16 June 1999, *Official Report*, columns 353–54, our intention to give responsibility for the regulation and inspection of adoption agencies to the commissions for care standards which are to be established as part of the Government's proposals for improving social services, and which were envisaged in the White Paper "Modernising Social Services". These inspections will cover all aspects of the adoption service including the process for handling adoption applications.

Medicines (Advertising)

Dr. Iddon: To ask the Secretary of State for Health if he will list the circumstances under which *(a)* a notice, *(b)* a threat of notice and *(c)* a request to cease advertising would be made by (i) him and (ii) the Medicines Control Agency under the Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999 (SI 267); and if he will make a statement on the powers of the Independent Review Panel concerning such actions. [88003]

Ms Jowell: The Medicines Control Agency undertakes its statutory role in the control of medicines advertising on behalf of Health Ministers. Any notice issued by the Agency is therefore issued for, and on behalf of Ministers.

There are specific circumstances under which notices may be issued to advertisers under the procedures in the amending Regulations. These are:

Under paragraph 1—to request a copy of an advertisement,

Under paragraph 3—to advise an advertiser that Health Ministers are "minded to" make a decision that an advertisement is in breach of the Advertising Regulations,

Under paragraph 4—to advise an advertiser that an advertisement would not be in breach, and

Under paragraph 5—to advise an advertiser that, after consideration of the advice of the Independent Review Panel Health Ministers have decided an advertisement is in breach.

Notices under paragraphs 1 or 3 may require an advertiser to cease advertising on an interim basis. At any stage the recipient of a notice can seek judicial review of the decision to issue that notice.

The issue of notices under the Schedule will not be automatic—the Medicines Control Agency will continue, as now, to discuss problems with advertising with the company concerned so as to secure acceptable changes. The formal procedures will come into play only when informal negotiation fails to reach an appropriate outcome.

The remit of the Independent Review Panel will be to consider written representations from advertisers who have been issued with a notice under paragraph 3 and advise Health Ministers on the compatibility of the advertisement in question with the Advertising Regulations. The panel will not consider the issue of notices or other procedural matters. The amending Regulations provide for the making of written representations by the company concerned but do not preclude oral hearings where these are considered appropriate by the Panel. We have no objection to the reports of the Review Panel meetings being made publicly available. Furthermore, the Medicines Control Agency has already established a working group, the Medicines Advertising Liaison Group, to provide a forum for all regulatory and self regulatory bodies concerned with the advertising of medicines to exchange information and opinions on advertising issues.

PRIME MINISTER

Special Advisers

Mr. Swayne: To ask the Prime Minister if he will list the travel expenses of the special advisers to his Department's Ministers since May 1997. [86454]

The Prime Minister: I refer the hon. Member to the answer I gave to the hon. Member for Chichester (Mr. Tyrie) on 13 April 1999, *Official Report*, column *1*. I also refer the hon. Member to the further answer I gave to the hon. Member for Chichester today, *Official Report*, columns *482-83*.

Mr. Matthew Taylor: To ask the Prime Minister if he will list the current paid special advisers to Ministers and the Ministers whom they advise. [87409]

The Prime Minister: For details of the Special Advisers employed in my office, I refer the hon. Member to the answer I gave to the hon. Member for Wantage (Mr. Jackson) on 8 December 1998, *Official Report*, column *143*. Since then, I have appointed Bill Bush. At 21 June, my ministerial colleagues had appointed the following Special Advisers.

Appointing Minister	*Name of appointee*
Chief Whip	Ian McKenzie Sue Jackson
Minister of Agriculture, Fisheries and Food	Tom Greatrex Kieran Simpson
Secretary of State for Culture, Media and Sport	John Newbiggin Andy Burnham
Secretary of State for Defence	Bernard Gray Alasdair McGowan
Secretary of State for Education and Employment	Conor Ryan Tom Engel—part time Sophie Linden—part time
Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions	Joe Irvin Paul Hackett—part time Joan Hammell Darren Murphy—part time
Secretary of State for Foreign and Commonwealth Affairs	David Clark Andrew Hood
Secretary of State for Health	Joe McCrea Simon Stevens
Secretary of State for the Home Department	Ed Owen Justin Russell
Lord Chancellor	Garry Hart
Secretary of State for International Development	David Mepham Dee Sullivan
Leader of the House of Lords and Minister for Women	Clare Cozens Jo Gibbons
Secretary of State for Northern Ireland	Nigel Warner Andrew Lappin
Minister for the Cabinet Office	Tim Walker Anna Healy
President of the Council and Leader of the House of Commons	Sheila Watson Nicci Russell
Secretary of State for Scotland	Richard Olszewski
Secretary of State for Social Security	Andrew Maugham Elsbeth Johnson
Secretary of State for Trade and Industry	Dan Corry Jo Moore
Chancellor of the Exchequer	Ed Balls Ian Austin
Chief Secretary	Ed Millband Spencer Livermore
Secretary of State for Wales	Julia Crowley Andrew Bold

In addition, the Minister for the Cabinet Office has appointed Mr. Keith Hellawell as the UK Anti-Drugs Co-ordinator and Mr. Michael Trace as his Deputy. Professor Michael Barber has been appointed as the Standards and Effectiveness Adviser to the Secretary of State for Education and Employment. The Chancellor of the Exchequer has appointed Mr. Chris Wales, Mr. Paul Gregg and Ms Shriti Vadera as members of the Council of Economic Advisers. All are employed on Special Adviser terms.

Policy Unit (US Visits)

Mr. Matthew Taylor: To ask the Prime Minister on how many occasions members of his Policy Unit have visited the United States of America on official business since 1 January 1998, indicating the name of the member and the dates of travel in each case. [87433]

The Prime Minister: Members of my Policy Unit have accompanied me or other Ministers on visits to the United States of America on 4 occasions since 1 January 1998. Separately, individual members of the Policy Unit have travelled to the United States of America to attend official engagements on three occasions since 1 January 1998 (6–9 December 1998, 29–31 January and 21–28 March 1999). All visits have been undertaken in line with the rules set out in the Ministerial Code.

Kosovo

Mr. Winnick: To ask the Prime Minister (1) what action Her Majesty's Government plan to take to publicise throughout Europe the war crimes committed in Kosovo; [87308]

(2) if he will consult with the other allied political leaders on the preparation of a joint White Paper to be issued on the war crimes in Kosovo and placing of such a paper to be placed before the parliaments of all the countries that took part in the allied campaign. [87311]

The Prime Minister *[holding answer 17 June 1999]:* We are appalled at the evidence which has emerged and continues to emerge day by day of the atrocities committed in Kosovo. We always warned at what we would find inside Kosovo. Now cameras can enter Kosovo, the full horror of Milosevic's ethnic cleansing is clear to everyone.

We are doing all we can to support the International Criminal Tribunal for the former Yugoslavia with their investigations into the atrocities. We are doing all we can to support the work of the Tribunal, in particular we are seconding a police team to investigate scenes of crimes. The first priority must be for the Tribunal to gather the information which would be needed to sustain any prosecutions.

Mr. Dalyell: To ask the Prime Minister what steps *(a)* the United Kingdom and *(b)* other NATO Governments are taking to assist gypsies (i) suspected of having been informers for the Yugoslav authorities and (ii) who have moved out of Kosovo into other parts of Yugoslavia. [88078]

The Prime Minister *[holding answer 24 June 1999]:* KFOR is tasked to provide robust and even-handed protection for all the people of Kosovo, regardless of their ethnic, religious or cultural background. It is the responsibility of the host Governments to provide security for those who have fled Kosovo. UNHCR is trying to help with security arrangements in refugee camps and we support those efforts.

Under UN Security Council Resolution 1244, a main responsibility of the UN civilian mission in Kosovo is to protect and promote the human rights of all the inhabitants of Kosovo.

Mr. Dalyell: To ask the Prime Minister, pursuant to his oral statement of 21 June 1999, on Kosovo, with reference to the question from the hon. Member for Islington, North (Mr. Corbyn), *Official Report*, column 772, if he will list the claims of environmental damage in Yugoslavia which had been exaggerated. [88077]

The Prime Minister *[holding answer 24 June 1999]:* Mr. Klaus Toepfer, the Executive Director of the UN Environment Programme (UNEP) said, when he met my right hon. Friend the Secretary of State for International Development on 15 June, that the claims about the extent of the pollution of the Danube and the impact of the use of depleted uranium weaponry had been exaggerated.

We believe that objective information is needed to combat rumours about the environmental impact of the conflict. We welcome the joint task force set up by UNEP and the UN Commission on Human Settlements to assess the environmental and health effects of the conflict. We remain, as ever, ready to co-operate with the task force.

Separately, the EU commissioned a report from the Regional Environmental Centre for Central and Eastern Europe. The Centre's preliminary assessment was that there was no evidence of a large-scale ecological catastrophe in the region, although some local environmental damage may have occurred.

Mr. Dalyell: To ask the Prime Minister if he will place in the Library a copy of the agreement on the demilitarisation of the KLA made between its leadership and Lieutenant General Sir Michael Jackson. [88421]

The Prime Minister: I refer my hon. Friend to the answer given by my right hon. Friend the Secretary of State for Defence on 23 June 1999, *Official Report*, column *396*, to the hon. Member for Buckingham (Mr. Bercow).

Wal-Mart

Mr. Redwood: To ask the Prime Minister what meetings he has had with Wal-Mart; and what subjects were discussed. [88120]

The Prime Minister: I refer the right hon. Member to the reply I gave to the right hon. Member for Suffolk, Coastal (Mr. Gummer) on 6 May 1999, *Official Report*, columns *451–52*.

Armed Forces Pay Review Body

Mr. Gareth R. Thomas: To ask the Prime Minister if he will make a statement about appointments to the Armed Forces Pay Review Body. [89005]

The Prime Minister: I am pleased to announce that I have today appointed Mr. John Davies and Mr. Michael Ward as new members of the Armed Forces Pay Review Body and re-appointed Mrs. Kay Coleman, OBE, for a second three year term. These are the first appointments to this Pay Review Body conducted under the Peach Code of Practice on appointments to public bodies. I should also like to inform the House that Baroness Dean of Thornton-le-Fylde has assumed the Chairmanship of the Armed Forces Pay Review Body, having previously served as a member.

Overseas Visits

Mr. Tyrie: To ask the Prime Minister, pursuant to his answer of 13 April 1999, *Official Report*, column *1*, how many overseas visits he made between 1 May 1997 and 3 March 1999; what was the average cost per head for each accompanying official; and if he will list the number of occasions on which his chief press secretary and chief of staff travelled abroad without the Prime Minister in the same period, giving the costs of each visit. [81142]

The Prime Minister: For details of visits made by me overseas costing more than £500 during the period 2 May 1997 to 31 March 1999, I refer the hon. Member to the answer I gave to my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) on 17 June 1999, *Official Report*, columns *196–97*. This information includes numbers of officials accompanying me and the total cost. During this period, my Chief of Staff travelled

overseas without me on four occasions at an average cost of £375 per visit; my Chief Press Secretary made no such visits.

FOREIGN AND COMMONWEALTH AFFAIRS

Special Advisers

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs on what dates special advisers from his Department travelled abroad on official business since 2 May 1997; which countries were visited; and what were the names of the special advisers in each case. [87400]

Mr. Robin Cook: Special Advisers in my Department have visited the following countries on official business since 2 May 1997:

Andrew Hood

Date	*Country visited*
18–20 May 1997	USA
20–23 June 1997	USA
25 June 1997	France
27 June-1 July 1997	Hong Kong
28 July-3 August 1997	Egypt
	Occupied Territories
	Israel
21–25 September 1997	USA
20 November 1997	Luxembourg
	Switzerland
13–16 January 1998	Israel
10–13 February 1998	Oman
	UAE
	Egypt
15–18 March 1998	Cyprus
	Egypt
	Jordan
	Israel
	Syria
	Lebanon
5–9 December 1998	Israel
14–18 December 1998	France
	Belgium
	Germany
5–7 March 1999	France
8–11 March 1999	Nigeria
	Ghana
	Cote d'Ivoire

David Clark

Date	*Country visited*
1 May 1997	France
	Germany
19–20 May 1997	Netherlands
5–6 June 1997	Sweden
16–17 June 1997	Netherlands
25 June 1997	France
7–9 July 1997	Spain
28–30 July 1997	Croatia
	Bosnia and Herzegovina
7–8 October 1997	Gibraltar
20 November 1997	Luxembourg
25–28 November 1997	Hungary
	Czech Republic
	Poland
14 January 1998	France
18–19 May 1998	Turkey
10–11 December 1998	Austria
19–24 April 1999	USA

Cambodia

Jane Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that the recommendations of the UN Group of Experts on Cambodia for the establishment of an ad hoc international tribunal outside Cambodia to try senior Khmer Rouge leaders are implemented; and if he will make a statement. [88189]

Mr. Hoon: The Government strongly support efforts to bring the Khmer Rouge leaders to justice and therefore welcomed the report by the UN Group of Experts earlier this year. We have made clear to the Cambodian Government our support for an international tribunal, and have encouraged them to co-operate with the international community on this issue.

EU General Affairs Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the General Affairs Council held in Luxembourg on 21 and 22 June; and if he will make a statement. [88334]

Ms Quin: My right hon. Friend the Foreign Secretary and I attended the General Affairs Council in Luxembourg on 21 June 1999. Accession Conferences with the six applicants engaged in negotiations took place on 21 and 22 June. An EU/South Caucasus Summit took place on 22 June. The Council adopted the A points listed in document 9362/99 and 9367/99. Copies of the documents listing the A points will be placed in the House Libraries as soon as they become available.

Comitology: The GAC gave political agreement to a Decision on Comitology. This sets out procedures for overseeing implementation by the Commission of legislation delegated to it by the Council and European Parliament.

Modern Means of Communication: The GAC discussed proposals to test a multilateral video-conferencing system and to establish a secure phone/fax network between Foreign Ministers' offices. It was agreed that work should begin on both proposals.

Association Agreement with Egypt: After four and a half years of negotiations, the Council agreed the terms of an Association Agreement with Egypt. The Presidency and Egypt will now initial the final text and the Commission put a formal proposal to the Council.

EU/Mercosur and EU/Chile Trade Negotiations: The Council reached agreement on how to take forward trade liberalisation negotiations with Mercosur and Chile. The agreement provides for talks to start this year on regulatory issues and on the removal of non-tariff barriers to trade, as well as for co-operation before and during the forthcoming WTO Round of multilateral trade negotiations. Negotiations on tariff issues will begin not later than 1 July 2001, with their outcome taking into account the results of the multilateral trade negotiations.

Western Balkans: The Council welcomed the adoption of UNSCR 1244 and urged all parties to co-operate in implementing it. It called on all Kosovo residents to remain in Kosovo and work for a democratic, multi-ethnic Kosovo. It welcomed the agreement on Russian participation in KFOR. It emphasised that the EU would participate fully in the UN mission in Kosovo. It invited

the Commission to report further on the region's humanitarian and reconstruction needs. It condemned the mass killings in Kosovo and emphasised that EU member states would co-operate fully with ICTY.

The Council agreed that the EU would create a new category of Stabilisation and Association Agreements for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and Macedonia. Countries would be eligible once they met the relevant conditions. The Council reviewed performance of individual countries and agreed on next steps, including preparation of a feasibility study on opening negotiations for a Stabilisation and Association Agreement with Albania, and examination of the feasibility study on an Agreement with Macedonia and of the proposals for upgrading the trade regime with Albania.

Reports on Summits with Third Countries: The Presidency and Commission reported on the recent Summit meetings with the US, Canada and Japan.

Black Sea Economic Forum: The Council discussed a proposal for strengthening relations between the EU and the Black Sea Economic Forum.

Enlargement: The third round of Ministerial Accession Conferences took place after the GAC and noted progress made in negotiations during the German Presidency. Of the 31 chapters in the acquis, all of the candidates have opened 15 and closed between six and 10. The Conferences looked forward to further progress during the Finnish Presidency.

EU/Switzerland: After several years of negotiation, seven bilateral agreements between the EU and Switzerland were signed in the margins of the GAC. The agreements cover Free Movement of Persons, Air Transport, Land Transport, Agriculture, Mutual Recognition of Standards, Public Procurement and Science and Technology.

EU/South Caucasus: A Summit was held with the Presidents of Armenia and Georgia and the Prime Minister of Azerbaijan on 22 June to mark the entry into force on 1 July of Partnership and Co-operation Agreements with all three countries. A joint declaration issued at the meeting stressed the political and economic importance the EU attaches to the South Caucasus and looked forward to a closer partnership.

EU Latin America/Caribbean Summit

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the agenda for the EU-Latin America/Caribbean summit of 25 to 29 June prior to the meeting. [88332]

Mr. Tony Lloyd: The EU/Latin America/Caribbean Summit will take place in Rio de Janeiro on 28 and 29 June. It will be preceded by meetings of Foreign Ministers and officials on 25 to 27 June. The agenda for the Summit will be as follows:

28 June 1999

Working Session 1—Political Dialogue

A) Democracy, pluralism and good governance, human rights, regional integration processes, co-operation in international fora, including the reform of the UN system.

B) The rule of law, combat against terrorism, combat against organised crime and the drug problem.

C) Sustainable development in all its aspects, combat against poverty, protection of the environment and social equity.

29 June 1999

Working Session 2—Economic and Trade Themes

A) The international financial situation: evaluation and prospects (the new "architecture"); consequences of introduction of the Euro.

B) The importance of trade negotiations and liberalisation: multilateral and bilateral.

C) The challenge and opportunities of globalisation and development.

Working Session 3—Education, Culture and Human Dimension

A) Education (including co-operation on basic formation, vocational training and among higher education institutions), Science and Technology.

B) Cultural dimension, media and cultural management; preservation of cultural heritage and diversity.

C) The human dimension: women's participation in all spheres; protection of children; the role of civil society in interregional relations.

AGRICULTURE, FISHERIES AND FOOD

Beef (Intervention Stores)

Mr. Beggs: To ask the Minister of Agriculture, Fisheries and Food how many tonnes of beef have been released from intervention stores in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland on to the United Kingdom beef market in each of the last 12 months. [87185]

Mr. Rooker: The tonnage of intervention beef released from UK intervention stores during the period 1 June 1998 to 31 May 1999 is as follows:

	England	*Scotland*	*Wales*	*Northern Ireland*	*Total*
1998					
June	789	121	0	200	1,110
July	954	242	6	558	1,760
August	418	40	0	950	1,408
September	1,329	176	0	1,111	2,616
October	1,560	117	0	882	2,559
November	1,250	28	0	1,126	2,404
December	1,665	78	0	838	2,581
1999					
January	1,769	82	0	509	2,360
February	1,705	38	5	1,856	3,604
March	2,470	442	4	3,898	6,814
April	1,749	350	4	2,208	4,311
May	2,324	359	1	4,508	7,192
Total	17,982	2,073	20	18,644	38,719

Thailand

Mr. Nicholls: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 11 May 1999, *Official Report*, column *129*, on Thailand, if he will publish the findings of his Department's inspectors who visited Thailand to inspect the welfare and hygiene standards relating to locally raised poultry. [87408]

Mr. Rooker: A report of the inspection visit can be found on the Ministry's internet site, the address of which is http://www.maff.gov.uk. The full document is also available to all Members in the Library of the House.

Linseed Fibre Flax

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what was the tonnage of linseed fibre flax produced in the United Kingdom in each of the last three years; and what was the total financial subsidy paid on this crop in each of those years. [87651]

Mr. Rooker: Payments made under the EU fibre flax scheme are based on the area of flax grown. The area of fibre flax grown in the United Kingdom in 1996, 1997 and 1998 was 20,200 hectares, 19,200 hectares and 16,800 hectares respectively. Based on the average yields achieved in those three years the tonnage of fibre flax produced would have been in the region of 27,000 tonnes in 1996, 16,000 tonnes in 1997 and 25,000 tonnes in 1998.

The total amount of subsidy paid out under the EU fibre flax scheme in the United Kingdom in 1996, 1997 and 1998 amounted to some £11.6 million, £12.5 million and £10.7 million respectively.

Sheep

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that sheep grazing on upland areas affected by radiocaesium contamination do not enter the food chain. [87860]

Mr. Rooker: Affected areas are subject to orders made under the Food and Environment Protection Act 1985 which restrict the sale, movement and slaughter of sheep. Sheep to be moved off restricted farms must be monitored, and if found to be over the action level of 1000 becquerels per kilogram (Bq/kg) of caesium, are marked as ineligible for slaughter. Marked sheep can be moved to clean grazing and released for slaughter three months later when the radiocaesium has decayed to safe levels. Random check monitoring of sheep carcases at slaughterhouses serving the restricted areas has confirmed that no animals over the action level are getting into the food chain. The highest radiocaesium level ever found in a carcase was 533 Bq/kg (in 1991).

WALES

Energy Efficiency

Mr. Alan Simpson: To ask the Secretary of State for Wales how many households in Wales would meet the eligibility criteria for the New Home Energy Efficiency Scheme if it were to be applied in Wales. [88153]

Mr. Jon Owen Jones: There is no information readily available on the number of households in Wales who would meet the eligibility criteria for the new HEES scheme if it were to be applied in Wales.

Following the transfer of functions, this issue will be a matter for the National Assembly. Consultation proposals for the new HEES in Wales will be published on Monday 28 June 1999.

Local Authority Debt

Mr. Ruane: To ask the Secretary of State for Wales if he will list the debt inherited by each unitary authority in Wales from the predecessor authorities; and what estimate he has made of each authority's exposure to future financial liabilities from those authorities. [88400]

Mr. Jon Owen Jones: Information on the outstanding loan debt of county and county borough councils at 1 April 1996 is set out in paragraph 6 of the notes to Table 1.2 of the Local Government Finance Report (Wales) 1997–98, which was approved by the House in February 1997.

I have made no estimate of any financial liabilities that councils inherited from their predecessor authorities because information on such liabilities is not held centrally.

Following the transfer of functions, this issue will be a matter for the National Assembly.

INDEX TO THE

PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 333**

SESSION 1998–99

14th June—25th June 1999

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index to the daily parts and weekly Hansard is derived from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes, and cannot, therefore, be used in conjunction with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There will, however, be headings 'Northern Ireland', 'Scotland', and 'Wales' under which one will find not only Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements', and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc., under subject headings and under the names of those taking part.

Contributions by Speaker and deputies are brought together under the heading 'Speaker and deputies'. Significant rulings and statements are indicated by the sub-heading 'Rulings and statements'.

Opposition Day Debates and Estimates Day Debates are listed under those respective headings and under subject headings too.

The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Com = Committee stage, Rep = Report stage, 3R = third reading, res = resolution, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

Column numbers followed by the letter W refer to Written Questions. These appear at the end of each daily part or volume with their own sequence of column numbers printed in italics.

A14
78w

A40
Wales 72w

A303
440w

Abbott, Ms Diane
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 198
Immigration and Asylum Bill, Rep (15.06.99) 272, 280–3, 289–90, 297, (16.06.99) 414–5, 428–9, 437–42, 453, 469, 473, 484–5

Absent voting
229w, 379w
Northern Ireland 390–1w

Access funds
Students 341w

Access to Justice Bill (HL) 1998/99
Debates etc.
Allocation of time motion (22.06.99) 933–4
Ways and Means res*, Rep and 3R (22.06.99) 980–1079

Accident and emergency departments
Administrative delays 11w

Accidents
Chinook helicopters 326–7w
Fishing vessels 79w
Railways 1164
Roads 37w, 441–2w

Administration of justice
EC action 108w
Young offenders 164w

Adoption
(16.06.99) 349–55, 477w
Hampshire 477w

Advertising
Drugs 12–4w, 382–3w, 477–8w
Metropolitan Police 104–5w
Prostitution 347w
Tobacco 225w

Advisory bodies
Ministry of Agriculture Fisheries and Food 20–1w

Advisory Committee on Creative and Cultural Education
see National Advisory Committee on Creative and Cultural Education

Advisory Committee on Releases to the Environment
247–50w

Advocacy
Special hospitals 14w

Aerials
Planning permission 250w

Afghanistan
Overseas aid 174–5w

Age of consent
220–1w

Agency nurses
Costs 435w

Agriculture
see also Farmers

Ainsworth, Mr Peter
Debates etc.
Tourism, Millennium (18.06.99) 668, 673–84, 697, 699, 718

Ainsworth, Mr Peter*—*continued
Questions
Millennium Exhibition, Voluntary organisations 343w
Minimum wage, Horse riding 316w
National Advisory Committee on Creative and Cultural Education, Publications 89w
Theatre, Hammersmith and Fulham 343–4w

Air bags
247w

Air pollution
Aircraft 82w
Carbon dioxide 83w

Aircraft
Air pollution 82w

Airguns
Safety (23.06.99) 1257–66

Albania
Arms control 115–6w

Al-Fayed, Mohammed
(22.06.99) 1081–8

Allan, Mr Richard
Debates etc.
Immigration and Asylum Bill, Rep (15.06.99) 271, 275–6, 288, 290, 292–3, 295–7, (16.06.99) 397, 403–4, 410, 414, 424–30, 440, 444, 468, 470, 480–2, 494–5, 505–7, 509–10

Allergies
Grain 281w

Alternative energy
2w, 203w

Alzheimer's disease
289–90w

Ambassadors for British business
278w

Amess, Mr David
Debates etc.
Health Bill (HL), Rep (14.06.99) 56–69
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 216
Questions
Complaints, Standards specifications 413–4w
Local government finance, Southend 78w
Police, Manpower 57w
Public appointments 420w
Seasonal workers, Working hours 555–6

Ammunition
Lead 137w, 149

Anaesthetics
Dental services 9–10w

Anchorpac
Correspondence 425w

Anderson, Mr Donald
Debates etc.
Kosovo (14.06.99) 27, (17.06.99) 583–4, 617–21

***Anderson, Janet**, Parliamentary Under-Secretary of State, Dept for Culture Media and Sport*
Debates etc.
Tourism, Millennium (18.06.99) 674, 679–80, 731–4
Questions
BBC 366w
BBC, Audit 88w, 344w
BBC, Public appointments 430w
Film 429–30w
Holidays abroad 180w

Anderson, Janet*—*continued
Millennium Exhibition 180w
Millennium Exhibition, Voluntary organisations 343w
Tourism 365–6w
Tourism, Balance of payments 179–80w

Animal experiments
380–1w

Animal feed
Bovine spongiform encephalopáthy 391–2
Contamination 123w
Genetically modified organisms 122w, 192–3w

Animal Procedures Committee
57w
Annual reports 350w

Animal products
Drugs 382w

Animal welfare
EC action 414w

Animals (Scientific Procedures) Act 1986
Questions
380w

Anniversaries
Duchy of Lancaster 125–6w, 420w

Antarctic
Environment protection 134w

Antibiotics
Genetically modified organisms 136w

Antisemitism
Iran 227–8w, 253–4w
Russia 354w

Appropriation (No 2) (Northern Ireland) Order 1999
Debates etc.
(21.06.99) 862–900
HC procedure (18.06.99) 734

Arbitration
Common agricultural policy 123w

Armed conflict
Kosovo 65–6w, 277w, 302–4w, 306–7w, 313–4w, 327–8w, 354w, 381–2, 423w, 451w, 461w, 481–2w, 743–5, 755, 917–20
Sudan 253w

Armed forces
Divorce 751
Education 301w
Females 258w
Gambia 451w
Health services 256w, 752–4
Homosexuality 145w
Insignia 263w
Medical profession 213w
Paternity leave 147w
Peace keeping operations 305w
Recruitment 150w
Training 305w

Armed Forces Pay Review Body
482w

Arms control
Albania 115–6w

Arms trade
Export controls 359w

***Armstrong, Rt Hon Hilary**, Minister of State for Local Government and Housing, Dept of the Environment Transport and the Regions*
Questions
Beacon councils 143–4
Council housing, Finance 337–9w
Council housing, Rents 201w

***Armstrong, Rt Hon Hilary**—continued*
Council housing, Tenant management organisations 411–2w
Council tax, Shropshire 80w
Empty property 149–50
Local government, Elections 77w
Local government, Ethics 77w
Local Government Commission for England 286w
Local government finance 78w, 286w
Local government finance, Southend 78w
Standard spending assessments 79w

Army
Cadets 147w, 262w
Deployment 257w
Manpower 260–1w, 306w, 309w
Vacancies 261w

Army Air Force and Naval Discipline Acts (Continuation) Order 1999
Debates etc.
(14.06.99) 115

Army Training and Recruiting Agency
Standards 149w

Arrests
National Front 161w

Asbestos
Imports 200w

Ashcroft, Michael
1272–3

Ashdown, Rt Hon Paddy
Questions
Belfast Agreement 1162–3

ASSIST programme
117–8w

Assisted areas
Kent (23.06.99) 1143–50

Asthma
Children (16.06.99) 365–72

ASTOR system
Contracts 65–6w

Asylum
see Political refugees

Atherton, Ms Candy
Questions
Eclipse 1999, Health education 384w

Atkins, Charlotte
Questions
Probation Board for Northern Ireland 70–1w
Remedial education 394w
Standard spending assessments 79w

Atkinson, Mr David
Debates etc.
Millennium compliance (17.06.99) 577
Questions
Business questions 566
Coroners 62w

Atkinson, Mr Peter
Debates etc.
Food Standards Bill, 2R (21.06.99) 830–2
Questions
Business questions 565

Attorney General
Females 300w

Autism
286–7w

Automated credit transfer
Social security benefits 33–4w

Aviation
206w

***Aviation**—continued*
Excise duties 312w

Avon
Orthopaedics 437w

AWE Aldermaston
328w
Radioactive wastes 329w

Axle weights
Lorries 281w

Bacillus thuringiensis
119–20w

Badgers
see Bovine tuberculosis

Bahai sect
Iran 228w

Baker, Norman
Debates etc.
Flood control, Lewes (16.06.99) 533–6, 540
Railway network, Greater London (16.06.99) 334–7
Supermarkets (24.06.99) 1369–72, 1378
Questions
Biotechnology 109w
Biotechnology Presentation Group 127w, 1155–6
Bovine somatotropin 416w
British Railways Board, Land 408–9w
Church Commissioners, Genetically modified organisms 316w
Church Commissioners, Investment 297w
Civil servants, Recruitment 363–4w
Drugs, Animal products 382w
European Convention on Mutual Assistance in Criminal Matters 104w
Firearms 103w
Genetic Modification Technology Interdepartmental Group 126w
Genetically modified organisms 146–7
Genetically modified organisms, Crops 124–5w, 136w, 445–6w
Genetically modified organisms, Developing countries 72w
Genetically modified organisms, Food 124w, 193w, 415–6w
Genetically modified organisms, Tree planting 336w
Government Communications Headquarters 360w
Kosovo, Armed conflict 65–6w
Monsanto, Cabinet Office 194w
Palace of Westminster, Parking 316w
Railtrack, Capital investment 282w
Railtrack, Finance 281w
Railway track 408w
Royal family, Protection 104w
Shamrock Farms 104w
Transport, Ministry of Defence 301–2w
Unleaded petrol 336w

Balance of payments
Tourism 179–80w

Balkans
Economic situation 356–7w
Overseas aid 175–6w, 376–9
Stability Pact 255w
Territorial Army 300w

Ballard, Jackie
Questions
Bacillus thuringiensis 119–20w
Economic and monetary union 1168–70
Females, Attorney General 300w
Females, Dept for Culture Media and Sport 269w
Females, Dept for Education and Employment 296–7w

***Ballard, Jackie**—continued*
Females, Dept for International Development 345w
Females, Dept of Social Security 234w
Females, Dept of the Environment Transport and the Regions 332–3w
Females, Dept of Trade and Industry 270w
Females, Foreign and Commonwealth Office 255w
Females, Home Office 346w
Females, Lord Chancellor's Dept 299w
Females, Ministry of Agriculture Fisheries and Food 417–8w
Females, Ministry of Defence 262–3w
Females, Northern Ireland Office 386–7w
Females, Scottish Office 330w
Females, Welsh Office 225w
Quarantine 216w
Railways, Rural areas 77w

Ballot papers
230w

Bamieh, Maria
317w

Bananas
EC external trade 177–8w, 424–5w

Bank of Credit and Commerce International
28w

Bankruptcy
Farmers 299w

Banner Committee
see Animal Procedures Committee

Barnes, Mr Harry
Questions
Balkans, Overseas aid 378
Kosovo, Armed conflict 744

Barron, Mr Kevin
Debates etc.
Food Standards Bill, 2R (21.06.99) 821–5
Questions
Food Standards Draft Bill Select Committee 124w
Tobacco, Advertising 225w

Battery hens
417w

***Battle, Mr John**, Minister of State, Dept of Trade and Industry*
Debates etc.
Footwear (17.06.99) 660–4
Questions
Alternative energy 2w, 203w
Aviation 206w
Biotechnology 109w
British Nuclear Fuels 209w
British Steel 206w
Climate change levy 188w
Companies, Environment protection 5w
Diesel engines 556
Electricity 1–2w
Energy, Consumption 209w
Energy, Trade competitiveness 203–4w
Fuel poverty 547–8
Higher Education Reach-out to Business and the Community Fund 108–9w
Lead, Research 207–8w
Manufacturing industries 208w
Manufacturing industries, Capital investment 2–3w
Matra Marconi Space UK 550
Non-fossil fuel obligation, Essex 109w
Oil and Gas Industry Task Force 271–2w, 543–4
Plutonium 269–70w
Radioactive materials, Japan 5w, 271w
Utilities, Standing charges 548

Battle, Mr John*—*continued
Visits abroad, Dept of Trade and Industry 207w
Written questions, Dept of Trade and Industry 189w

***Bayley, Mr Hugh**, Parliamentary Under-Secretary of State, Dept of Social Security*
Questions
Disability living allowance, Eligibility 34–5w, 107–8w
European Social Fund, Employment schemes 34w
Incapacity benefit 362w, 434w
Industrial injuries disablement benefit, Benefits rules 32w
Invalid care allowances 182w, 361w, 367w
Invalid care allowances, Earnings rules 182w
Social security benefits, Disabled 35–6w
War pensions, Medical examinations 295w

BBC
366w
Audit 88w, 344w
Public appointments 430w

Beacon councils
143–4

Beard, Mr Nigel
Questions
Economic and monetary union 460w
NATO enlargement 301w

***Beckett, Rt Hon Margaret**, President of the Council and Leader of the House of Commons*
Debates etc.
Business statements (14.06.99) 111–5, (23.06.99) 1230–2
Millennium compliance, Ministerial statements (17.06.99) 571–9
Speaker, Leave of absence (23.06.99) 1256
Questions
Business statements 559–70, 1285–98
Members, Car allowances 74w
Millennium compliance 71w, 151w

Bedford-Bletchley railway line
137–8w

Beef
Common agricultural policy 121w
Intervention stocks 486w

Begg, Miss Anne
Debates etc.
Food Standards Bill, 2R (21.06.99) 842, 847

Beggs, Mr Roy
Questions
Beef, Intervention stocks 486w
Climate change levy, Northern Ireland 28–9w
Occupational therapy, Northern Ireland 49–50w

Beith, Rt Hon A J
Debates etc.
Demonstrations, City of London (21.06.99) 780
Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Orders (23.06.99) 1174
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1392–4, 1397
Supermarkets (24.06.99) 1345, 1349
Questions
Drugs, Abuse 267w
Beith, Rt Hon A J*—*continued
Drugs, Medical treatments 349–50w
Drugs, Young people 364w
Economic and monetary union 386
European Police Office, Interpol 346w
Habitual offenders, Drugs 347w
Identity cards 4
Parish councils, Public appointments 285w
Political refugees, Voucher schemes 386
Refugees, International law 346–7w
Schools, Drugs 340w
Security Facilities Executive 422w
Stephen Lawrence Death Inquiry, Disclosure of information 58–9w
United Kingdom Passport Agency, Compensation 374w

Belfast Agreement
1160–3

Belfast Harbour
427w

Belgium
Dioxins 416–7w
EC grants and loans 116w

Bell, Mr Martin
Debates etc.
Kosovo (17.06.99) 631–2
Questions
Armed forces, Divorce 751
Kosovo, Refugees 355–6w

***Bell, Mr Stuart**, Second Church Estates Commissioner*
Debates etc.
Care of Places of Worship Measure (23.06.99) 1250–1, 1254
Cathedrals Measure (23.06.99) 1233–4, 1247–9
Questions
Church Commissioners, Expenditure 760
Church Commissioners, Genetically modified organisms 316w
Church Commissioners, Investment 297w
Church of England, Investment 756–7
Churches, VAT 757–8
Clergy, Pay 758

Benefits Agency
see Social Security Benefits Agency

Benefits Agency Security Investigation Service
Manpower 295–6w

Benn, Hilary
Debates etc.
Maiden speech (23.06.99) 1198–200
Oaths and affirmations (14.06.99) 33
Proportional representation (23.06.99) 1198–200

Benn, Rt Hon Tony
Debates etc.
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1385–6, 1388
Sub judice rule, Points of order (24.06.99) 1382
Questions
Balkans, Overseas aid 377
Economic and monetary union 390–1

Bennett, Mr Andrew F
Debates etc.
Supermarkets (24.06.99) 1374–5, 1379
Questions
Northern Ireland Industrial Research and Technology Unit, Standards 143w

Bercow, Mr John
Debates etc.
Business questions (14.06.99) 114
Clocks and watches, Points of order (22.06.99) 929
Health Bill (HL), Rep (14.06.99) 47–8, 51, 53–4, 57–8, 61–3, 65, 67, 70–2, 75–6, 80–1, 86–7, 90, 92, 94–6, 98–110
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 189, 195–6
Health Bill (HL), Rep and 3R (15.06.99) 223–4, 226–7
Innovation (25.06.99) 1417, 1423–5, 1430, 1432, 1450, 1454–67, 1473, 1477, 1481, 1483–5
London Underground (15.06.99) 166
Medicines Control Agency, Petitions (25.06.99) 1413
Oral question time intervention (17.06.99) 546
Pre-school education (18.06.99) 735–40
Proportional representation (23.06.99) 1191–2, 1204
Tax Credits Bill, Lords amendts (22.06.99) 937–8
Tourism, Millennium (18.06.99) 678–80
Questions
Administration of justice, EC action 108w
Albania, Arms control 115–6w
Armed forces, Females 258w
Armed forces, Homosexuality 145w
Balkans, Stability Pact 255w
Belgium, EC grants and loans 116w
Better government programme 420w
Better government programme, Elderly 1153–4
British Council, Public appointments 256w
Business questions 568–9, 1297–8
Centre for European Reform, Finance 76w
Council of Europe, Publications 115w
Departmental records, Foreign and Commonwealth Office 116w
EC budget 312w
EC Culture Council 88w
EC defence policy 264w
EC integration 115w
EC staff, Business interests 276w
EC working groups 255w
Electronic surveillance, EC action 92w
Embassies, Email 116w
European Central Bank, Codes of practice 168w
European Commission, Conflict of interests 133w
European Commission, Pay 168w
European Communities, Flags 115w
European Movement, Finance 76w
European Parliament elections, Publicity 267–8w
Fares, Concessions 140
Fishing catches 216–8w
Human rights 226w
Intergovernmental Conference 2000 195w
Kosovo, Armed conflict 277w, 303–4w, 306–7w, 313w
Kosovo, Ethnic groups 16w
Kosovo, Peace keeping operations 195w, 396w
Kosovo, Refugees 187w, 265w
Kosovo, Uranium 307w
Libyan Arab Republic, Sanctions 109–10w
Macedonia, Export controls 133w
Middle East, Peace negotiations 916
Modernisation, Foreign and Commonwealth Office 32w
National Audit Office 759–60
National security 16w
Oil and Gas Industry Task Force 543–4
Overseas aid, Fraud 173w

***Bercow, Mr John**—continued*
Panel 2000 31–2w
Parliamentary questions, Scottish Office 235w
Parliamentary questions, Welsh Office 275w
Pinochet, Augusto 115w
Research, EC action 359w
Road traffic offences, EC action 92w
Sandeels 218w
Schengen Agreement 116–7w
Schengen Agreement, Costs 92–3w
Schengen Agreement, Information technology 160–1w
Seeds, Marketing 122w
Taxation, Business 1279
Taxation, EC action 324–5w
Taxation, Italy 27w
Vandalism 15
Western European Union 309w
Withholding tax 168–9w
Working hours, Fisheries 270–1w

Berry, Mr Roger
Questions
Incapacity benefit 362w, 434w
Learning disability, Intimidation 1167

Best, Mr Harold
Questions
Land use, Databases 154

Better government programme
420w
Elderly 1153–4

Betting shops
Tax yields 170–1w

Bicycles
Railway stations 409w
Trains 441–2w

Biotechnology
109w

Biotechnology Presentation Group
127w, 1151–3, 1155–6

Blackman, Mrs Liz
Questions
Primary education, Literacy 1166–7

***Blair, Rt Hon Tony**, Prime Minister, First Lord of the Treasury and Minister for the Civil Service*
Debates etc.
Kosovo, Ministerial Statements (21.06.99) 761–76
Questions
Armed Forces Pay Review Body 482w
Belfast Agreement 1160–3
Bovine spongiform encephalopathy, Animal feed 391–2
Council of Europe, UK delegations 18w
Crimes of violence, Northern Ireland 388
Devolution 387
Disadvantaged, Children 1166
EC external trade, USA 388–9
Economic and monetary union 322w, 386, 390–1, 1164–6, 1168–70
Economic policy 386–7
Electronic commerce 313w
Employment, EC law 389
European Central Bank, Gold and foreign exchange reserves 389–90
Government departments, Correspondence 71w
Heart disease, Surgery 1168
House of Lords, Reform 1164
Interception of Communications Commissioner, Annual reports 196w
Intergovernmental Conference 2000 195w
Iraq, Sanctions 387
Kashmir 187w, 387–8
Kosovo, Armed conflict 313–4w, 481–2w
Kosovo, Ethnic groups 16w
Kosovo, Peace keeping operations 195w
Kosovo, Refugees 187w, 383
Labour Liberal Democrats Joint Consultative Committee 321w
Learning disability, Intimidation 1167
Lords Lieutenant, Public appointments 321w
M4, Bus lanes 1167
Members, Correspondence 314w
Ministerial policy advisors 478–9w
Ministerial policy advisors, Prime Minister 478w
Ministers, Visits abroad 196–7w
National Bus Company, Pension funds 385–6, 1166
National security 16w
New deal for young people 1160
NHS, Finance 1168
Official engagements 399w
Parachute Regiment, Correspondence 18–9w
Political refugees, Voucher schemes 386
Primary education, Literacy 1166–7
Privy Council, Public appointments 17w
Proportional representation 387
Proportional representation, Referendums 383–5, 1163
Railways, Accidents 1164
Rover Group 1163
Royal Naval Hospital Haslar 15–6w
Security Service Commissioner, Annual reports 195–6w
South Africa, Overseas aid 389
Sports, Schools 1163–4
Teenage pregnancy 17–8w
Tinsley House Immigration Detention Centre 390
United Nations, Reform 399w
USA, Prime Minister 479–80w
Visits abroad, Prime Minister 482–3w
Wal-Mart 482w
Weapons, Northern Ireland 390

Blears, Ms Hazel
Questions
Middle East, Peace negotiations 913–4
Stansted Airport 138–9w

Blizzard, Mr Bob
Questions
Capital gains tax, Offshore industry 75w
Nigeria 923–4
Oil and Gas Industry Task Force 543
Sex Offences Review 58w
Working families tax credit 458w

Bloody Sunday Tribunal of Inquiry
Disclosure of information 398w
Legal costs 9w
Solicitors 268w

***Blunkett, Rt Hon David**, Secretary of State for Education and Employment*
Questions
New deal for 50 plus 467w
Overseas students 244–5w

Blunt, Mr Crispin
Questions
Army, Manpower 399w
Dairy farming 193w
East Timor 917
Excise duties, Aviation 312w
Milk Marque 298w

Blyth Valley
Drugs 1154–5

***Boateng, Mr Paul**, Minister of State, Home Office*
Debates etc.
Air guns, Safety (23.06.99) 1260–6
Police, Rural areas (23.06.99) 1139–42
Questions
Absent voting 379w
Cleveland Police Authority 348w
Committal proceedings 97–8w, 162w
Community safety local partnerships 14–5
Crime, Children 161–2w
Crime prevention, Schools 57w
Crime prevention, Voluntary organisations 56–7w
Crimes of violence 7–8
Criminal injuries compensation 221–2w
Criminal Records Bureau, Fees and charges 58w
Crown courts, Trials 220w
Cycling, Pedestrian areas 230w
Cycling, Road traffic offences 348w
Dangerous driving 58w
Disadvantaged, Voluntary organisations 13, 55–6w
Driving offences, Convictions 379w
Drugs, Abuse 106w
Drugs, Prison sentences 106–7w
Evidence, Disclosure of information 56w
Females, Home Office 346w
Fines, Enforcement 55w
Firearms 61w, 103w
Firearms, Compensation 221w
Firearms, Licensing 380w
Juries 54w, 96–7w
Mental health services, Young people 100w
Paedophilia 375–6w
Police, Disciplinary proceedings 62w
Police, Emergency calls 93w, 429w
Police, Festivals and special occasions 220w
Police, Helicopters 266w
Police, Millennium 55w
Police custody 101–2w
Prisoners on remand 97w
Prisons, Drugs 474w
Prostitution, Advertising 347w
Riot control weapons, Medical treatments 220w
Royal family, Protection 104w
Sex Offences Review 58w
Stop and search 474w
Trials, Costs 98–9w
Vandalism 15
Voluntary organisations, Minimum wage 14
Young offenders, Rehabilitation 378w

Boating
Safety measures (15.06.99) 169–73

Body, Sir Richard
Debates etc.
Health Bill (HL), Rep (14.06.99) 100–1
Questions
Ambassadors for British business 278w
Directorate General for Competition 414w
Economic and monetary union 423–4w

Bombings
Dublin 263–4w
Iraq 301w
Monaghan 263–4w
Omagh 353w

Borrow, Mr David
Questions
Armed forces, Education 301w
Plutonium 269–70w

Boswell, Mr Tim
Questions
Balkans, Economic situation 356–7w
Civil service, Personnel management 419w
Developing countries, Information technology 178w
Electricity 1–2w
Energy, Consumption 209w
Further education, Disciplinary proceedings 63w
NHS, Managers 382w
Police, Disciplinary proceedings 62w
Small businesses, Parental leave 209w
Universities, Disciplinary proceedings 63w

Bottomley, Mr Peter
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1045
Cathedrals Measure (23.06.99) 1233, 1236, 1238
Immigration and Asylum Bill, Rep (15.06.99) 269–70, 279–80, 285, (16.06.99) 402, 404–5, 479, 488–9, 493, 502
Questions
Battery hens 417w
Churches, VAT 758
Law, Reform 455w
National Front, Arrests 161w
Prisoners 60–1w
Prisoners, Per capita costs 265–6w
Racial harassment, Ealing 161w
Roads, Speed limits 441–2w

Bottomley, Rt Hon Virginia
Questions
Harrier aircraft 306w

Bovine somatotropin
416w

Bovine spongiform encephalopathy
Animal feed 391–2
USA 192w

Bovine tuberculosis
416w
Disease control 449w

Bracknell
Genetically modified organisms 336w

Bradley, Mr Peter
Questions
EC common foreign and security policy 747–8
Fines, Enforcement 55w
Roads, Accidents 37w

Bradshaw, Mr Ben
Debates etc.
Kosovo (17.06.99) 596, 615, 633, 647
Questions
EC common foreign and security policy 749
Trains, Bicycles 441–2w

Brady, Mr Graham
Debates etc.
Health Bill (HL), Rep (14.06.99) 41, 45–55, 57, 60, 66, 69–70, 101, 106, 110
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 176, 190, 193–201
Questions
Business questions 567
EC Social Charter, Costs 204–5w
Excise duties, Lorries 1274
Heart diseases, Surgery 1168
NHS, Public appointments 288w
Written questions, Cabinet Office 225–6w
Written questions, Dept for Culture Media and Sport 269w

***Brady, Mr Graham**—continued*
Written questions, Dept for Education and Employment 244w
Written questions, Dept for International Development 345w
Written questions, Dept of Health 186w
Written questions, Dept of the Environment Transport and the Regions 282w
Written questions, Dept of Trade and Industry 189w
Written questions, Home Office 374w
Written questions, Lord Chancellor's Dept 299w
Written questions, Ministry of Agriculture Fisheries and Food 193w
Written questions, Northern Ireland Office 232–3w
Written questions, Scottish Office 215w
Written questions, Treasury 172w
Written questions, Welsh Office 235w

Brake, Mr Tom
Debates etc.
London Underground (15.06.99) 161
Questions
Alternative energy 2w
Balkans, Overseas aid 376–7
Carbon dioxide, Air pollution 83w
Chinook helicopters, Royal family 450–1w
London Underground, Joint ventures 137
Radioactive materials, Japan 150–1w

Brazier, Mr Julian
Debates etc.
Adoption (16.06.99) 349–51, 354
Bloody Sunday Tribunal of Inquiry, Points of order (17.06.99) 580

Brazil
Loans 325w

Breed, Mr Colin
Debates etc.
Supermarkets (24.06.99) 1375–8
Questions
Criminal Records Bureau, Fees and charges 58w

Brinton, Mrs Helen
Questions
Evidence, Disclosure of information 56w
Refrigeration, Dept for Education and Employment 128w
Refrigeration, Greenhouse effect 5–6w, 9w, 50–2w

Bristol Royal Infirmary Inquiry
319w

British Broadcasting Corporation
see BBC

British Cattle Movement Service
Costs 24w

British Council
Public appointments 256w

British dependent territories
924–5

British Leyland
see Rover Group

British nationality
230w

British Nuclear Fuels
209w, 228w
Secondment 253w

British Railways Board
Land 408–9w

British Steel
206w

British Waterways Board
Public appointments 202w

Broadcasting programmes
Ministry of Defence 148w

Brooke, Rt Hon Peter
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1056–7, 1059
Care of Places of Worship Measure (23.06.99) 1253–4
Cathedrals Measure (23.06.99) 1243–5
Demonstrations, City of London (21.06.99) 781
London Underground (15.06.99) 162
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1398–9
Speaker, Leave of absence (23.06.99) 1256
Questions
Business questions 1288–9
Regional government 145

***Brown, Rt Hon Gordon**, Chancellor of the Exchequer*
Debates etc.
Financial Services and Market Bill, 1R (17.06.99) 581
Questions
Commemorative coins, Public libraries 29w
Debts, Developing countries 458–9w, 1274–7
Economic and monetary union 1267–71
Economic growth 1268–9
Euro Preparations Advisory Group 1269
Excise duties, Lorries 1273
Gold and foreign exchange reserves, International Monetary Fund 1276
Members, Correspondence 475w
Tax yields 1271–2
Working families tax credit 1277–8

***Brown, Rt Hon Nicholas**, Minister of Agriculture, Fisheries and Food*
Debates etc.
Food Standards Bill, 2R (21.06.99) 786–96, 798, 804
Questions
Bovine tuberculosis, Disease control 449w
EC Agriculture Council 215–6w, 297w

Brown, Mr Russell
Questions
Employment Service, Standards 223–4w

Browne, Mr Desmond
Questions
Community relations, Northern Ireland 391–2w
Land Registers of Northern Ireland, Standards 391w
Part-time employment, EC law 203w
South Africa, Elections 920–1

Browning, Mrs Angela
Debates etc.
Innovation (25.06.99) 1421
Millennium compliance (17.06.99) 573–4
Questions
Inventions 552–3
Small businesses, Rural areas 546

Bruce, Mr Ian
Debates etc.
Business questions (14.06.99) 113
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 178
Petitions, Points of order (22.06.99) 929
Safety at Sea Bill, 1R (15.06.99) 171–3

***Bruce, Mr Ian**—continued*
Questions
Government departments, Correspondence 1158–9
Government departments, Email 420w
Mongolia 923
New deal for communities 151
Voluntary organisations, Minimum wage 14
Working families tax credit 1277–8

Bruce, Mr Malcolm
Questions
Economic and monetary union 1269

Buchanan Centre
Rates and rating 52w

Buck, Ms Karen
Debates etc.
Immigration and Asylum Bill, Rep 430–3
Railway network, Greater London (16.06.99) 340–2

Burden, Mr Richard
Debates etc.
Proportional representation (23.06.99) 1185, 1205–7
Questions
Middle East, Peace negotiations 355w
Turkey, Nuclear power stations 133–4w

Burgon, Mr Colin
Questions
Advisory Committee on Releases to the Environment 247–50w
British Waterways Board, Public appointments 202w
Crime prevention, Schools 57w
Kosovo, Peace keeping operations 396–7w

Burnett, Mr John
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 986–8, 1007, 1035–6, 1044–5, 1053–4, 1074
Mentally incapacitated, Community care (14.06.99) 128

Burns, Mr Simon
Debates etc.
Proportional representation (23.06.99) 1190, 1212–4
Questions
Countryside, Access 45–6w, 201w
Lead, Ammunition 137w
Mid Essex Hospital Services NHS Trust 186w
Ramsford School Chelmsford 439w
Tax yields 461w

Burstow, Mr Paul
Questions
International Monetary Fund, Structural adjustment 178w
Railways, Standards 82w
Taxis, Disabled 407w

Bus lanes
M4 1167

Bus services
Standards 85w

Business
Taxation 30–1w, 1279–80

Business interests
EC staff 276w

Business links
187–8w, 414–5w

Business plans
Environment Agency 333–4w

Business statements
(14.06.99) 111–5, 559–70, (23.06.99) 1285–98

Butterfill, Mr John
Debates etc.
Innovation (25.06.99) 1425, 1431, 1436, 1439–40, 1446–7, 1449, 1461, 1466–7, 1470–4, 1478

***Byers, Rt Hon Stephen**, Secretary of State for Trade and Industry*
Questions
USA, Dept of Trade and Industry 424w

Cabinet Joint Consultative Committee
see Labour Liberal Democrats Joint Consultative Committee

Cabinet Office
Monsanto 194w
USA 125w
Written questions 225–6w

Cable, Mr Vincent
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 485–7, 509–10
Questions
Age, Discrimination 438w
Animal experiments 380–1w
Further education, Standards 128w
Government, Policy 419w
International Monetary Fund, Gold and foreign exchange reserves 312w
Inventions 551
Kosovo, Armed conflict 743
Millennium compliance, Emergency services 89–90w
Nigeria, Debts 175–6w
Police, Emergency calls 93w, 429w
Political refugees, Visas 100w
Pupil exclusions, South East region 438–9w
Quarantine 119w
Rabies, Disease control 118–9w
Racial violence, Greater London 151–9w
Sewers, Oils 334w
Social Security Benefits Agency, Computers 184w
Taxation, Business 1280
Taxation, Recruitment agencies 27–8w
Tipping of waste, Oils 406–7w
Young offender institutions 377–8w
Young offenders, Education 376w, 378w
Young offenders, Rehabilitation 378w
Young offenders, Remand in custody 377w
Young offenders, Sexual offences 376–7w

Cable systems
Inland waterways 285w

***Caborn, Rt Hon Richard**, Minister for the Regions Regeneration and Planning, Dept of the Environment Transport and the Regions*
Debates etc.
Supermarkets (24.06.99) 1344, 1350–6, 1359
Questions
Aerials, Planning permission 250w
Derelict land 83w
Household surveys 44w, 46w
Households, Gloucestershire 77w
Land use, Databases 154
London Economics 246–7w
New deal for communities 151
Out of town shopping centres 447w
Planning permission 138w
Regional development agencies, North East region 413w

***Caborn, Rt Hon Richard**—continued*
Regional development agencies, North West region 79w
Regional government 145–6
Sustainable development 86–7w

Cadets
Army 147w, 262w

CADW Welsh Historic Monuments
331w

Caernarfon
Territorial Army 449–50w

Campbell, Mrs Anne
Debates etc.
Food Standards Bill, 2R (21.06.99) 800, 802
Proportional representation (23.06.99) 1196, 1220
Questions
Local government finance 84w

Campbell, Rt Hon Menzies
Debates etc.
Caribbean, Capital punishment (23.06.99) 1100–1
Kosovo (14.06.99) 26, (17.06.99) 603–7, 645, (21.06.99) 767
Questions
Defence Aviation Repair Agency 453w
EC common foreign and security policy 912
Gulf war syndrome, Medical examinations 150w
Kosovo, Armed conflict 744–5
Tomahawk missiles 452–3w

Campbell, Mr Ronnie
Questions
Drugs, Blyth Valley 1154–5
Proceeds of crime 54w

Campbell-Savours, Mr Dale
Debates etc.
Kosovo (14.06.99) 28, (21.06.99) 773
Proportional representation (23.06.99) 1187
Questions
Identity cards 2–3, 381w
Regional development agencies, North West region 79w

Cancer
Colchester 288–9w
Health services 320w, 476–7w
Research 319w

Cannabis
Medical treatments 106w
Prison sentences 105–6w

Capital gains tax
Offshore industry 75w
Tax avoidance 171w

Capital Modernisation Fund
Greater Manchester 171w

Capital punishment
Caribbean (23.06.99) 1089–108

Car allowances
Members 74w

Carbon dioxide
Air pollution 83w

Care of Places of Worship Measure 1999
Debates etc.
(23.06.99) 1250–4

Caribbean
Capital punishment (23.06.99) 1089–108
Overseas aid 48w

Cars
Greater London 80w

Cars—continued
Prices 207w
Rural areas 471w
Safety 471w

Cash, Mr William
Debates etc.
Gold and foreign exchange reserves (16.06.99) 321
Questions
EC aid 380

Cash limits
Dept for Education and Employment 243w
Dept for International Development 72w

Catering
Dept for Education and Employment 223w
Sportsgrounds 123–4w

Cathedrals Measure 1998
Debates etc.
(23.06.99) 1233–49

Caton, Mr Martin
Questions
Dioxins, Health hazards 335w
Industrial injuries disablement benefit, Benefits rules 32w
Physiotherapy 385w
Physiotherapy, Wales 373w

Cattle
Ear tagging 24w

Cattle tracing system
120–1w

Central America
Disaster relief 177w

Centre for European Reform
Finance 76w

Chancellor of the Duchy of Lancaster
Ministerial duties 126w
Roads 126w
USA 125w

Chancellor of the Exchequer
see Treasury

Chapman, Mr Ben
Debates etc.
Millennium compliance (17.06.99) 579
Questions
Clergy, Pay 758
Drugs, Abuse 1154
Economic policy 462w
Fuel poverty 547
General practitioners, Working hours 111–2w
New deal for 50 plus 467w
Prescription drugs, Packaging 186w
Quality protects programme 250–1w

Charitable donations
310w

Charities
Tax allowances 75w

Chaytor, Mr David
Questions
British Nuclear Fuels 209w, 228w
British Nuclear Fuels, Secondment 253w
Business questions 566–7
Free movement of capital, Developing countries 462–3w
Overseas investment 311w
Radioactive materials, Japan 305w, 927–8
Radioactive materials, Transport 79w
Utilities, Standing charges 548
World Bank 49w

Chelsea
Military bases 256–7w

Chernobyl
EC grants and loans 413w

Chidgey, Mr David
Debates etc.
Innovation (25.06.99) 1445–53, 1480, 1482

Child Abuse in North Wales Judicial Inquiry
236w

Child Support Agency
431–2w

Children
Abuse 318w
Asthma (16.06.99) 365–72
Crime 161–2w
Disabled 250–1w
Disadvantaged 1166

Children in care
251–2w
Somerset 251w

China
Political prisoners 276–7w

China western poverty reduction project
197–8w

Chinook helicopters
Accidents 326–7w
Computer software 327w
Royal family 450–1w

Chisholm, Mr Malcolm,
Debates etc.
Health Bill (HL), Rep (14.06.99) 40, 43, 66–7
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 191, 203

Chope, Mr Christopher
Questions
Biotechnology Presentation Group 1151
Business questions 1297
Commemorative coins, Millennium 171w
Electronic commerce 313w
Excise duties, Lorries 1273
Metropolitan Police, Advertising 104–5w
Millennium compliance 71w
Open government 105w
Passports, Administrative delays 94–5w

Christianity
India 909

Chronic Fatigue Syndrome/Myalgic Encephalomyelitis Working Group
435w

Church Commissioners
Expenditure 760
Genetically modified organisms 316w
Investment 297w

Church of England
Investment 756–7

Churches
VAT 757–8

City technology colleges
340–1w

CityFlyer Express
1w

Civil servants
Recruitment 363–4w

Civil service
Personnel management 419w

Civil service agencies
419w

Clapham, Mr Michael
Debates etc.
Air guns, Safety (23.06.99) 1257–8, 1262–3

Clappison, Mr James
Debates etc.
Immigration and Asylum Bill, Rep (15.06.99) 269, 271–4, 288, 292–3, (16.06.99) 398, 400, 403, 407–8, 416–21, 464–5, 467, 504–5
Questions
Home detention curfews 59w
Identity cards 4–5
Immigration controls 165w
Middle East, Peace negotiations 915–6
Political refugees, Administrative delays 93w

Clark, Rt Hon Dr David
Debates etc.
Food Standards Bill, 2R (21.06.99) 805–7

Clark, Mr Paul
Debates etc.
Assisted areas, Kent (23.06.99) 1145–6

Clarke, Mr Charles, Parliamentary Under-Secretary of State, Dept for Education and Employment
Debates etc.
Swimming, Curriculum (21.06.99) 905–8
Questions
Drugs, Schools 132w
Grants for education support and training 394–5w
Physical education 131–2w
Schools, Drugs 340w

Clarke, Mr Eric
Questions
Debates, Digital broadcasting 74–5w

Clarke, Rt Hon Kenneth
Questions
Economic and monetary union 1268

Clarke, Rt Hon Tom
Questions
EC budget, Contributions 1283

Clarke, Mr Tony
Questions
Strategic Rail Authority 281w

Class sizes
239–43w
Primary education 190w

Clergy
Pay 758

Cleveland Police Authority
348w

Climate change levy
135w, 169w, 188w, 407w, 461–2w, 1280–2
Northern Ireland 28–9w

Clones
383–4w, 436w

Closed circuit television
Crime prevention 17–8

Clwyd, Ann
Debates etc.
Kosovo (14.06.99) 30–1, (21.06.99) 774
Questions
Arms trade, Export controls 359w
Business questions 1290–1
Child Abuse in North Wales Judicial Inquiry 236w
Debts, Developing countries 1274–6
Indonesia, Debts written off 273–4w

Coaker Mr Vernon
Questions
Crime, Children 161–2w
Drug abuse resistance education programme 1155
Hedges and ditches 84w
Motor vehicles, Waste disposal 83–4w
Overseas students 244–5w
Passports, Administrative delays 229w
Railways, Passengers 138
Recycling 443w
Rights of way 280–1w

Cohabitation
Immigration rules 164w

Cohen, Mr Harry
Debates etc.
London Underground (15.06.99) 162–3
Questions
Cash limits, Dept for International Development 72w
EC budget, Fraud 413w
Fire services, Training 404–5w
Human remains, Devon 162w
Kosovo, Armed conflict 303w
Lapwings, Conservation 282w
Police, River Thames 375w, 427w
Proceeds of crime, Internet 170w
Tax yields, Betting shops 170–1w
UN Register of Conventional Arms 226w

Coinage
Counterfeit manufacturing 169–70w

Colchester
Cancer 288–9w
Military bases 262w

Coleman, Mr Iain
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 454–8

Collins, Mr Tim
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 966–72

Colman, Mr Tony
Debates etc.
World Health Organisation (15.06.99) 298–301, 304
Questions
Landfill tax 29w
Middle East, Peace negotiations 913–4

Cologne summit
Ministerial statements (21.06.99) 761–76

Commemorative coins
Millennium 171w
Public libraries 29w

Commission for Integrated Transport
see Integrated Transport Commission

Commission of the European Communities
see European Commission

Committal proceedings
97–8w, 162w

Common agricultural policy
Arbitration 123w
Beef 121w

Commonwealth Development Corporation
Cuba 178w

Commonwealth Institute
117w

Community care
Mentally incapacitated (14.06.99) 127–36

Community charge
Wales 72–3w

Community relations
Northern Ireland 67w, 211–2w, 391–2w

Community safety local partnerships
14–5

Companies
Environment protection 5w

Company law
Video conferencing 189w

Competition
204w
Regional airports 78w

Comptroller and Auditor General
see National Audit Office

Computer software
Chinook helicopters 327w

Computers
Probation and aftercare 165w
Social Security Benefits Agency 184w

Conflict of interests
European Commission 133w

Connarty, Mr Michael
Questions
Energy, Conservation 81–2w

Conscientious objectors
Taxation 1278

Conservation
Energy 81–2w
Lapwings 282w

Consultation papers
456w

Consumer goods
Prices 541–2

Consumption
Energy 209w

Contamination
Animal feed 123w

Contracts
ASTOR system 65–6w

Contracts for services
Roads (24.06.99) 1404

Contributions
EC budget 1278–9, 1282–3

Convictions
Driving offences 399w

Cook, Frank
Questions
Business questions 562
Kosovo, Mines 344w

***Cook, Rt Hon Robin**, Secretary of State for Foreign and Commonwealth Affairs*
Debates etc.
Kosovo (17.06.99) 582–9, 594–5, 614–5
Kosovo, Ministerial statements (14.06.99) 21–33
Questions
EC common foreign and security policy 910–2
Government Communications Headquarters 360w
Kosovo, Armed conflict 354w, 917–20
Kosovo, Peace keeping operations 355w
Middle East, Peace negotiations 355w, 913–7
Modernisation, Foreign and Commonwealth Office 32w
Nigeria 923–4
Visits abroad, Foreign and Commonwealth Office 358w, 483w

Corbett, Mr Robin
Questions
Custody officers, Training 56w
EC aid 380
Government departments, Standards 1156–7
Inventions 551
Iran, Diplomatic relations 356w
Rover Group 1163

Corbyn, Mr Jeremy
Debates etc.
Immigration and Asylum Bill, Rep (15.06.99) 269, 278–9, 291, (16.06.99) 415–6, 452–4, 502–3
Kosovo (21.06.99) 772
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1387
Questions
Antarctic, Environment protection 134w
AWE Aldermaston 328w
AWE Aldermaston, Radioactive wastes 329w
Balkans, Overseas aid 176w
Bedford-Bletchley railway line 137–8w
Council housing, Rents 201w
Council housing, Single people 337w
Cycleways, Greater London 137w
Education, Islington 342w
Government departments, Buildings 194w, 420w
Hamill, Robert 351–2w
Kosovo, Armed conflict 328w
Nelson, Rosemary 140w, 210w, 352w, 425–6w
North London railway line 138w
Nuclear submarines 451w, 475w
Nuclear submarines, Decommissioning 329–30w
Nuclear submarines, Gibraltar 329w
Political refugees, Finance 187w
Railtrack, Capital investment 282w
Railway stations, Bicycles 409w
Royal Ulster Constabulary, Portadown 351w
Social rented housing, Greater London 336–7w
Taxation, Conscientious objectors 1278
United Nations, Reform 399w
West Midlands Police 322w

Cormack, Sir Patrick
Debates etc.
Business question time intervention (17.06.99) 569, (24.06.99) 1287
Business questions (14.06.99) 114–5
Care of Places of Worship Measure (23.06.99) 1251–3
Cathedrals Measure (23.06.99) 1245–7
Proportional representation (23.06.99) 1190–1, 1193, 1203, 1221–5
Speaker, Leave of absence (23.06.99) 1255–6

Coroners
62w

Corruption
Zimbabwe 359w

Corston, Jean
Questions
Promoting social inclusion initiative, Northern Ireland 141w

Cosmetics
Genetically modified organisms 199–200w

Cotter, Mr Brian
Debates etc.
Debts, Developing countries (16.06.99) 357, 363–4

***Cotter, Mr Brian**—continued*
Health foods, Petitions (16.06.99) 532
Supermarkets (24.06.99) 1353–4
Questions
Business links 187–8w, 414–5w
Business questions 1291
Information society initiative 188w
Small Business Service 207w
Small businesses 415w
Small businesses, Rural areas 545

Council housing
Finance 337–9w
Greater London 337w
Rents 201w
Single people 337w
Tenant management organisations 411–2w

Council of Europe
Publications 115w
UK delegations 18w

Council of Ministers
Voting methods 354–5w

Council tax
Shropshire 80w
Single people 83w

Council tax benefits
367w

Counterfeit manufacturing
Coinage 169–70w

Countryside
Access 45–6w, 201w

Court Service
Maladministration 108w

Cousins, Mr Jim
Questions
Probation officers 55w
Regional government 145

Cox, Mr Tom
Questions
Cycling, Road traffic offences 348w
Driving offences, Convictions 379w
Flax 487w
Gibraltar 358–9w
Heavily indebted poor countries initiative 274–5w
Homelessness, Greater London 283w
Hospital wards, Greater London 384w
Illegal immigrants 379–80w
Income support, Wandsworth 366–7w
International Year of Older Persons 1999 32w
Priority routes, Greater London 410w
Prisoners, Employment 347–8w
Prisons, Drugs 266w, 378–9w

Cran, Mr James
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 944

***Cranston, Mr Ross**, Solicitor-General*
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 996–1000, 1052, 1058–9
Questions
Crown Prosecution Service 219w

Creative and Cultural Education Advisory Committee
see National Advisory Committee on Creative and Cultural Education

Creutzfeldt-Jakob dementia
318–9w

Crewe-Holyhead railway line
144–5

Crime
Children 161–2w

Crime prevention
Closed circuit television 17–8
Schools 57w
Voluntary organisations 56–7w

Crimes of violence
7–8
Northern Ireland 141w, 231–2w, 388, 425–7w

Crimestoppers
Greater Manchester 5

Criminal injuries compensation
221–2w
Sexual offences 221–2w

Criminal Justice Review
Costs 144–5w

Criminal Justice (Terrorism and Conspiracy) Act 1998
Questions
471w

Criminal Records Bureau
Fees and charges 58w

Crops
Genetically modified organisms 43–4w, 124–5w, 135–6w, 147–8, 199w, 216w, 334w, 412w, 418w, 445–6w

Crown courts
Trials 220w

Crown Prosecution Service
219w, 317w
Disclosure of information 318w

Cryer, Mr John
Debates etc.
London Underground (15.06.99) 164
Questions
Business questions 564–5
Fire services 54–5w
National Rail Summit 76–7w
Teachers, Northern Ireland 425w, 470w

Cryptography
Electronic commerce 553

Cuba
Commonwealth Development Corporation 178w

Cultural heritage
Kosovo 356w

Cummings, Mr John
Questions
Diabetes, Medical equipment 435w

Cunningham, Rt Hon Dr Jack, Minister for the Cabinet Office
Questions
Better government programme 420w
Biotechnology Presentation Group 127w, 1151–3, 1155–6
Drug abuse resistance education programme 1155
Drugs, Abuse 1154–5
Drugs, Blyth Valley 1154–5
Drugs, Netherlands 127w
Drugs, Schools 1154
Drugs, Young people 126w, 364w
Duchy of Lancaster, Anniversaries 125–6w, 420w
Genetic Modification Technology Interdepartmental Group 126w
Genetically modified organisms 419w
Genetically modified organisms, Food 1151–2, 1157–8
Government, Policy 421w

***Cunningham, Rt Hon Dr Jack**—continued*
Labour Liberal Democrats Joint Consultative Committee 225w
Ministerial duties, Chancellor of the Duchy of Lancaster 126w
Public appointments 420w
Regulation 1159
Roads, Chancellor of the Duchy of Lancaster 126w
UK Anti-Drugs Coordinator 421w
USA, Cabinet Office 125w
USA, Chancellor of the Duchy of Lancaster 125w
Written questions, Cabinet Office 225–6w

Cunningham, Mr Jim
Questions
East Timor 917

Cunningham, Ms Roseanna
Questions
Age of consent 220–1w
Criminal injuries compensation 221–2w
Scottish Parliamentary Corporate Body 172–3w

Currency speculation
Taxation 311w

Curriculum
Swimming (21.06.99) 901–8

Curtis-Thomas, Ms Claire
Debates etc.
Mentally incapacitated, Community care (14.06.99) 128–9, 133
Questions
Complaints, Dept of the Environment Transport and the Regions 280w
Driving, Licensing 440–1w
Driving instruction 38w
Driving instruction, Standards 38–41w
Driving Standards Agency 41w, 279w
Driving tests 38–42w, 278–80w
Grain, Allergies 281w
Weather 308–9w

Custody officers
Training 56w

Customs and Excise
Redundancy 28w

Cycleways
Greater London 137w

Cycling
Pedestrian areas 230w
Road traffic offences 348w

Dafis, Mr Cynog
Debates etc.
Food Standards Bill, 2R (21.06.99) 786
Questions
Lorries, Axle weights 281w

Dairy farming
193w

Dalyell, Mr Tam
Debates etc.
Kosovo (14.06.99) 29, (17.06.99) 584–5, 605, 613, 623, 628, 643, 655–6, (21.06.99) 769
Kosovo Liberation Army, Points of order (15.06.99) 168
London Underground (15.06.99) 165
Millennium compliance (17.06.99) 577–8
Oral question time intervention (24.06.99) 1279
Prevention of Terrorism (Temporary Provisions) Act 1989 (continuance) orders (23.06.99) 1175–6
Questions
Business questions 1294–5
Clones 383–4w

***Dalyell, Mr Tam**—continued*
Diego Garcia 925
Fisheries, Protection 252–3w
Fletcher, Yvonne 18–20
Genetically modified organisms, Crops 418w
Iraq, Bombings 301w
Kosovo, Armed conflict 423w, 461w, 481–2w
Kosovo, Overseas aid 344–5w
Kosovo, Peace keeping operations 751–2
Libyan Arab Republic 557
Nigeria: Overseas aid 176w
River Danube, International assistance 176w

Dangerous driving
58w

***Darling, Rt Hon Alistair**, Secretary of State for Social Security*
Questions
Pensions 433w
Stakeholder pensions 433w

Databases
Land use 154

Davey, Mr Edward
Debates etc.
Gold and foreign exchange reserves (16.06.99) 313, 318–20
London Underground (15.06.99) 164
Nuts, Labelling (24.06.99) 1405–8, 1412
Questions
Debts, Developing countries 1276–7
Roads, Expenditure 42–3w

Davey, Mrs Valerie
Debates etc.
Swimming, Curriculum (21.06.99) 901–4
Questions
Housing benefit, South West region 361–2w
Science enterprise challenge 557–8
Social rented housing, South West region 333w

Davidson, Mr Ian
Questions
Asbestos, Imports 200w
Buchanan Centre, Rates and rating 52w
Sierra Leone 922
Zimbabwe, Corruption 359w
Zimbabwe, Elections 360w
Zimbabwe, Human rights 360w
Zimbabwe, Police 359w

Davies, Rt Hon Denzil
Questions
Taxation, EC action 166w

Davies, Mr Geraint
Debates etc.
Innovation (25.06.99) 1417, 1421, 1428–30, 1439, 1465–70
London Underground (15.06.99) 167
Tax Credits Bill, Lords amendts (22.06.99) 940–1, 943–4
Questions
Economic growth 1268–9
Integrated Transport Commission, Public appointments 139w
Kosovo 355w
NHS, Managers 320–1w
Railways, Passengers 138–9

Davies, Mr Quentin
Debates etc.
Gold and foreign exchange reserves (16.06.99) 321–4

Davis, Rt Hon David
Debates etc.
Adoption (16.06.99) 350
Innovation (25.06.99) 1420–1, 1424
Parliamentary Control of the Executive Bill, 1R (22.06.99) 930–2

Davis, Mr Terry
Questions
Council of Europe, UK delegations 18w

Dawson, Mr Hilton
Debates etc.
Adoption (16.06.99) 351–3
Immigration and Asylum Bill, Rep (16.06.99) 459–61, 465–6
Innovation (25.06.99) 1427, 1438, 1440, 1444, 1458, 1474–6
Supermarkets (24.06.99) 1355, 1358, 1372–4
Questions
Local Government Commission for England 286w

Day, Mr Stephen
Debates etc.
Supermarkets (24.06.99) 1374–5

Debates
Digital broadcasting 74–5w

Debts
Developing countries 173–4w, (16.06.99) 356–64, 373, 373w, 374–6, 458–9w, 1274–7
Nigeria 175–6w

Debts written off
Developing countries 312w
Indonesia 273–4w

Deer
West Sussex 44w

Defence Aviation Repair Agency
453w

Defence equipment
Exhibitions 262w

Defence Estate Organisation
Standards 65w

Defence Evaluation and Research Agency
145–6w, 261–2w

Defence Medical Training Organisation
Standards 6–7w

Dementia
289–90w

Demolition
Listed buildings 442–3w

Demonstrations
Ministerial statements (21.06.99) 777–85

Denbighshire County Council
(25.06.99) 1486–92

***Denham, Mr John**, Minister of State, Dept of Health*
Debates etc.
Health Bill (HL), Rep (14.06.99) 35–6, 42, 48, 69–73, 88, 96, 104–5
Health Bill (HL), Rep and 3R (15.06.99) 224–9, 238–42, 244–8, 250–1
Questions
Accident and emergency departments, Administrative delays 11w
Agency nurses, Costs 435w
Dental services, Anaesthetics 9–10w
Devonshire Royal Hospital 112w
Diabetes, Medical equipment 435w
Doctors, Disciplinary proceedings 11w
Doctors' list of patients 385w
Eclipse 1999, Health education 290–2w, 384w

***Denham, Mr John**—continued*
Eclipse 1999, Ophthalmic services 292w
General practitioners, Working hours 111–2w
Gynaecology, North Yorkshire 184–5w
Health services, OECD countries 112w
Hospital wards, Greater London 384w
Hospitals, Food 292w
Hospitals, Waiting lists 14–5w
Junior doctors, Working hours 10–1w, 319w
Medical profession, Disciplinary proceedings 11w
Medicine, Students 10w
Medicines Control Agency 321w
Mid Essex Hospital Services NHS Trust 186w
NHS, Managers 382w
NHS, Pay 110–1w
NHS, Procurement 436–7w
NHS, Public appointments 288w
NHS Pensions Agency, Standards 186w
Orthopaedics, Avon 437w
Physiotherapy 385w
Prescription drugs, Packaging 186w
Public Health Laboratory Service 185w
Refrigeration, Greenhouse effect 9w

Dental services
Anaesthetics 9–10w

Departmental records
Foreign and Commonwealth Office 116w

Departmental responsibilities
Forestry 215w

Deployment
Army 257w
Land Command 257w
Navy 259–60w
Territorial Army 300–1w, 453w
Ulster Defence Regiment 398w

Deportation
230w
Mental patients 266w

Dept for Culture Media and Sport
Females 269w
Republic of Ireland 343w
Written questions 269w

Dept for Education and Employment
Cash limits 243w
Catering 223w
Females 296–7w
Press releases 438w
Refrigeration 128w
Written questions 244w

Dept for International Development
Cash limits 72w
Females 345w
Written questions 345w

Dept of Health
Republic of Ireland 383w
Written questions 186w

Dept of Social Security
Females 234w

Dept of the Environment Transport and the Regions
Buildings 76w, 421–2w
Complaints 280w
Females 332–3w
Republic of Ireland 442w
USA 82w
Visits abroad 440w
Written questions 282w

Dept of Trade and Industry
Females 270w
USA 424w
Visits abroad 207w

***Dept of Trade and Industry**—continued*
Written questions 189w

Derelict land
83w
Taxation 459w

Detainees
Immigrants 58w
Scotland 58w

Developing countries
Debts 173–4w, (16.06.99) 356–64, 373, 373w, 374–6, 458–9w, 1274–7
Debts written off 312w
Education 175w
Free movement of capital 462–3w
Genetically modified organisms 72w, 176–7w
Information technology 178w
Non-governmental organisations 174w

Devolution
387

Devon
Human remains 162w

Devon and Cornwall Constabulary
100–1w

Devonshire Royal Hospital
112w

Diabetes
Medical equipment 435w

Diego Garcia
925

Diesel engines
556

Diesel fuel
Excise duties 542–3

Digital broadcasting
Debates 74–5w

Dioxins
Belgium 416–7w
Health hazards 335w

Diplomatic relations
277w
Iran 356w

Dir86/609/EEC
380w

Dir98/43/EC
225w

Director of Public Prosecutions
see Crown Prosecution Service

Directorate General for Competition
414w

Disability living allowance
Eligibility 34–5w, 107–8w
Single benefit gateway 224w

Disabled
Children 250–1w
Employment 296w, 339–40w, 469w
Employment Service 130w
Housing improvement 200–1w
Social security benefits 35–6w
Taxis 407w

Disadvantaged
433–4w
Children 1166
Voluntary organisations 13, 55–6w, 135w

Disaster relief
Central America 177w

Disciplinary proceedings
Doctors 11w
Further education 63w
Medical profession 11w

***Disciplinary proceedings**—continued*
NHS 6w
Police 62w
Universities 63w

Discrimination
Age 438w

Disease control
Bovine tuberculosis 449w
Rabies 118–20w, 297–8w

Dismore, Mr Andrew
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1021, 1035, 1053, 1070, 1073
Questions
Bamieh, Maria 317w
Court Service, Maladministration 108w
Employment tribunals, Disclosure of information 449w
Iran, Antisemitism 227–8w
Judicial Appointments and Silk Equal Opportunities Joint Working Party 323–4w
Legal profession, Public appointments 317–8w, 322–3w
Russia, Antisemitism 354w
Treasury Counsel 448–9w, 455–6w

District line
472–3w

Divorce
Armed forces 751

***Dobson, Rt Hon Frank**, Secretary of State for Health*
Debates etc.
Food Standards Bill, 2R (21.06.99) 855
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 174–6, 178, 180, 197, 204
Questions
Bristol Royal Infirmary Inquiry 319w
NHS, Managers 320–1w
Tobacco, Advertising 225w

Doctors
Disciplinary proceedings 11w

Doctors' list of patients
385w

Domestic violence
381–2w
Immigrants 164–5w

Donaldson, Mr Jeffrey M
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 876–80, 894
Questions
Bombings, Omagh 353w
Criminal Justice (Terrorism and Conspiracy) Act 1998 471w
Higher education, Northern Ireland 352–3w
Regional development agencies 190w
Small businesses, Rural areas 545–6

Donohoe, Mr Brian H
Questions
Scottish Parliament, Correspondence 1157

Dorrell, Mr Frank
Debates etc.
Food Standards Bill, 2R (21.06.99) 838–41

Double Taxation Relief (Taxes on Income) (Kuwait) Order 1999
Debates etc.
(21.06.99) 900

Dover House
172w

***Dowd, Jim**, Lord Commissioner of Her Majesty's Treasury*
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 208

Down School
268w

Drew, Mr David
Debates etc.
Food Standards Bill, 2R (21.06.99) 810
Supermarkets (24.06.99) 1343, 1363, 1376–7
Widowed people (24.06.99) 1307
Questions
Bovine tuberculosis 416w
Business questions 1295
Genetically modified organisms, Crops 216w
Road traffic control, Standards 84–5w
Roads, Noise 152–3
Slaughterhouses, Fees and charges 21–2w
Small businesses, Rural areas 544–5
Trains, Overcrowding 85w

Driver and Vehicle Licensing Agency
Standards 142w

Driving
Insurance 440–1w
Licensing 440–1w

Driving instruction
38w
Standards 38–41w

Driving offences
Convictions 379w

Driving Standards Agency
41w, 279w

Driving tests
38–42w, 278–80w

Drown, Ms Julia
Debates etc.
Debts, Developing countries (16.06.99) 362
Questions
Debts, Developing countries 1274–5
World Bank, Social policy 463w

Drug abuse resistance education programme
1155

Drugs
Abuse 106w, 267w, 1154–5
Advertising 12–4w, 382–3w, 477–8w
Animal products 382w
Blyth Valley 1154–5
Habitual offenders 347w
Medical treatments 349–50w
Netherlands 127w
Prison sentences 106–7w
Prisons 105–6w, 266w, 378–9w, 474w
Schools 132w, 340w, 1154
Switzerland 127w
Young people 126w, 364w

Drugs Czar
see UK Anti-Drugs Coordinator

Dublin
Bombings 263–4w

Duchy of Lancaster
Anniversaries 125–6w, 420w

Duncan, Mr Alan
Debates etc.
Innovation (25.06.99) 1416, 1419, 1424, 1426–38, 1479, 1482–4
Questions
Eclipse 1999, Health education 291–2w

***Duncan, Mr Alan**—continued*
Eclipse 1999, Ophthalmic services 292w

Duncan Smith, Mr Iain
Questions
Kosovo, Armed conflict 745
Kosovo, Peace keeping operations 752
Territorial Army, Deployment 453w

Dunwoody, Mrs Gwyneth
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 181, 185–7, 205–6
London Underground (15.06.99) 160–1
Questions
Aircraft, Air pollution 82w
Business questions 1289
Excise duties, Lorries 1273–4
Regional airports 141
Rolling stock 43w
Voting behaviour 11

***Eagle, Angela**, Parliamentary Under-Secretary of State, Dept of Social Security*
Debates etc.
Widowed people (24.06.99) 1318, 1332–7
Questions
Child Support Agency 431–2w
Council tax benefits 367w
Disadvantaged 433–4w
Disadvantaged, Children 1166
Earnings top-up 182–3w
European Social Fund, Employment schemes 34w, 107w
Females, Dept of Social Security 234w
Habitual residence test 36–7w
Housing benefit 399–404w
Housing benefit, Benefits rules 293w, 433w
Housing benefit, South West region 361–2w
Income support, Mortgages 293–4w
Income support, Wandsworth 366–7w
Means tested benefits 372w
Social security benefits, Appeals 370–2w
Social security benefits, Automated credit transfer 33–4w
Social security benefits, Payments 33w
Social security benefits, Post offices 33w
Social security benefits, Postal services 182w
Social Security Benefits Agency, Computers 184w
"Support in Bereavement Consultation Paper" 181–2w
Widowed people, Employment 294w

Eagle, Maria
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 943
Questions
Kosovo, Peace keeping operations 750

Ealing
Racial harassment 161w

Ear tagging
Cattle 24w

Earnings rules
Invalid care allowances 182w

Earnings top-up
182–3w

East Timor
917
Overseas aid 379

EC action
Administration of justice 108w
Animal welfare 414w

***EC action**—continued*
Electronic surveillance 92w
Genetically modified organisms 44w
Research 359w
Road traffic offences 92w
Taxation 166w, 324–5w, 465w
Waste disposal (21.06.99) 900

EC Agriculture Council
215–6w, 297w

EC aid
380

EC budget
312w
Contributions 1278–9, 1282–3
Fraud 413w

EC Commission
see European Commission

EC common foreign and security policy
357w, 747–9, 910–2

EC Cons Doc 6528/99
(14.06.99) 126

EC Culture Council
88w

EC defence policy
264w, 304w, 306w

EC Education Council
439w

EC enlargement
Organised crime 5–6

EC Environment Council
405–6w

EC external relations
Japan 134w

EC external trade
Bananas 177–8w, 424–5w
USA 388–9

EC Finance Council
75w, 166–8w

EC Fisheries Council
19–20w

EC Foreign Affairs Council
484–5w

EC grants and loans
210w
Belgium 116w
Chernobyl 413w
Urban areas 315w

EC Health Council
183–4w

EC integration
115w

EC internal relations
358w

EC justice and home affairs
89w, 91w

EC law
6
Employment 389
Part-time employment 203w

EC reform
357w, 926

EC Social Charter
Costs 204–5w

EC staff
Business interests 276w

EC Transport Council
45w, 446–7w

EC working groups
255w

EC Youth Council
191w

Eclipse 1999
Health education 290–2w, 384w
Ophthalmic services 292w

Economic and monetary union
322w, 383–6, 390–1, 423–4w, 458w, 460w, 1164–6, 1168–70, 1267–71

Economic growth
1268–9

Economic policy
386–7, 462w

Economic situation
Balkans 356–7w

Education
Armed forces 301w
Developing countries 175w
Finance 64w
Islington 342w
Wales 454–5w
Young offenders 376w, 378w

Education and Employment Select Committee
(14.06.99) 126

Edwards, Mr Huw
Questions
Genetically modified organisms, Crops 148
Kosovo, Armed conflict 302w
Lead, Ammunition 149

Efford, Mr Clive
Debates etc.
London Underground (15.06.99) 164–5

Elderly
Better government programme 1153–4
Housing improvement 200w

Elections
Local government 77w
Mozambique 371–2w
Public participation 9
South Africa 920–1
Zimbabwe 360w

Electricity
1–2w

Electronic commerce
205w, 313w, 553–4
Cryptography 553

Electronic surveillance
EC action 92w

Ellman, Mrs Louise
Questions
Exports, Northern Ireland 414w
Imports, Northern Ireland 387w
Overseas trade, Republic of Ireland 271w
Tourism 365–6w

Email
350–1w
Embassies 116w
Government departments 420w
Ministers 419w

Embassies
Email 116w
Internet 116w
Wales 237–8w

Emergency calls
Police 93w, 429w

Emergency services
Millennium compliance 89–90w

Emery, Rt Hon Sir Peter
Debates etc.
Kosovo (21.06.99) 774–5
Questions
Armed forces, Recruitment 150w
Firearms, Compensation 221w
Income tax, Forms 172w
Probation and aftercare, Computers 165w
South West Water, Water charges 201–2w

Employment
191w, 342w
Disabled 296w, 339–40w, 469w
EC law 389
Prisoners 347–8w
Shrewsbury 464w
Widowed people 294w

Employment schemes
European Social Fund 34w, 107w, 238w

Employment Service
Disabled 130w
Standards 223–4w
Wales 130w

Employment tribunals
Disclosure of information 449w

Empty property
149–50
Home Office 62–3w

Energy
Conservation 81–2w
Consumption 209w
Taxation 118w
Trade competitiveness 203–4w

English Sports Council
180–1w

Ennis, Mr Jeff
Debates etc.
Air guns, Safety (23.06.99) 1257–60, 1265–6

Environment Agency
Business plans 333–4w

Environment and Heritage Service
see Northern Ireland Environment and Heritage Service

Environment protection
Antarctic 134w
Companies 5w

Equal opportunities
Northern Ireland 143–4w

Equality Commission Working Group
see Northern Ireland Equality Commission Working Group

Essex
Non-fossil fuel obligation 109w

Etherington, Bill
Questions
Dental services, Anaesthetics 9–10w
Hospitals, Sunderland 10w
Medicine, Students 10w
Poultry 121w, 192w
Scotland, Forests 476w
Yellow card scheme 110w, 434–5w
Yellow card scheme, Metrizamide 110w

Ethics
Local government 77w

Ethnic groups
Kosovo 16w
Metropolitan Police 57–8w

Euro Preparations Advisory Group
1269

European Central Bank
Codes of practice 168w

European Central Bank*—*continued
Gold and foreign exchange reserves 389–90

European Commission
Conflict of interests 133w
Pay 168w

European Committee for the Prevention of Torture
266w

European Communities
Flags 115w

European Communities
see also EC headings

European Convention on Mutual Assistance in Criminal Matters
104w

European Movement
Finance 76w

European Parliament elections
Gibraltar 925
Publicity 267–8w

European Police Office
1–2, 60w
Interpol 346w

European Social Fund
Employment schemes 34w, 107w, 238w

Evans, Mr Nigel
Questions
Drugs, Schools 1154
Gwrych Castle 454w
Territorial Army, Caernarfon 449–50w

Evidence
Disclosure of information 56w

Excise duties
Aviation 312w
Diesel fuel 542–3
Fuels 471w, 1283–4
Lorries 1273–4
Motor vehicles 310–1w
Wines 457w

Exercise Dimming Sun
8w

Exhaust emissions
80w, 472w

Exhibitions
Defence equipment 262w

Export controls
Arms trade 359w
Macedonia 133w

Exports
Northern Ireland 414w

Exservicemen
Prisoners 60w

Fabricant, Mr Michael
Debates etc.
Health Bill (HL), Rep (14.06.99) 36–40, 42–5, 57–60, 63–4, 79, 83–7, 89, 97, 103
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 176, 183–5, 195–7, 199–200, 205–6, 209–11, 215
Tourism, Millennium (18.06.99) 669–70, 674–5, 689–91, 696–9, 707–13, 716, 718
Questions
Business questions 1295–6
Middle East, Peace negotiations 916
Ministers, Email 419w
Proportional representation, Referendums 1163
Tax yields 1271–2

Falkland Islands
360–1w

Fallon, Mr Michael
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 949–50
Questions
BBC 366w
BBC, Audit 88w, 344w
Consumer goods, Prices 542
Economic and monetary union 322w
Parcelforce 474w
Post Office, Pensions 475w

Families
456–7w

Family Law Act 1996
Questions
213–4w

Fares
Concessions 139–40

Farmers
Bankruptcy 299w
Tax allowances 417w

Fearn, Mr Ronnie
Debates etc.
Tourism, Millennium (18.06.99) 671, 687–90

Females
Armed forces 258w
Attorney General 300w
Dept for Culture Media and Sport 269w
Dept for Education and Employment 296–7w
Dept for International Development 345w
Dept of Social Security 234w
Dept of the Environment Transport and the Regions 332–3w
Dept of Trade and Industry 270w
Foreign and Commonwealth Office 255w
Home Office 346w
Lord Chancellor's Dept 299w
Ministry of Agriculture Fisheries and Food 417–8w
Ministry of Defence 262–3w
National insurance contributions 29w
Northern Ireland Office 386–7w
Scottish Office 330w
Welsh Office 225w

Fertility
Medical treatments 320w

Festivals and special occasions
Police 220w

Field, Rt Hon Frank
Debates etc.
Cathedrals Measure (23.06.99) 1238–9
Questions
Benefits Agency Security Investigation Service, Manpower 295–6w
Disability living allowance, Single benefit gateway 224w
Means tested benefits 372w
New deal for young people 190–1w
Pensioners, Personal income 368–9w
Social security benefits, Abuse 197w
Social security benefits, Payments 33w
Social security benefits, Postal services 4–5w, 182w
State retirement pensions 367–70w

Fifteen minutes rule
Rulings and statements (21.06.99) 786

Film
429–30w

Financial services
VAT 75w

Financial Services and Markets Bill 1998/99
Debates etc.
1R (17.06.99) 581

Financial Services and Markets Draft Bill Joint Select Committee
222w

Fines
Enforcement 55w

Fire prevention
61w, 163–4w

Fire services
54–5w
Training 404–5w
Water supply 91–2w

Firearms
61w, 103w
Compensation 221w
Licensing 380w

Firing ranges
Shoeburyness 304w

Fish
Genetically modified organisms 330w, 395w
Scotland 330w

Fisheries
23w
Protection 252–3w
Working hours 270–1w

Fishing catches
216–8w

Fishing vessels
Accidents 79w
Scotland 22–3w

Fitzpatrick, Jim
Debates etc.
Gaming clubs, Petitions (18.06.99) 665
Railway network, Greater London (16.06.99) 327–30
Tourism, Millennium (18.06.99) 695
Questions
Defence equipment, Exhibitions 262w
New deal for communities 151

Fitzsimons, Lorna
Debates etc.
Teenage pregnancy (23.06.99) 1109–10
Questions
Bovine tuberculosis, Disease control 449w
Defence Estate Organisation, Standards 65w
North West region 456w
Public safety zones 86w

Flags
European Communities 115w

Flax
487w

Fletcher, Yvonne
18–20

Flight, Mr Howard
Questions
Insurance companies, Regulation 464w
Kashmir 357w
Pensions 34w

Flint, Caroline
Questions
Organised crime, EC enlargement 5–6

Flood control
Lewes (16.06.99) 533–40

Flynn, Paul
Questions
Cannabis, Medical treatments 106w

Flynn, Paul*—*continued
Cannabis, Prison sentences 105–6w
Drugs, Abuse 106w
Drugs, Netherlands 127w
Drugs, Prison sentences 106–7w
Drugs, Prisons 105–6w
Drugs, Schools 132w
Drugs, Young people 126w
Iraq-Kuwait conflict, Uranium 148–9w, 395–6w
Mortgages, Misrepresentation 26–7w
Motor vehicles, Lighting 46w
Passports, Administrative delays 95–6w
VAT, Financial services 75w
Women's prisons, Prescription drugs 105w

Follett, Barbara
Debates etc.
Innovation (25.06.99) 1453–5

Food
Genetically modified organisms 25w, 124w, 192–3w, 415–6w, 1151–2, 1157–8
Hospitals 292w

Food Standards Agency
Wales 134–5w

Food Standards Bill 1998/99
Debates etc.
2R and money res* (21.06.99) 786–861

Food Standards Draft Bill Select Committee
124w

Footwear
(17.06.99) 657–64

Foreign and Commonwealth Office
Departmental records 116w
Females 255w
Minimum wage 114w
Modernisation 32w
Visits abroad 358w, 483w

Foreign exchange
VAT 166w, 222w

Foreign investment in UK
Wales 236w

Foreign relations
India 920
Pakistan 920
Spain 359w

Forestry
Departmental responsibilities 215w

Forests
Scotland 476w

Forms
Income tax 172w

Forsythe, Mr Clifford
Questions
Northern Ireland Planning Appeals Commission 387w
Tipping of waste, Northern Ireland 140–1w

Fort Whiterock
Property development 51w

Forth, Mr Eric
Debates etc.
Business questions (14.06.99) 113
Health Bill (HL), Rep (14.06.99) 107–10
Oral question time intervention (17.06.99) 557–8, (23.06.99) 1153
Questions
Business questions 566, 1290

Foster, Mr Don
Debates etc.
Traffic Reduction (Air Quality and Health) Bill, 1R (17.06.99) 581

Foster, Mr Don*—*continued
Questions
Schools, Finance 130w
Schools, Standards 339w
Standard assessment tasks 130w
Teachers, Standards 245w

Foster, Mr Michael Jabez, (Hastings and Rye)
Debates etc.
Widowed people (24.06.99) 1306, 1314, 1320–2

Foulkes, Mr George, Parliamentary Under-Secretary of State for International Development
Questions
Afghanistan, Overseas aid 174–5w
East Timor, Overseas aid 379
EC aid 380
Overseas aid, Fraud 173w

Fowler, Rt Hon Sir Norman
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 188–91
Questions
Voting behaviour 11–2

Fox hunting
163w

Fraser, Mr Christopher
Debates etc.
Food Standards Bill, 2R (21.06.99) 850

Fraud
EC budget 413w
Overseas aid 173w

Free movement of capital
Developing countries 462–3w

Frigates
Satellite broadcasting 7w

Fuel poverty
547–8

Fuels
Excise duties 471w, 1283–4

Furs
Imports 414w

Further education
Disciplinary proceedings 63w
Northern Ireland 352–3w
Scotland 330–1w
Standards 128w

Fyfe, Maria
Questions
Developing countries, Debts 373w
Widowed people, Employment 294w

Galbraith, Mr Sam
Questions
Diplomatic relations 277w
Individual savings accounts 463w
Overseas aid 345–6w
Retirement, Age 363w

Gale, Mr Roger
Questions
Catering, Sportsgrounds 123–4w

Gambia
Armed forces 451w
Human rights 372–3w
Overseas aid 430w

Gaming Act 1968
Debates etc.
(18.06.99) 665

Gaming clubs
Petitions (18.06.99) 665

Gapes, Mr Mike
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 420, 471–2, 505
London Underground (15.06.99) 166
Questions
Armed forces, Peace keeping operations 305w
Interception of Communications' Commissioner, Annual reports 196w
Political refugees 15–6
Security Service Commissioner, Annual reports 195–6w

Gardiner, Mr Barry
Questions
Northern Ireland Training and Employment Agency, Standards 69–70w
Public Health Laboratory Service 185w
Smuggling, Tobacco 223w
Wembley Stadium 443–5w

Garnier, Mr Edward
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 982–4, 992, 998, 1010, 1020–4, 1033–4, 1054–5, 1058–61, 1069–73
Caribbean, Capital punishment (23.06.99) 1095–8
Family Law Act 1996, Points of Order (18.06.99) 666
Questions
Crime prevention, Closed circuit television 18
Juries 54w
Local government, Elections 77w
Secondary education, Leicestershire 191w

GCE A level
128–9w

General Certificate of Secondary Education
128–9w

General practitioners
Working hours 111–2w

Genetic Modification Technology Interdepartmental Group
126w

Genetically Modified Food and Producer Liability Bill 1998/99
Debates etc.
1R (24.06.99) 1298

Genetically modified organisms
146–7, 419w
Animal feed 122w, 192–3w
Antibiotics 136w
Bracknell 336w
Church Commissioners 316w
Cosmetics 199–200w
Crops 43–4w, 124–5w, 135–6w, 147–8, 199w, 216w, 334w, 412w, 418w, 445–6w
Developing countries 72w, 176–7w
EC action 44w
Fish 330w, 395w
Food 25w, 124w, 192–3w, 415–6w, 1151–2, 1157–8
Gloucestershire 334w
Inspections 445–6w
Research 325–6w
Safety 298w
Scotland 395w
Seeds 298w, 346w
Tree planting 336w

George, Mr Andrew
Questions
EC grants and loans 210w
Genetically modified organisms 419w

George, Mr Bruce
Debates etc.
Kosovo (17.06.99) 599–603

Gerrard, Mr Neil
Debates etc.
Immigration and Asylum Bill, Rep (15.06.99) 273–5, 293–5, (16.06.99) 421–4, 511
Questions
Political refugees 16
Taxation 462w

Gibb, Mr Nick
Debates etc.
Supermarkets (24.06.99) 1356–60, 1364
Questions
Diesel fuel, Excise duties 542–3

Gibraltar
358–9w
European Parliament elections 925
Nuclear submarines 329w

Gibson, Dr Ian
Debates etc.
Food Standards Bill, 2R (21.06.99) 816
Questions
Cancer, Health services 320w, 476–7w
Cancer, Research 319w
Disadvantaged 433–4w
Radioactive wastes, Waste disposal 142–4
Teachers, Pay 341w
Teachers, Science 341w

Gift aid
310w

Gill, Mr Christopher
Debates etc.
Food Standards Bill, 2R (21.06.99) 789, 825–7
Gold and foreign exchange reserves (16.06.99) 312, 318
Proportional representation (23.06.99) 1189
Questions
Business questions 570
Council tax, Shropshire 80w
Kidderminster Hospital 12w
Police custody 101–2w

Gillan, Mrs Cheryl
Debates etc.
Debts, Developing countries (16.06.99) 364
Questions
Balkans, Overseas aid 378–9
Kosovo, Armed conflict 919–20

Gilroy, Mrs Linda
Questions
Armed forces, Health services 753–4
Kosovo, Armed conflict 304w

Glasgow Homeopathic Hospital
Waiting lists 53w

Glencree Reconciliation Centre
51w

Gloucestershire
Genetically modified organisms 334w
Households 77w

Godman, Dr Norman A
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 864, 874–6, 884
Immigration and Asylum Bill, Rep (16.06.99) 427, 461–2
Kosovo (17.06.99) 585–6, 602
Questions
Fishing vessels, Accidents 79w
Immigrants, Detainees 58w

Godman, Dr Norman A—*continued*
ROF Bishopton 754

Goggins, Mr Paul
Questions
Crimestoppers, Greater Manchester 5
Invalid care allowances 182w, 361w, 367w
Invalid care allowances, Earnings rules 182w

Gold and foreign exchange reserves
(16.06.99) 307–26, 459w
European Central Bank 389–90
International Monetary Fund 312w, 1276

Golding, Mrs Llin
Debates etc.
Adoption (16.06.99) 355

Gorman, Mrs Teresa
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 471
Teenage pregnancy (23.06.99) 1109–16
Questions
Exhaust emissions 80w

Government
Policy 419w, 421w

Government Communications Headquarters
360w

Government departments
Buildings 194w, 420w
Correspondence 71w, 1157–9
Email 420w
Standards 1156–7

Government offices for the regions
420w

Grain
Allergies 281w
Seaforth 281w

Grants for education support and training
394–5w

Gray, Mr James
Debates etc.
Innovation (25.06.99) 1460–1
Supermarkets (24.06.99) 1344, 1346, 1348–9, 1354, 1359, 1362–7
Questions
Business questions 1296–7
Cars, Greater London 80w
Crimes of violence 8
EC common foreign and security policy 748
London Economics 246–7w

Greater London
Cars 80w
Council housing 337w
Cycleways 137w
Homelessness 283w
Hospital wards 384w
Priority routes 410w
Racial violence 151–9w
Railway network (16.06.99) 327–48
Social rented housing 336–7w

Greater Manchester
Capital Modernisation Fund 171w
Crimestoppers 5

Green, Mr Damian
Questions
New deal for young people 190w
Sudan, Peace negotiations 226w
Territorial Army, Deployment 300–1w

Greenhouse effect
Northern Ireland 50–1w
Refrigeration 5–6w, 9w, 50–2w

Greenhouse effect*—*continued
Scotland 51–2w
Wales 5–6w

Greenway, Mr John
Questions
Bovine spongiform encephalopathy, Animal feed 391–2
European Police Office 2

Greenwich Hospital
451–2w

Grieve, Mr Dominic
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 990–2, 1008, 1029, 1032, 1054, 1057, 1059, 1074–5
Demonstrations, City of London (21.06.99) 784–5
Tourism, Millennium (18.06.99) 699, 709, 717, 724–6
Questions
House of Lords, Reform 1164
Kosovo, Armed conflict 381
Weapons, Northern Ireland 390

Griffiths, Jane
Questions
Indonesia 356w
Inside Out Trust 59–60w
Khmer Rouge 484w
Political refugees, Correspondence 374–5w
Prisoners, Rehabilitation 162w

Griffiths, Mr Nigel
Debates etc.
Food Standards Bill, 2R (21.06.99) 797, 814–7
Questions
Electronic commerce, Cryptography 553
Kosovo, Armed conflict 381, 917–8
Kosovo, Refugees 383

Griffiths, Mr Win
Questions
Energy, Trade competitiveness 203–4w

Grogan, Mr John
Debates etc.
Tourism, Millennium (18.06.99) 690–3
Questions
EC defence policy 304w
Mongolia 922
NHS, Procurement 436–7w
Taxation, Derelict land 459w

Guided weapons
147w

Guillotine
(15.06.99) 174–222, (22.06.99) 933–4

Gulf War
see Iraq-Kuwait conflict

Gulf war syndrome
Medical examinations 150w

Gummer, Rt Hon John
Debates etc.
Business questions (23.06.99) 1231–2
Cathedrals Measure (23.06.99) 1240–4

Gwrych Castle
454w

Gynaecology
North Yorkshire 184–5w

Habitual offenders
Drugs 347w

Habitual residence test
36–7w

Hague, Rt Hon William
Debates etc.
Kosovo (21.06.99) 764–5, 767
Questions
Belfast Agreement 1160–2
Economic and monetary union 1164–6
Proportional representation, Referendums 383–5

Hain, Mr Peter, Parliamentary Under-Secretary of State, Welsh Office
Questions
A40, Wales 72w
Education, Wales 454–5w
Embassies, Wales 237–8w
Food Standards Agency, Wales 134–5w
Foreign investment in UK, Wales 236w
Higher education, Wales 224w
Mining, Wales 73w
Social inclusion partnerships, Wales 73w
Tourism, Wales 236–7w
Voluntary organisations, Wales 135w

Hamill, Robert
230–1w, 351–2w

Hamilton, Rt Hon Sir Archie
Debates etc.
Kosovo (21.06.99) 768

Hamilton, Mr Fabian
Questions
EC grants and loans, Urban areas 315w

Hammersmith and Fulham
Theatre 343–4w

Hammond, Mr Philip
Debates etc.
Health Bill (HL), Rep (14.06.99) 36–41, 47, 50–2, 56, 61, 64, 70–3, 75–6, 85–98
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 197, 211–4
Health Bill (HL), Rep and 3R (15.06.99) 227–8, 231, 236–8, 240, 243–4, 246
Questions
Juries 54w

Hampshire
Adoption 477w

Hancock, Mr Mike
Debates etc.
Safety at Sea Bill, 1R (15.06.99) 169–71
Questions
Armed forces, Health services 256w
Chinook helicopters, Accidents 326–7w
Chinook helicopters, Computer software 327w
Defence Evaluation and Research Agency 145–6w, 261–2w
Guided weapons 147w
HMS Beaver 450w
HMS Birmingham 450w
HMS Brave 213w
HMS Campbeltown 146w
HMS Chatham 146w
HMS Fearless 212–3w
HMS Monmouth 450w
HMS Newcastle 450w
HMS Southampton 146–7w
Kosovo, Armed conflict 303w
Navy, Deployment 259–60w
Navy, Manpower 258–9w
Peace keeping operations, Expenditure 326w

Harman, Rt Hon Harriet
Debates etc.
Railway network, Greater London (16.06.99) 346

Harrier aircraft
306w

Harris, Dr Evan
Debates etc.
Business questions (14.06.99) 113–4
Disclosure of information, Points of order (14.06.99) 34
Health Bill (HL), Rep (14.06.99) 68, 74–85
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 182, 203, 222
Health Bill (HL), Rep and 3R (15.06.99) 227–31, 248–50
Questions
Drugs, Advertising 12–4w
Immigration officers, Training 355w
Individual learning accounts 27w
Interest rates 223w
Kosovo, Armed conflict 302–3w
Tax allowances, Vocational training 27w

Hawkins, Mr Nick
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1004–7, 1044, 1046–9, 1053, 1075–6
Questions
Beacon councils 143–4

Hayes, Mr John
Debates etc.
Business questions (14.06.99) 113
Health Bill (HL), Rep (14.06.99) 67, 82, 89, 91, 94–5
Proportional representation (23.06.99) 1203, 1206, 1216
Questions
Business questions 1291–2

Heald, Mr Oliver
Debates etc.
Proportional representation (23.06.99) 1193

Healey, Mr John
Debates etc.
Teenage pregnancy (23.06.99) 1110, 1121–3
Questions
EC reform 357w
European Social Fund, Employment schemes 34w, 107w, 238w
Industrial injuries scheme 238w
Landfill tax 461w
Small Business Service 554–5

Health Bill (HL) 1998/99
Debates etc.
Rep (14.06.99) 35–110
Business questions (14.06.99) 111–5
Allocation of time motion (15.06.99) 174–222
Rep and 3R* (15.06.99) 223–66

Health education
Eclipse 1999 290–2w, 384w
Salt 385w

Health foods
Petitions (16.06.99) 532

Health hazards
Dioxins 335w

Health services
Armed forces 256w, 752–4
Cancer 320w, 476–7w
OECD countries 112w

Heart diseases
Surgery 1168

Heath, Mr David
Debates etc.
Widowed people (24.06.99) 1313, 1322–5
Questions
Children in care 251–2w
Children in care, Somerset 251w
Excise duties, Wines 457w
Government offices for the regions 420w
Kosovo, Armed conflict 302w
Sierra Leone 921–2

Heathcoat-Amory, Rt Hon David
Questions
Climate change levy 1281
Taxation, Business 30–1w

Heavily indebted poor countries initiative
274–5w

Hedges and ditches
84w

Helicopters
Police 266w

***Henderson, Mr Doug**, Minister for the Armed Forces*
Questions
Armed forces, Education 301w
Armed forces, Females 258w
Armed forces, Gambia 451w
Armed forces, Health services 256w, 752–4
Armed forces, Homosexuality 145w
Armed forces, Insignia 263w
Armed forces, Peace keeping operations 305w
Armed forces, Recruitment 150w
Armed forces, Training 305w
Army, Cadets 147w, 262w
Army, Deployment 257w
Army, Manpower 260–1w, 306w
Army, Vacancies 261w
Army Training and Recruiting Agency, Standards 149w
Balkans, Territorial Army 300w
Bombings, Dublin 263–4w
Broadcasting programmes, Ministry of Defence 148w
Chinook helicopters, Accidents 326–7w
Chinook helicopters, Computer software 327w
Chinook helicopters, Royal family 450–1w
Defence Medical Training Organisation, Standards 6–7w
Exercise Dimming Sun 8w
Females, Ministry of Defence 262–3w
Frigates, Satellite broadcasting 7w
Gulf war syndrome, Medical examinations 150w
HMS Beaver 450w
HMS Birmingham 450w
HMS Fearless 212–3w
HMS Monmouth 450w
HMS Newcastle 450w
Iraq-Kuwait conflict, Uranium 148–9w, 395–6w, 453–4w
Kosovo, Armed conflict 451w
Military bases, Colchester 262w
Military Provost Guard Service 398w
Naval Bases and Supply Agency, Standards 397w
Navy, Deployment 259–60w
Navy, Manpower 258–9w
RAF Signals Engineering Establishment 7w
Royal Naval Hospital Haslar 752–3w
Ships Support Agency, Standards 397–8w
Territorial Army, Caernarfon 449–50w
Territorial Army, Deployment 300–1w, 453w
Territorial Army, Recruitment 450w

***Henderson, Mr Doug**, continued*
Ulster Defence Regiment, Deployment 398w

Henderson, Mr Ivan
Questions
United Nations, Peace keeping operations 475w

Hepburn, Mr Stephen
Questions
Aerials, Planning permission 250w
Regional development agencies, North East region 413w

Heppell, Mr John
Questions
Developing countries, Debts 373

Hesford, Mr Stephen
Questions
Taxation, Currency speculation 311w

***Hewitt, Ms Patricia**, Economic Secretary to the Treasury*
Debates etc.
Gold and foreign exchange reserves (16.06.99) 324–6
Questions
Bank of Credit and Commerce International 28w
Charitable donations 310w
Climate change levy 135w, 169w, 461–2w, 1280–2
Climate change levy, Northern Ireland 28–9w
Coinage, Counterfeit manufacturing 169–70w
Commemorative coins, Millennium 171w
EC budget 312w
EC Finance Council 75w, 166–8w
Economic and monetary union 423–4w, 458w, 460w
Employment, Shrewsbury 464w
European Central Bank, Codes of practice 168w
European Commission, Pay 168w
Excise duties, Fuels 1283–4
Excise duties, Lorries 1273–4
Excise duties, Motor vehicles 310–1w
Financial Services and Markets Draft Bill Joint Select Committee 222w
Free movement of capital, Developing countries 462–3w
Individual savings accounts 463w
Insurance companies, Regulation 464w
Interest rates 223w
International Monetary Fund, Gold and foreign exchange reserves 312w
Landfill tax 29w, 461w
Loans, Brazil 325w
Lund Humphries, Pensions 312–3w
Minimum wage, Treasury 168w
Ministerial policy advisors, Treasury 463–4w
Mortgages, Misrepresentation 26–7w
Overseas investment 311w
Proceeds of crime, Internet 170w
Smuggling, Petrol 28w
Tax allowances, Charities 75w
Tax yields, Motor vehicles 26w
Taxation, Currency speculation 311w
Taxation, Italy 27w
Taxation, Pesticides 312w
Taxation, Recycling 311–2w
VAT, Financial services 75w
World Bank, Social policy 463w
Written questions, Treasury 172w

Higher education
Finance 340w
Northern Ireland 352–3w
Wales 224w

Higher Education Reach-out to Business and the Community Fund
108–9w

Highways Act 1980
Questions
280–1w

Hillgrove Farm Witney
350w

HMS Beaver
450w

HMS Birmingham
450w

HMS Brave
213w

HMS Campbeltown
146w

HMS Chatham
146w

HMS Fearless
212–3w

HMS Intrepid
212–3w

HMS Monmouth
450w

HMS Newcastle
450w

HMS Southampton
146–7w

***Hodge, Ms Margaret**, Parliamentary Under-Secretary of State, Dept for Education and Employment*
Debates etc.
Pre-school education (18.06.99) 738–42
Questions
Employment 342w
Employment, Disabled 296w, 339–40w, 469w
Females, Dept for Education and Employment 296–7w
Remploy 469–70w

***Hoey, Miss Kate**, Parliamentary Under-Secretary of State, Home Office*
Debates etc.
Al-Fayed, Mohammed (22.06.99) 1086–8
Questions
Custody officers, Training 56w
EC law 6
Electronic surveillance, EC action 92w
European Committee for the Prevention of Torture 266w
European Police Office 1–2, 60w
European Police Office, Interpol 346w
Metropolitan Police, Advertising 104–5w
Metropolitan Police, Ethnic groups 57–8w
National Front, Arrests 161w
Organised crime, EC enlargement 5–6
Police, River Thames 375w, 427w
Racial harassment, Ealing 161w
Racial violence, Greater London 151–9w
Schengen Agreement, Costs 92–3w

Hogg, Rt Hon Douglas
Debates etc.
Business questions (14.06.99) 114
Demonstrations, City of London (21.06.99) 782
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 207–8
Immigration and Asylum Bill, Rep (16.06.99) 507, 513, 530–1
Kosovo (14.06.99) 32, (17.06.99) 587, 598, (21.06.99) 771

Holiday leave
558

Holidays abroad
180w

Home detention curfews
59w

Home energy efficiency scheme
Wales 488w

Home Office
Annual reports 54w
Empty property 62–3w
Females 346w
Republic of Ireland 266–7w
Written questions 374w

Homelessness
Greater London 283w

Homeopathy
52–3w

Homosexuality
Armed forces 145w

Hood, Mr Jimmy
Questions
EC Agriculture Council 215–6w
EC Finance Council 167–8w
EC Fisheries Council 19–20w
EC Foreign Affairs Council 484–5w
EC Health Council 183–4w
EC Transport Council 446–7w
Military bases, Chelsea 256–7w

***Hoon, Mr Geoffrey**, Minister of State, Foreign and Commonwealth Office*
Questions
Ambassadors for British business 278w
British Council, Public appointments 256w
British Nuclear Fuels 228w
China, Political prisoners 276–7w
Departmental records, Foreign and Commonwealth Office 116w
Diplomatic relations 277w
East Timor 917
Embassies, Email 116w
Immigration officers, Training 355w
India, Christianity 909
India, Foreign relations 920
Indonesia 356w
Iran, Antisemitism 227–8w, 253–4w
Iran, Bahai sect 228w
Iran, Diplomatic relations 356w
Iran, Human rights 226–7w, 254–5w
Iran, Transplant surgery 371w
Israel, Human rights 357–8w
Japan, Radioactive materials 927–8
Kashmir 114w, 357w
Khmer Rouge 484w
Mongolia 922–3
Panel 2000 31–2w
Sudan 253w
Sudan, Armed conflict 253w
Sudan, Peace negotiations 226w
Suharto, Mohamed 277w
USA, Travel information 255–6w

Hope, Mr Phil
Debates etc.
Footwear (17.06.99) 657–8
Teenage pregnancy (23.06.99) 1113–4, 1120, 1123–5
Questions
Business questions 565–6
Earnings top-up 182–3w
Email 350–1w

Hopkins, Mr Kelvin
Questions
Alternative energy 203w
Taxation, EC action 465w

Hormone treatments
Milk 25–6w

Horse riding
Minimum wage 316w

Horticulture
Taxation 118w

Hospital beds
Pensioners 331–2w
Wales 331–2w

Hospital wards
Greater London 384w

Hospitals
Food 292w
Sunderland 10w
Waiting lists 14–5w

House of Commons
Minimum wage 272w
Pay 272–3w

House of Commons Disqualification (Amendment) Bill 1998/99
Debates etc.
1R (16.06.99) 393–5

House of Commons Liaison Committee
(17.06.99) 656

House of Lords
Reform 1164

Household surveys
44w, 46w

Households
Gloucestershire 77w

Housing benefit
399–404w
Benefits rules 293w, 433w
South West region 361–2w

Housing improvement
Disabled 200–1w
Elderly 200w

Housing stock
Lancashire 283–4w

Howard, Rt Hon Michael
Debates etc.
Business questions (23.06.99) 1231
Kosovo (14.06.99) 23–5
Prevention of Terrorism (Temporary Provisions) Act 1989 (continuance) orders (23.06.99) 1178
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1397–8, 1400, 1403–4

***Howarth, Mr Alan**, Parliamentary Under-Secretary of State, Dept for Culture Media and Sport*
Questions
EC Culture Council 88w
Stonehenge 430w

***Howarth, Mr George**, Parliamentary Under-Secretary of State, Home Office*
Debates etc.
Proportional representation (23.06.99) 1189, 1223–5
Questions
Absent voting 229w
Animal experiments 380–1w
Animal Procedures Committee 57w
Animal Procedures Committee, Annual reports 350w
Ballot papers 230w
Cannabis, Medical treatments 106w
Cannabis, Prison sentences 105–6w
Coroners 62w
Crimestoppers, Greater Manchester 5

***Howarth, Mr George** — continued*
Deportation, Mental patients 266w
Drugs, Abuse 267w
Empty property, Home Office 62–3w
European Parliament elections, Publicity 267–8w
Fire prevention 61w, 163–4w
Fire services 54–5w
Fire services, Water supply 91–2w
Habitual offenders, Drugs 347w
Hillgrove Farm Witney 350w
Home detention curfews 59w
Human remains, Devon 162w
Identity cards 381w
Inside Out Trust 59–60w
Licensing laws 6–7
Life imprisonment 99–100w
Paedophilia, Disclosure of information 348–9w
Prison accommodation 428w
Prisoners 60–1w
Prisoners, Employment 347–8w
Prisoners, Exservicemen 60w
Prisoners, Per capita costs 265–6w
Prisoners, Rehabilitation 162w
Prisoners on remand 99w
Prisoners' transfers, Special hospitals 62w
Prisons, Drugs 105–6w, 266w, 378–9w
Probation and aftercare, Computers 165w
Probation officers 55w
Proceeds of crime 54w
Sentence Review Commission 165–6w
Shamrock Farms 104w
Women's prisons, Prescription drugs 105w
Young offender institutions 377–8w
Young offenders, Education 376w, 378w
Young offenders, Remand in custody 377w
Young offenders, Sexual offences 376–7w

Howarth, Mr Gerald
Debates etc.
Al-Fayed, Mohammed (22.06.99) 1082
Questions
Bloody Sunday Tribunal of Inquiry, Disclosure of information 398w
Bloody Sunday Tribunal of Inquiry, Legal costs 9w
CityFlyer Express 1w
Parachute Regiment, Correspondence 18–9w
Stop and search 474w

***Howells, Dr Kim**, Parliamentary Under-Secretary of State, Dept of Trade and Industry*
Questions
Cars, Prices 207w
CityFlyer Express 1w
Complaints, Standards specifications 413–4w
Consumer goods, Prices 541–2
Diesel fuel, Excise duties 542–3
Directorate General for Competition 414w
Females, Dept of Trade and Industry 270w
Inventions 551–3
Libyan Arab Republic 557
Monopolies and Mergers Commission, Publications 2w, 269w
Petrol, Retail trade 3–4w
Science enterprise challenge 557–8

Hoyle, Mr Lindsay
Questions
Absent voting 229w
Cars, Prices 207w
House of Commons, Pay 272–3w
Kosovo, Armed conflict 302w
Military aircraft, Procurement 746

Hughes, Mr Simon
Debates etc.
Health Bill (HL), Rep and 3R (15.06.99) 225, 228, 230–1, 234–6, 241–2, 249
Questions
Balkans, Overseas aid 175w
Church of England, Investment 756–7
Debts, Developing countries 459w
Juries 54w
Kosovo, Peace keeping operations 750
Manufacturing industries, Trade competitiveness 206–7w
Open government 381w

Human remains
Devon 162w

Human rights
226w
Gambia 372–3w
Indonesia 277w
Iran 226–7w, 254–5w
Israel 357–8w
Zimbabwe 360w

Human Rights Act 1998
Questions
214w

Humble, Mrs Joan
Questions
Disadvantaged, Voluntary organisations 13
Wormwood Scrubs 429w

Hunter, Mr Andrew
Questions
Adoption 477w
Adoption, Hampshire 477w
Fertility, Medical treatments 320w
Firearms, Licensing 380w
Roads, Noise 152
Ulster Defence Regiment, Deployment 398w

***Hutton, Mr John**, Parliamentary Under-Secretary of State, Dept of Health*
Debates etc.
Adoption (16.06.99) 351–5
Asthma, Children (16.06.99) 369–72
Mentally incapacitated, Community care (14.06.99) 132–6
Questions
Adoption 477w
Adoption, Hampshire 477w
Alzheimer's disease 289–90w
Autism 286–7w
Cancer, Health services 320w, 476–7w
Cancer, Research 319w
Children in care 251–2w
Children in care, Somerset 251w
Chronic Fatigue Syndrome/Myalgic Encephalomyelitis Working Group 435w
Hospitals, Sunderland 10w
Kidderminster Hospital 12w
Long-Term Care Royal Commission 320w
Mental health review tribunals 292–3w
Political refugees, Finance 187w
Quality protects programme 250–1w
Radiotherapy, Medical equipment 11w
Residential homes 386w
St Dunstan's Charity 185w
Secure psychiatric units 113w
Special hospitals, Advocacy 14w
Wheelchairs 435w

Iddon, Dr Brian
Questions
Drugs, Advertising 477–8w
Middle East, Peace negotiations 913–4
Prostitution, Advertising 347w

Identity cards
2–5, 381w

Illegal immigrants
379–80w

Immigrants
Detainees 58w
Domestic violence 164–5w

Immigration and Asylum Bill 1998/99
Debates etc.
Business questions (14.06.99) 111–4
Allocation of time motion (15.06.99) 174–222
Rep (15.06.99) 267–97
Rep and 3R* (16.06.99) 396–531
Questions
386

Immigration and Nationality Directorate
57w, 428–9w

Immigration controls
165w

Immigration officers
Training 355w

Immigration rules
163w
Cohabitation 164w

Imports
Asbestos 200w
Furs 414w
Northern Ireland 387w

Incapacity benefit
362w, 434w

Income support
Mortgages 293–4w
Pensioners 369–70w
Wandsworth 366–7w

Income tax
Forms 172w
Pensioners 459w

Independent Commission on Policing for Northern Ireland
Costs 144–5w
Internet 352w

India
Christianity 909
Foreign relations 920

Individual learning accounts
27w

Individual savings accounts
463w

Indonesia
356w
Debts written off 273–4w
Human rights 277w

Industrial health and safety
Intimidation 46–7w

Industrial injuries disablement benefit
Benefits rules 32w

Industrial injuries scheme
238w

Industrial relations
4w

Industrial Research and Technology Unit
see Northern Ireland Industrial Research and Technology Unit

Information society initiative
188w

Information technology
Developing countries 178w
Schengen Agreement 160–1w

***Ingram, Rt Hon Adam**, Minister of State, Northern Ireland Office*
Questions
Bombings, Omagh 353w
Crimes of violence, Northern Ireland 141w, 231–2w, 425–7w
Criminal Justice (Terrorism and Conspiracy) Act 1998 471w
Equal opportunities, Northern Ireland 143–4w
Fort Whiterock, Property development 51w
Hamill, Robert 230–1w, 351–2w
Imports, Northern Ireland 387w
Independent Commission on Policing for Northern Ireland, Costs 144–5w
Independent Commission on Policing for Northern Ireland, Internet 352w
Nelson, Rosemary 140w, 210w, 231w, 352w, 425–6w
Northern Ireland Equality Commission Working Group 145w
Northern Ireland Industrial Research and Technology Unit, Standards 143w
Parades Commission 211w
Royal Ulster Constabulary 353–4w
Royal Ulster Constabulary, Portadown 351w
Weapons, Northern Ireland 426w

Inland waterways
Access 245–6w
Cable systems 285w

Innovation
(25.06.99) 1414–85

Inside Out Trust
59–60w

Insignia
Armed forces 263w

Insurance
Driving 440–1w

Insurance companies
Regulation 464w

Integrated Transport Commission
Public appointments 139w

Interception of Communications Commissioner
Annual reports 196w

Interdepartmental Group on Genetic Modification Technology
see Genetic Modification Technology Interdepartmental Group

Interest rates
223w

Intergovernmental Conference 2000
195w

International assistance
River Danube 176w

International Bank for Reconstruction and Development
see World Bank

International law
Refugees 346–7w

International Monetary Fund
Gold and foreign exchange reserves 312w, 1276
Structural adjustment 178w

International Year of Older Persons 1999
32w

Internet
Embassies 116w
Fees and charges 544
Independent Commission on Policing for Northern Ireland 352w

Internet *continued*
Northern Ireland Office 388–90w
Proceeds of crime 170w

Interpol
European Police Office 346w

Intervention stocks
Beef 486w

Intimidation
Industrial health and safety 46–7w
Learning disability 1167

Invalid care allowances
182w, 361w, 367w
Earnings rules 182w

Invalidity benefits
434w

Inventions
551–3

Investors in People UK
129w

Iran
Antisemitism 227–8w, 253–4w
Bahai sect 228w
Diplomatic relations 356w
Human rights 226–7w, 254–5w
Transplant surgery 371w

Iraq
Bombings 301w
Sanctions 387

Iraq-Kuwait conflict
Uranium 148–9w, 395–6w, 453–4w

Islington
Education 342w

Israel
Human rights 357–8w

Italy
Taxation 27w

Jack, Rt Hon Michael
Questions
Annual reports, Home Office 54w

Jackson, Ms Glenda*, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Debates etc.
Railway network, Greater London (16.06.99) 335–6, 343, 346–8
Questions
A14 78w
A303 440w
Air bags 247w
Bedford-Bletchley railway line 137–8w
British Railways Board, Land 408–9w
Bus services, Standards 85w
Cars, Greater London 80w
Cars, Safety 471w
Complaints, Dept of the Environment Transport and the Regions 280w
Cycleways, Greater London 137w
Driving, Licensing 440–1w
Driving instruction 38w
Driving instruction, Standards 38–41w
Driving Standards Agency 41w, 279w
Driving tests 38–42w, 278–80w
Exhaust emissions 80w, 472w
Fire services, Training 404–5w
Fishing vessels, Accidents 79w
Fuels, Excise duties 471w
Lorries, Axle weights 281w
Lorries, Road traffic offences 280w
Motor vehicles, Lighting 46w
Motor vehicles, Waste disposal 83–4w
North London railway line 138w
Petrol 44w
Petrol alternatives, Motor vehicles 445w

Jackson, Ms Glenda *continued*
Polegate bypass 284–5w
Priority routes, Greater London 410w
Public safety zones 86w
Radioactive materials, Transport 79w
Railtrack, Capital investment 282w
Railtrack, Finance 281w
Railway stations, Bicycles 409w
Railway stations, Parking 152
Railway track 408w
Regional airports 141–2
Rights of way 280–1w
Road traffic control, Standards 84–5w
Roads, Accidents 37w
Roads, Expenditure 42–3w, 45w
Roads, Speed limits 441–2w
Rolling stock 43w
Stansted Airport 138–9w
Strategic Rail Authority 281w
Taxis, Disabled 407w
Taxis, Plymouth 337w
Train operating companies, Standards 408w
Trains, Bicycles 441–2w
Trains, Overcrowding 85w
Transport and Works Act 1992 406w
Unleaded petrol 336w
Walking 447w
Welsh Highland railway 442w
West coast railway line, Modernisation 137w

Jackson, Helen
Questions
Animal welfare, EC action 414w
Developing countries, Debts 173–4w
Furs, Imports 414w

Jackson, Mr Robert
Questions
Kosovo, Cultural heritage 356w

Japan
EC external relations 134w
Radioactive materials 5w, 150–1w, 271w, 305w, 927–8

Jenkin, Mr Bernard
Debates etc.
Ministerial statement intervention (15.06.99) 159, 164
Railway network, Greater London (16.06.99) 335, 340, 342–5, 348
Questions
Railways, Passengers 139

Jenkins, Mr Brian
Questions
Licensing laws 6

Jobseeker's allowance
361w

Johnson, Mr Alan
Debates etc.
Proportional representation (23.06.99) 1217–9

Johnson, Miss Melanie
Questions
Employment 342w

Johnson Smith, Rt Hon Sir Geoffrey
Questions
Farmers, Tax allowances 417w

Joint Consultative Committee with the Liberal Democratic Party
see Labour Liberal Democrats Joint Consultative Committee

Jones, Rt Hon Barry
Questions
Climate change levy 135w
Community charge, Wales 72–3w

Jones, Rt Hon Barry *continued*
Crewe-Holyhead railway line 144
Food Standards Agency, Wales 134–5w
Higher education, Wales 224w
Mining, Wales 73w
Ministerial duties, Welsh Office 235w
NHS trusts, Wales 275w
Social inclusion partnerships, Wales 73w
Voluntary organisations, Wales 135w

Jones, Helen M
Questions
Cash limits, Dept for Education and Employment 243w
Hospitals, Food 292w
Local government, Ethics 77w
Millennium compliance 71w, 151w
New deal for young people 1160
Prisoners' transfers, Special hospitals 62w
Special hospitals, Advocacy 14w
Working families tax credit 1277
Working hours 558

Jones, Mr Jon Owen*, Parliamentary Under-Secretary of State, Welsh Office*
Debates etc.
Denbighshire County Council (25.06.99) 1489–92
Questions
Community charge, Wales 72–3w
Home energy efficiency scheme, Wales 488w
Local government finance, Wales 488w
NHS, Disciplinary proceedings 6w
NHS trusts, Wales 275w
Pensioners, Hospital beds 331–2w
Physiotherapy, Wales 373w
Refrigeration, Greenhouse effect 5–6w
Secure psychiatric units, Wales 73–4w
Sites of special scientific interest, Wales 275w

Jones, Dr Lynne
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1009
Immigration and Asylum Bill, Rep (16.06.99) 467–8, 474
Questions
Political refugees 93w

Jones, Mr Martyn David
Debates etc.
Food Standards Bill, 2R (21.06.99) 817
Questions
Climate change levy 407w, 462w
Recycling, Wood 285w

Jowell, Rt Hon Ms Tessa*, Minister for Public Health, Dept of Health*
Debates etc.
Teenage pregnancy (23.06.99) 1127–9
World Health Organisation (15.06.99) 302–6
Questions
Cancer, Colchester 288–9w
Clones 383–4w, 436w
Creutzfeldt-Jakob dementia 318–9w
Drugs, Advertising 12–4w, 382–3w, 477–8w
Drugs, Animal products 382w
Drugs, Medical treatments 349–50w
EC Health Council 183–4w
Fertility, Medical treatments 320w
Health education, Salt 385w
Pertussis vaccine 185w
Republic of Ireland, Dept of Health 383w
Written questions, Dept of Health 186w
Yellow card scheme 110w, 434–5w
Yellow card scheme, Metrizamide 110w

Judicial Appointments and Silk Equal Opportunities Joint Working Party
123–4w

Junior doctors
Working hours 10–1w, 319w

Juries
54w, 96–7w

K4 Committee
90–1w

Kashmir
114w, 187w, 357w, 387–8

Kaufman, Rt Hon Gerald
Debates etc.
Caribbean, Capital punishment (23.06.99) 1089–95
Kosovo (21.06.99) 768
Questions
Caribbean, Overseas aid 48w
Members, Correspondence 314w

Keeble, Ms Sally
Debates etc.
Food Standards Bill, 2R (21.06.99) 799, 812–3, 819–20, 844–6
Footwear (17.06.99) 658
Supermarkets (24.06.99) 1343
Widowed people (24.06.99) 1300–1
Questions
Medicines Control Agency 321w
West coast railway line, Modernisation 137w

Keen, Mr Alan
Debates etc.
Proportional representation (23.06.99) 1214–6

Keen, Ann
Questions
Sustainable development 86–7w

Keetch, Mr Paul
Questions
Fire services, Water supply 91–2w
Press releases, Dept for Education and Employment 438w

Kemp, Mr Fraser
Questions
Domestic violence 381–2w

Kennedy Inquiry
see Bristol Royal Infirmary Inquiry

Kent
Assisted areas (23.06.99) 1143–50

Key, Mr Robert
Debates etc.
Care of Places of Worship Measure (23.06.99) 1252, 1254
Cathedrals Measure (23.06.99) 1234–7
Demonstrations, City of London (21.06.99) 784
Questions
A303 440w
Church Commissioners, Expenditure 760
Frigates, Satellite broadcasting 7w
Lorries, Road traffic offences 280w
ROF Bishopton 754–5
Stonehenge 430w

Khabra, Mr Piara S
Questions
Developing countries, Genetically modified organisms 176–7w

Khmer Rouge
484w

Kidderminster Hospital
12w

Kidney, Mr David
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1006, 1024–5, 1031
Questions
Army, Cadets 147w, 262w
Passport Office, Liverpool 93–4w
Passports, Administrative delays 94w
Small businesses 203w
United Kingdom Passport Agency, Standards 159–60w

***Kilfoyle, Mr Peter**, Parliamentary Under-Secretary of State, Cabinet Office*
Questions
Better government programme, Elderly 1153–4
Buildings, Dept of the Environment Transport and the Regions 421–2w
Civil servants, Recruitment 363–4w
Civil service, Personnel management 419w
Civil service agencies 419w
Consultation papers 456w
Government, Policy 419w
Government departments, Buildings 194w, 420w
Government departments, Correspondence 1157–9
Government departments, Email 420w
Government departments, Standards 1156–7
Government offices for the regions 420w
Ministerial policy advisors, Pensions 456w
Ministers, Email 419w
Monsanto, Cabinet Office 194w
Non-departmental public bodies, Public appointments 1158–9
North West region 456w
Scottish Parliament, Correspondence 1157
Security Facilities Executive 422w

King, Ms Oona
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 446–8, 473, 482
Proportional representation (23.06.99) 1186, 1208, 1211
Questions
Crime prevention, Voluntary organisations 56–7w
Greenwich Hospital 451–2w
Habitual residence test 36–7w

King, Rt Hon Tom
Debates etc.
Business questions (23.06.99) 1230
Kosovo (14.06.99) 28–9
Ministerial statement intervention (23.06.99) 1176
Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Orders (23.06.99) 1174–5
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1389, 1395–7, 1401
Questions
Kosovo, Peace keeping operations 750–1

Kirkbride, Miss Julie
Debates etc.
Proportional representation (23.06.99) 1208–9, 1225
Rover Group, Points of order (23.06.99) 1180–1
Tax Credits Bill, Lords amendts (22.06.99) 940, 960–2, 966, 969–71
Questions
Minimum wage 549–50

Kirkwood, Mr Archy
Questions
House of Commons, Pay 272–3w
Line of route 74w
Minimum wage, House of Commons 272w
Palace of Westminster, Parking 316w

Kosovo
355w, 431w, (17.06.99) 582–656
Armed conflict 65–6w, 277w, 302–4w, 306–7w, 313–4w, 327–8w, 354w, 381–2, 423w, 451w, 461w, 481–2w, 743–5, 755, 917–20
Cultural heritage 356w
Ethnic groups 16w
Mines 47–8w, 344w
Ministerial statements (14.06.99) 21–33, (21.06.99) 761–76
Overseas aid 344–5w
Peace keeping operations 195w, 355w, 396–7w, 750–2
Refugees 16–7, 47–9w, 71–2w, 102–3w, 179w, 187w, 265w, 345w, 355–6w, 383
Uranium 148w, 307w, 454w
War crimes 423w

Kumar, Dr Ashok
Questions
Cleveland Police Authority 348w

Labelling
Nuts (24.06.99) 1405–12

Labour Liberal Democrats Joint Consultative Committee
225w, 321w

Ladyman, Dr Stephen
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 404, 419, 428–9

Laing, Mrs Eleanor
Debates etc.
London Underground (15.06.99) 163
Proportional representation (23.06.99) 1203–4, 1210, 1215–7

Lait, Mrs Jacqui
Debates etc.
Tourism, Millennium (18.06.99) 671, 692–8, 702, 708
Questions
Licensing laws 7

Lancashire
Housing stock 283–4w

Land
British Railways Board 408–9w

Land Command
Deployment 257w

Land Registers of Northern Ireland
Standards 391w

Land use
Databases 154

Landfill tax
29w, 461w

Landlords
283w

Lansley, Mr Andrew
Questions
Biotechnology Presentation Group 1152–3

Lapwings
Conservation 282w

Law
Reform 455w

Law Officers' Dept
see Attorney General

Lawrence, Ms Jackie
Questions
A40, Wales 72w
Capital gains tax, Tax avoidance 171w
Commemorative coins, Public libraries 29w
Pension rights, Private sector 29–30w
Private finance initiative 465–6w

Lawrence, Stephen
see Stephen Lawrence Death Inquiry

Laxton, Mr Bob
Questions
Petrol alternatives, Motor vehicles 445w

Lead
Ammunition 137w, 149
Research 207–8w

Learning disability
Intimidation 1167

Leave of absence
Speaker (23.06.99) 1255

Legal aid
Northern Ireland 53w, 233w

Legal costs
Bloody Sunday Tribunal of Inquiry 9w

Legal profession
Public appointments 317–8w, 322–3w

Leicestershire
Secondary education 191w

Leigh, Mr Edward
Debates etc.
Proportional representation (23.06.99) 1202
Tax Credits Bill, Lords amendts (22.06.99) 965–6, 968, 971
Questions
Buildings, Dept of the Environment Transport and the Regions 76w, 421–2w
Council of Ministers, Voting methods 354–5w

Lepper, Mr David
Debates etc.
Supermarkets (24.06.99) 1367–9
Tourism, Millennium (18.06.99) 713–6

Leslie, Mr Christopher
Questions
Economic policy 386–7
Tax yields 1272

Letwin, Mr Oliver
Questions
Bovine spongiform encephalopathy, USA 192w
Business questions 1298
Government departments, Correspondence 71w
Tax yields 1272

Levitt, Mr Tom
Questions
Devonshire Royal Hospital 112w

Lewes
Flood control (16.06.99) 533–40

Lewis, Mr Ivan
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 181

Lewis, Dr Julian
Debates etc.
Demonstrations, City of London (21.06.99) 782–3
Proportional representation (23.06.99) 1219, 1224

Lewis, Dr Julian *—continued*
Questions
Business questions 1292–3
EC common foreign and security policy 748–9
Economic and monetary union 460w
Kosovo, Refugees 179w
Voting behaviour 10

Libyan Arab Republic
557
Sanctions 109–10w

Licensing laws
6–7

Liddell, Rt Hon Mrs Helen, Minister for Transport, Dept of the Environment Transport and the Regions
Questions
Aircraft, Air pollution 82w
Crewe-Holyhead railway line 144–5
District line 472–3w
EC Transport Council 45w, 446–7w
Integrated Transport Commission, Public appointments 139w
London Underground, Joint ventures 80–1w
National Rail Summit 76–7w
Railways 78w
Railways, Passengers 138–9
Railways, Rural areas 77w
Railways, Standards 82w, 448w
Regional airports, Competition 78w
Roads, Noise 152–4
Transport, Local authorities 80w

Life imprisonment
99–100w

Lighting
Motor vehicles 46w

Lindane
233–4w

Line of route
74w

Linton, Mr Martin
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1034
Proportional representation (23.06.99) 1196, 1198
Railway network, Greater London (16.06.99) 330–4
Questions
Elections, Public participation 9
Voting behaviour 9

Listed buildings
Demolition 442–3w

Literacy
Primary education 1166–7

Liverpool
Passport Office 93–4w

Lloyd, Mr Tony, Minister of State, Foreign and Commonwealth Office
Debates etc.
Caribbean, Capital punishment (23.06.99) 1105–8
Questions
Albania, Arms control 115–6w
Antarctic, Environment protection 134w
Arms trade, Export controls 359w
ASSIST programme 117–8w
Balkans, Economic situation 356–7w
Balkans, Stability Pact 255w
British dependent territories 924–5
British Nuclear Fuels, Secondment 253w
Commonwealth Institute 117w
Council of Europe, Publications 115w

Lloyd, Mr Tony *—continued*
Diego Garcia 925
EC defence policy 264w
Falkland Islands 360–1w
Females, Foreign and Commonwealth Office 255w
Fisheries, Protection 252–3w
Gambia, Human rights 372–3w
Gibraltar, European Parliament elections 925
Kosovo 355w
Kosovo, Armed conflict 277w, 423w
Kosovo, Cultural heritage 356w
Kosovo, Refugees 355–6w
Kosovo, War crimes 423w
Libyan Arab Republic, Sanctions 109–10w
Macedonia, Export controls 133w
Minimum wage, Foreign and Commonwealth Office 114w
Mozambique, Elections 371–2w
Pinochet, Augusto 115w
Rio Summit 485–6w
Sierra Leone 921–2
South Africa, Elections 920–1
UN Register of Conventional Arms 226w
Zimbabwe, Corruption 359w
Zimbabwe, Elections 360w
Zimbabwe, Human rights 360w
Zimbabwe, Police 359w

Llwyd, Mr Elfyn
Questions
Crewe-Holyhead railway line 144–5

Local authorities
Transport 80w

Local Authorities (Contracting Out of Highway Functions) Order 1999
Debates etc.
(24.06.99) 1404

Local government
Elections 77w
Ethics 77w

Local Government Commission for England
286w

Local government finance
78w, 84w, 286w
Southend 78w
Wales 488w

Lock, Mr David
Questions
Railway stations, Parking 152

London Economics
246–7w

London Underground
Joint ventures 80–1w, 137–8
Ministerial statements (15.06.99) 155–67

Lone parents
Social rented housing 335w

Long-Term Care Royal Commission
320w

Lord Chancellor's Dept
Females 299w
USA 53w
Written questions 299w

Lords Lieutenant
Public appointments 321w

Lorries
Axle weights 281w
Excise duties 1273–4
Road traffic offences 280w

Loughton, Mr Tim
Debates etc.
Demonstrations, City of London (21.06.99) 783
Questions
Withholding tax 457w

Love, Mr Andrew
Debates etc.
Supermarkets (24.06.99) 1362, 1366

Luff, Mr Peter
Debates etc.
Business questions (14.06.99) 112
Food Standards Bill, 2R (21.06.99) 792–3
Questions
Falkland Islands 360–1w
Monopolies and Mergers Commission, Publications 2w, 269w
Schools, Water charges 63–4w

Lund Humphries
Pensions 312–3w

Lyell, Rt Hon Sir Nicholas
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 180–5
Questions
Climate change levy 169w
Committal proceedings 97–8w, 162w
Junior doctors, Working hours 319w
Juries 96–7w
Prisoners on remand 97w, 99w
Trials, Costs 98–9w

M4
Bus lanes 1167

McCabe, Mr Stephen
Questions
Firearms 61w
Iraq, Sanctions 387
Northern Ireland Environment and Heritage Service, Standards 392–3w
Northern Ireland Valuation and Lands Agency, Standards 393–4w

***McCartney, Rt Hon Ian**, Minister of State, Dept of Trade and Industry*
Debates etc.
Innovation (25.06.99) 1414–26, 1430–6
Questions
Company law, Video conferencing 189w
Competition 204w
EC Social Charter, Costs 204–5w
Industrial relations 4w
Manufacturing industries, Trade competitiveness 204w
Members, Correspondence 474w
Minimum wage 205w, 548–50
Minimum wage, Horse riding 316w
Parcelforce 474w
Part-time employment, EC law 203w
Post Office, Pensions 475w
Post offices 4w
Post offices, Rural areas 4w
Post offices, Social security benefits 4–5w, 189w
Seasonal workers, Working hours 555–6
Small businesses, Parental leave 209w
Sub post offices, Scotland 474w
Transfer of Undertakings (Protection of Employment) Regulations 1981 208w
Working hours 556, 558
Working hours, Fisheries 270–1w

McDonagh, Ms Siobhain
Debates etc.
House of Commons Disqualification (Amendment) Bill, 1R (16.06.99) 393–5

***McDonagh, Ms Siobhain**—continued*
Questions
EC Youth Council 191w
Employment 191w
Metropolitan Police, Ethnic groups 57–8w

***Macdonald, Mr Calum**, Parliamentary Under-Secretary of State, Scottish Office*
Debates etc.
Food Standards Bill, 2R (21.06.99) 843
Questions
Buchanan Centre, Rates and rating 52w
Forests, Sales 476w
Genetically modified organisms, Fish 330w, 395w
Glasgow Homeopathic Hospital, Waiting lists 53w
Homeopathy 52–3w
Refrigeration, Greenhouse effect 51–2w
River Tweed 47w
Sites of special scientific interest, Scotland 278w
Slaughterhouses, Scotland 476w
Special areas of conservation, Scotland 278w

McDonnell, Mr John
Debates etc.
Food Standards Bill, 2R (21.06.99) 848–9
Immigration and Asylum Bill, Rep (16.06.99) 449–52
Questions
Gambia, Armed forces 451w
Gambia, Human rights 372–3w
Gambia, Overseas aid 430w

Macedonia
Export controls 133w

***McFall, Mr John**, Parliamentary Under-Secretary of State, Northern Ireland Office*
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 892–900
Questions
Community relations, Northern Ireland 67w
Down School 268w
Glencree Reconciliation Centre 51w
Higher education, Northern Ireland 352–3w
Northern Ireland Training and Employment Agency, Standards 69–70w
Nursery schools, Northern Ireland 212w
Occupational therapy, Northern Ireland 49–50w
Pre-school education, Northern Ireland 426w
Primary education, Northern Ireland 67w
Promoting social inclusion initiative, Northern Ireland 141w
Refrigeration, Greenhouse effect 50–1w
Saintfield School, Northern Ireland 67w
School choice, Northern Ireland 68–9w
Teachers, Northern Ireland 425w, 470w

McGrady, Mr Eddie
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 869–72

MacGregor, Rt Hon John
Debates etc.
Proportional representation (23.06.99) 1195–8

McIntosh, Miss Anne
Debates etc.
Food Standards Bill, 2R (21.06.99) 791, 796, 849–52, 859
Millennium compliance (17.06.99) 578

***McIntosh, Miss Anne**—continued*
Widowed people (24.06.99) 1318
Questions
Business questions 1295
Churches, VAT 757
Common agricultural policy, Beef 121w
Electronic commerce 205w, 553–4
Farmers, Bankruptcy 299w
Gynaecology, North Yorkshire 184–5w
Junior doctors, Working hours 10–1w
Police, Millennium 55w
Political refugees 16
Slaughterhouses, Inspections 122–3w
United Kingdom Passport Agency, Standards 160w

McIsaac, Shona
Debates etc.
Teenage pregnancy (23.06.99) 1111–2
Questions
Clones 436w
European Police Office 1–2
Regional airports 142

MacKay, Rt Hon Andrew
Debates etc.
Bloody Sunday Tribunal of Inquiry, Points of order (17.06.99) 580

Mackinlay, Mr Andrew
Questions
Broadcasting programmes, Ministry of Defence 148w
Company law, Video conferencing 189w
Fares, Concessions 139–40
Internet, Fees and charges 544
Iraq-Kuwait conflict, Uranium 453–4w
Kosovo, Uranium 148w, 454w
Video conferencing 247w

Maclean, Rt Hon David
Debates etc.
Food Standards Bill, 2R (21.06.99) 789, 793, 811, 817–21
Questions
Advisory bodies, Ministry of Agriculture Fisheries and Food 20–1w
Class sizes 239–43w
Dover House 172w
EC Agriculture Council 297w
EC Finance Council 75w
EC Transport Council 45w
Income support, Mortgages 293–4w
Japan, EC external relations 134w
Ministerial duties, Scottish Office 172w
New deal for young people 467–8w
Rio Summit 485–6w

Maclennan, Rt Hon Robert
Debates etc.
Proportional representation (23.06.99) 1200–5
Questions
Non-departmental public bodies, Public appointments 1159
Special areas of conservation, Scotland 278w

McLoughlin, Mr Patrick
Debates etc.
Proportional representation (23.06.99) 1189
Questions
Business questions 569–70
Police, Standards 13

McNamara, Mr Kevin
Questions
Armed forces, Insignia 263w
Bombings, Dublin 263–4w
Equal opportunities, Northern Ireland 143–4w
Hamill, Robert 230–1w

McNamara, Mr Kevin*—*continued
Independent Commission on Policing for Northern Ireland, Costs 144–5w
Independent Commission on Policing for Northern Ireland, Internet 352w
Internet, Northern Ireland Office 388–90w
Manufacturing industries, Capital investment 2–3w
Nelson, Rosemary 231w
Northern Ireland Equality Commission Working Group 145w
Northern Ireland Housing Executive 210–1w
Parades Commission 211w
Sentence Review Commission 165–6w
Students, Access funds 341w
Weapons, Northern Ireland 426w

McNulty, Mr Tony
Debates etc.
Ministerial statement intervention (15.06.99) 157–8
Supermarkets (24.06.99) 1343–5, 1360, 1368
Tax Credits Bill, Lords amendts (22.06.99) 941
Questions
Crime prevention, Closed circuit television 17–8
Middle East, Peace negotiations 913–5
Northern Ireland Water Service Agency, Standards 69w
Public service, Standards 458w

MacPherson of Cluny Inquiry
see Stephen Lawrence Death Inquiry

MacShane, Mr Denis
Questions
Ashcroft, Michael 1272–3
British Steel 206w
Identity cards 3–4

Mactaggart, Fiona
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 195, 201
Immigration and Asylum Bill, Rep (15.06.99) 276–8, 284, (16.06.99) 487–8, 507–8
Questions
Armed forces, Education 301w
ASSIST programme 117–8w
Consumer goods, Prices 542
Deportation 230w
Developing countries, Education 175w
Immigration rules 163w
Kashmir 357w
NHS Pensions Agency, Standards 186w
Refugees, Kosovo 17
Young offenders, Administration of justice 164w

McWilliam, Mr John
Questions
Electronic commerce 205w

Madel, Sir David
Questions
Middle East, Peace negotiations 915

Mahon, Mrs Alice
Debates etc.
Kosovo (17.06.99) 607–11

Maiden speeches
Benn, Hilary (23.06.99) 1198–200

Maladministration
Court Service 108w

Malins, Mr Humfrey
Debates etc.
Business questions (23.06.99) 1232

Malins, Mr Humfrey*—*continued
Prevention of Terrorism (Temporary Provisions) Act 1989 (continuance) orders (23.06.99) 1177–8
Questions
Prisons, Drugs 474w

Mallaber, Judy
Debates etc.
Food Standards Bill, 2R (21.06.99) 805
Tourism, Millennium (18.06.99) 719–24
Questions
Telecommunications, Regulation 218–9w

Managers
NHS 320–1w, 382w

Manufacturing industries
208w
Capital investment 2–3w
Trade competitiveness 204w, 206–7w

Maples, Mr John
Debates etc.
Kosovo (17.06.99) 589–99
Questions
EC common foreign and security policy 911–2

Marketing
Seeds 122w

Marsden, Mr Paul
Questions
Cars, Safety 471w
Chronic Fatigue Syndrome/Myalgic Encephalomyelitis Working Group 435w
Consultation papers 456w
Employment, Shrewsbury 464w
Film 429–30w
Fuels, Excise duties 471w
Genetically modified organisms, Seeds 346w
Health services, OECD countries 112w
Hillgrove Farm Witney 350w
Kosovo, Peace keeping operations 396w
Kosovo, War crimes 423w
Long-Term Care Royal Commission 320w
Newsprint 473w
Non-domestic rates, Sports 445w
Radiotherapy, Medical equipment 11w
Small Business Service 315–6w
Territorial Army, Recruitment 450w
Train operating companies, Standards 408w
War pensions, Medical examinations 295w
Wheelchairs 435w

Marshall, Mr David
Questions
Belfast Agreement 1162

Marshall, Mr Jim
Questions
EC common foreign and security policy 357w, 910–1

Marshall-Andrews, Mr Robert
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1000–4, 1010
Assisted areas, Kent (23.06.99) 1147

Martlew, Mr Eric
Debates etc.
Supermarkets (24.06.99) 1342, 1347–8, 1357, 1360–2
Questions
Railways, Accidents 1164

Matra Marconi Space UK
550

Maude, Rt Hon Francis
Questions
Economic and monetary union 1269–70
VAT 222–3w
VAT, Foreign exchange 166w, 222w

Mawhinney, Rt Hon Sir Brian
Debates etc.
Kosovo (21.06.99) 769
Questions
Members, Correspondence 467w, 472w, 475w

Maxton, Mr John
Debates etc.
Care of Places of Worship Measure (23.06.99) 1252–3
Speaker, Leave of absence (23.06.99) 1255–6

May, Mrs Theresa
Questions
General Certificate of Secondary Education 128–9w
Taxation, EC action 325w

Meacher, Rt Hon Michael*, *Minister for the Environment, Dept of the Environment Transport and the Regions
Questions
Advisory Committee on Releases to the Environment 247–50w
Asbestos, Imports 200w
Countryside, Access 45–6w, 201w
Deer, West Sussex 44w
EC Environment Council 405–6w
Environment Agency, Business plans 333–4w
Genetically modified organisms 146–7
Genetically modified organisms, Antibiotics 136w
Genetically modified organisms, Cosmetics 199–200w
Genetically modified organisms, Crops 44w, 135–6w, 147–8, 199w, 334w, 412w, 445–6w
Genetically modified organisms, Tree planting 336w
Industrial health and safety, Intimidation 46–7w
Lead, Ammunition 137w, 149
Members, Correspondence 472w
Mixed oxide fuel 334w
Parish councils, Public appointments 285w
Radioactive wastes, Waste disposal 142–4
Scientific Steering Committee 43–4w
South West Water, Water charges 201–2w

Meale, Mr Alan*, *Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions
Debates etc.
Regional planning and development, Stoke on Trent (23.06.99) 1133–6
Questions
British Waterways Board, Public appointments 202w
Buildings, Dept of the Environment Transport and the Regions 76w
Carbon dioxide, Air pollution 83w
Climate change levy 407w
Council tax, Single people 83w
Dioxins, Health hazards 335w
Energy, Conservation 81–2w
Females, Dept of the Environment Transport and the Regions 332–3w
Grain, Allergies 281w
Hedges and ditches 84w
Inland waterways, Access 245–6w
Inland waterways, Cable systems 285w
Lapwings, Conservation 282w

Meale, Mr Alan*—*continued
Lead, Ammunition 149
Local government finance 84w
Newsprint 473w
Non-domestic rates, Sports 445w
Recycling 443w
Recycling, Paper 247w
Recycling, Wood 285w
Regional development agencies 202w
Sewers, Oils 334w
Sites of special scientific interest 284w
Tipping of waste, Oils 406–7w
Tipping of waste, Prosecutions 284w
Video conferencing 247w
World environment day 405w
Written questions, Dept of the Environment Transport and the Regions 282w

Means tested benefits
372w

Medical equipment
Diabetes 435w
Radiotherapy 11w

Medical examinations
Gulf war syndrome 150w
War pensions 295w

Medical profession
Armed forces 213w
Disciplinary proceedings 11w

Medical treatments
Cannabis 106w
Drugs 349–50w
Fertility 320w
Riot control weapons 220w

Medicine
Students 10w

Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999
Questions
382–3w

Medicines Control Agency
321w
Petitions (25.06.99) 1413

Members
Car allowances 74w
Correspondence 235w, 314w, 428w, 467w, 472w, 474–5w

Mental Health Act 1983
Questions
266w, 292–3w

Mental health review tribunals
292–3w

Mental health services
Young people 100w

Mental patients
Deportation 266w

Mentally incapacitated
395w
Community care (14.06.99) 127–36

Merron, Ms Gillian
Debates etc.
Adoption (16.06.99) 354
Millennium compliance (17.06.99) 577
Tourism, Millennium (18.06.99) 704–7
Questions
Higher Education Reach-out to Business and the Community Fund 108–9w
Local government finance 286w

Metrizamide
Yellow card scheme 110w

Metropolitan Police
Advertising 104–5w
Ethnic groups 57–8w

Michael, Rt Hon Alun*, *Secretary of State for Wales
Questions
CADW Welsh Historic Monuments 331w
Child Abuse in North Wales Judicial Inquiry 236w
Females, Welsh Office 225w
Gwrych Castle 454w
Members, Correspondence 235w
Minimum wage, Welsh Office 331w
Ministerial duties, Welsh Office 235w
Parliamentary questions, Welsh Office 275w
Written questions, Welsh Office 235w

Michie, Mr Bill
Questions
Developing countries, Non-governmental organisations 174w
Planning permission 138w

Michie, Mrs Ray
Questions
Devolution 387
Slaughterhouses, Scotland 476w
Sub post offices, Scotland 474w

Mid Essex Hospital Services NHS Trust
186w

Middle East
Peace negotiations 355w, 913–7

Milburn, Rt Hon Alan*, *Secretary of State for Health
Questions
Ashcroft, Michael 1272–3
Capital Modernisation Fund, Greater Manchester 171w
EC budget, Contributions 1278–9, 1282–3
Economic policy 462w
Families 456–7w
Gold and foreign exchange reserves 459w
Individual learning accounts 27w
Kosovo, Armed conflict 461w
Pension rights, Private sector 29–30w
Personal income, Pensioners 466w
Private finance initiative 465–6w
Public service, Standards 458w
Surgery, Costs 30w
Tax allowances, Vocational training 27w
Tax yields 1272
Taxation, Conscientious objectors 1278
Taxation, Derelict land 459w

Military aircraft
Procurement 745–8

Military bases
Chelsea 256–7w
Colchester 262w

Military Provost Guard Service
398w

Milk
Hormone treatments 25–6w

Milk Marque
298w

Millennium
Commemorative coins 171w
Police 55w
Tourism (18.06.99) 666–734

Millennium compliance
71w, 151w
Emergency services 89–90w
Ministerial statements (17.06.99) 571–9

Millennium Exhibition
180w

Millennium Exhibition*—*continued
Voluntary organisations 343w

Millennium volunteers scheme
175w

Miller, Mr Andrew
Questions
Armed forces, Education 301w
Immigration rules, Cohabitation 164w

Mines
Kosovo 47–8w, 344w

Minimum wage
205w, 548–50
Foreign and Commonwealth Office 114w
Horse riding 316w
House of Commons 272w
Ministry of Agriculture Fisheries and Food 23–4w
Northern Ireland Office 66–7w
Scottish Office 114w
Treasury 168w
Voluntary organisations 14
Welsh Office 331w

Mining
Wales 73w

Ministerial duties
Chancellor of the Duchy of Lancaster 126w
Scottish Office 172w
Welsh Office 235w

Ministerial policy advisors
478–9w
Pensions 456w
Prime Minister 478w
Treasury 463–4w

Ministerial statements
Cologne summit (21.06.99) 761–76
Demonstrations (21.06.99) 777–85
Kosovo (14.06.99) 21–33, (21.06.99) 761–76
London Underground (15.06.99) 155–67
Millennium compliance (17.06.99) 571–9
Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Order 1999 (23.06.99) 1171–8
Prevention of Terrorism (Temporary Provisions) Act 1989 (Partial Continuance) Order 1998 (23.06.99) 1171–8

Ministers
Email 419w
Visits abroad 196–7w

Ministry of Agriculture Fisheries and Food
Advisory bodies 20–1w
Females 417–8w
Minimum wage 23–4w
Written questions 193w

Ministry of Defence
Broadcasting programmes 148w
Females 262–3w
Transport 301–2w
USA 66w

Misrepresentation
Mortgages 26–7w

Mitchell, Mr Austin
Questions
Bank of Credit and Commerce International 28w
EC defence policy 306w
EC justice and home affairs 89w, 91w
European Police Office 60w
Fisheries 23w
Fishing vessels, Scotland 22–3w

***Mitchell, Mr Austin**—continued*
Genetically modified organisms, Crops 135–6w
K4 Committee 90–1w
Manufacturing industries, Trade competitiveness 204w

Mixed oxide fuel
334w

Moffatt, Laura
Questions
Tinsley House Immigration Detention Centre 390
United Nations, Peace keeping operations 305w

Monaghan
Bombings 263–4w

Mongolia
922–3

Monopolies and Mergers Commission
Publications 2w, 269w

Monsanto
Cabinet Office 194w

Montenegro
Overseas aid 473w

Moore, Mr Michael
Questions
River Tweed 47w

Moran, Ms Margaret
Questions
Crown Prosecution Service, Disclosure of information 318w
Immigrants, Domestic violence 164–5w

Morgan, Mr Alasdair
Debates etc.
Food Standards Bill, 2R (21.06.99) 841–4
Questions
Regional airports 142

Morgan, Ms Julie
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 433–6

***Morley, Mr Elliot**, Parliamentary Under-Secretary of State, Ministry of Agriculture, Fisheries and Food*
Debates etc.
Flood control, Lewes (16.06.99) 537–40
Questions
Advisory bodies, Ministry of Agriculture Fisheries and Food 20–1w
Battery hens 417w
EC Fisheries Council 19–20w
Fisheries 23w
Fishing catches 216–8w
Fishing vessels, Scotland 22–3w
Minimum wage, Ministry of Agriculture Fisheries and Food 23–4w
Sandeels 218w
Written questions, Ministry of Agriculture Fisheries and Food 193w

***Morris, Ms Estelle**, Minister for School Standards, Dept for Education and Employment*
Questions
City technology colleges 340–1w
Class sizes 239–43w
Class sizes, Primary education 190w
Education, Finance 64w
Education, Islington 342w
General Certificate of Secondary Education 128–9w
Pupil exclusions, South East region 438–9w
Rainsford School Chelmsford 439w

***Morris, Ms Estelle**—continued*
Remedial education 394w
Schools, Finance 130w
Schools, Joint ventures 439–40w
Schools, Standards 339w
Schools, Transport 64w
Schools, Water charges 63–4w
Secondary education, Leicestershire 191w
Standard assessment tasks 130w
Teachers, Science 341w
Teachers, Standards 245w

***Morris, Rt Hon John**, Attorney-General*
Questions
Bamieh, Maria 317w
Crown Prosecution Service, Disclosure of information 318w
Employment tribunals, Disclosure of information 449w
Females, Attorney General 300w
Legal profession, Public appointments 317–8w
Treasury Counsel 448–9w

Mortgages
Income support 293–4w
Misrepresentation 26–7w

Moss, Mr Malcolm
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 867–9
Questions
Weapons, Northern Ireland 470w

Motor vehicles
Excise duties 310–1w
Lighting 46w
Petrol alternatives 445w
Tax yields 26w
Waste disposal 83–4w

Mountford, Kali
Debates etc.
Widowed people (24.06.99) 1316–7, 1325–7
Questions
Stakeholder pensions 433w

***Mowlam, Rt Hon Marjorie**, Secretary of State for Northern Ireland*
Questions
Bloody Sunday Tribunal of Inquiry, Solicitors 268w
Community relations, Northern Ireland 211–2w
Driver and Vehicle Licensing Agency, Standards 142w
Land Registers of Northern Ireland, Standards 391w
Northern Ireland Environment and Heritage Service, Standards 392–3w
Probation Board for Northern Ireland 70–1w
Public Record Office of Northern Ireland, Standards 142–3w
USA, Northern Ireland Office 69w, 141w
Weapons, Northern Ireland 470w
Written questions, Northern Ireland Office 232–3w

Mozambique
Elections 371–2w

***Mudie, Mr George**, Parliamentary Under-Secretary of State, Dept for Education and Employment*
Questions
Cash limits, Dept for Education and Employment 243w
Catering, Dept for Education and Employment 223w

***Mudie, Mr George**—continued*
EC Youth Council 191w
Further education, Disciplinary proceedings 63w
Further education, Standards 128w
Higher education, Finance 340w
Investors in People UK 129w
Members, Correspondence 467w
Press releases, Dept for Education and Employment 438w
Refrigeration, Dept for Education and Employment 128w
Students, Access funds 341w
Students, Fees and charges 127–8w, 339w
Teachers, Pay 341w
Universities, Disciplinary proceedings 63w
Written questions, Dept for Education and Employment 244w

Mullin, Mr Chris
Debates etc.
Caribbean, Capital punishment (23.06.99) 1093, 1098–100
Food Standards Bill, 2R (21.06.99) 788–90
Oral questions, Points of order (16.06.99) 392
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1384, 1394–5
Questions
Developing countries, Debts 373
European Committee for the Prevention of Torture 266w
Lords Lieutenant, Public appointments 321w
Prison accommodation 428w
Prisoners, Exservicemen 60w

Murphy, Mr Jim
Debates etc.
Innovation (25.06.99) 1428–9, 1437–45
Proportional representation (23.06.99) 1211
Questions
Child Support Agency 431–2w
Driver and Vehicle Licensing Agency, Standards 142w
Further education, Scotland 330–1w
Kosovo, Armed conflict 302w, 919
Middle East, Peace negotiations 355w
Minimum wage 549
Naval Bases and Supply Agency, Standards 397w
Public Record Office of Northern Ireland, Standards 142–3w
Ships Support Agency, Standards 397–8w

***Murphy, Rt Hon Paul**, Minister of State, Northern Ireland Office*
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 862–7
Questions
Absent voting, Northern Ireland 390–1w
Belfast Harbour 427w
Community relations, Northern Ireland 391–2w
Females, Northern Ireland Office 386–7w
Internet, Northern Ireland Office 388–90w
Minimum wage, Northern Ireland Office 66–7w
Northern Ireland Housing Executive 210–1w
Northern Ireland Planning Appeals Commission 387w
Northern Ireland Valuation and Lands Agency, Standards 393–4w
Northern Ireland Water Service Agency, Standards 69w

***Murphy, Rt Hon Paul**—continued*
Sites of special scientific interest, Northern Ireland 233w
Tipping of waste, Northern Ireland 140–1w

Myodil
Yellow card scheme 110w

National Advisory Committee on Creative and Cultural Education
Publications 89w

National Audit Office
759–60
Manpower 300w

National Bus Company
Pension funds 85–6w, 140, 385–6, 1166

National Front
Arrests 161w

National insurance contributions
Females 29w
Social security benefits 35w

National lottery
89w

National Rail Summit
76–7w

National security
16w

NATO enlargement
301w

Naval Bases and Supply Agency
Standards 397w

Navy
Deployment 259–60w
Manpower 258–9w

Naysmith, Dr Douglas
Questions
Local government finance 78w
Matra Marconi Space UK 550
Nuclear disarmament 755–6

Nelson, Rosemary
140w, 210w, 231w, 352w, 425–6w

Netherlands
Drugs 127w

New deal for 50 plus
467w

New deal for communities
151

New deal for young people
190–1w, 467–8w, 1160

New deal schemes
223–4w

Newport
Passport Office 96w

Newsprint
473w

NHS
Disciplinary proceedings 6w
Finance 1168
Managers 320–1w, 382w
Pay 110–1w
Procurement 436–7w
Public appointments 288w
Wales 6w

NHS Pensions Agency
Standards 186w

NHS trusts
Wales 275w

Nicholls, Mr Patrick
Questions
Poultry, Thailand 486–7w

Nigeria
923–4
Debts 175–6w

Noise
Roads 152–4

Non-departmental public bodies
Public appointments 1158–9

Non-domestic rates
Sports 445w

Non-fossil fuel obligation
Essex 109w

Non-governmental organisations
Developing countries 174w

Norman, Mr Archie
Debates etc.
Caribbean, Capital punishment (23.06.99) 1103–5
Mentally incapacitated, Community care (14.06.99) 127–32
Questions
EC reform 926

North East region
Regional development agencies 413w

North London railway line
138w

North West region
456w
Regional development agencies 79w
Tourism 365–6w

North Yorkshire
Gynaecology 184–5w

Northern Ireland
Absent voting 390–1w
Climate change levy 28–9w
Community relations 67w, 211–2w, 391–2w
Crimes of violence 141w, 231–2w, 388, 425–7w
Equal opportunities 143–4w
Exports 414w
Further education 352–3w
Greenhouse effect 50–1w
Higher education 352–3w
Imports 387w
Legal aid 53w, 233w
Nursery schools 212w
Occupational therapy 49–50w
Pre-school education 426w
Primary education 67w
Prisoners' release 165–6w
Promoting social inclusion initiative 141w
Saintfield School 67w
School choice 68–9w
Sites of special scientific interest 233w
Smuggling 28w
Teachers 425w, 470w
Tipping of waste 140–1w
Weapons 390, 426w, 470w

Northern Ireland Affairs Select Committee
(14.06.99) 126

Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1999
Debates etc.
(14.06.99) 115

Northern Ireland Environment and Heritage Service
Standards 392–3w

Northern Ireland Equality Commission Working Group
145w

Northern Ireland Grand Committee
(22.06.99) 1080

Northern Ireland Housing Executive
210–1w

Northern Ireland Industrial Research and Technology Unit
Standards 143w

Northern Ireland Office
Females 386–7w
Internet 388–90w
Minimum wage 66–7w
USA 69w, 141w
Written questions 232–3w

Northern Ireland Parades Commission
see Parades Commission

Northern Ireland Planning Appeals Commission
387w

Northern Ireland Training and Employment Agency
Standards 69–70w

Northern Ireland Valuation and Lands Agency
Standards 393–4w

Northern Ireland Water Service Agency
Standards 69w

Northumberland National Park Authority
285w

Nuclear disarmament
755–6

Nuclear power stations
Turkey 133–4w

Nuclear submarines
451w, 475w
Decommissioning 329–30w
Gibraltar 329w

Nursery schools
Northern Ireland 212w

Nursing homes
386w

Nuts
Labelling (24.06.99) 1405–12

Oaten, Mr Mark
Debates etc.
Adoption (16.06.99) 353
Asthma, Children (16.06.99) 365–9

Oaths and affirmations
Benn, Hilary (14.06.99) 33

***O'Brien, Mr Mike**, Parliamentary Under-Secretary of State, Home Office*
Debates etc.
Immigration and Asylum Bill, Rep (15.06.99) 267–71, 282–5, (16.06.99) 401–3, 405–8, 439, 479, 483, 489–95, 498–504, 510–2
Questions
British nationality 230w
Crime prevention, Closed circuit television 17–8
Deportation 230w
Illegal immigrants 379–80w
Immigrants, Detainees 58w
Immigrants, Domestic violence 164–5w
Immigration and Nationality Directorate 57w, 428–9w
Immigration controls 165w
Immigration rules 163w
Immigration rules, Cohabitation 164w
Members, Correspondence 428w
Passport Office, Liverpool 93–4w
Passport Office, Newport 96w

O'Brien, Mr Mike*—*continued
Passports, Administrative delays 94–6w, 163w, 229w
Political refugees 93w
Political refugees, Administrative delays 93w
Political refugees, Correspondence 374–5w
Political refugees, Visas 100w
Refugees, International law 346–7w
Refugees, Kosovo 16–7, 265w
United Kingdom Passport Agency, Compensation 374w
United Kingdom Passport Agency, Standards 159–60w

O'Brien, Mr William
Debates etc.
Air guns, Safety (23.06.99) 1263
Questions
Bananas, EC external trade 177–8w
Business questions 1288
Crimes of violence 7–8
Income tax, Pensioners 459w

Occupational therapy
Northern Ireland 49–50w

OECD countries
Health services 112w

Official cars
Scottish Executive 234–5w
Scottish Office 234–5w

Official engagements
399w

Offshore industry
Capital gains tax 75w

O'Hara, Mr Edward
Questions
Doctors' list of patients 385w
Housing improvement, Disabled 200–1w
Mentally incapacitated 395w
"Support in Bereavement Consultation Paper" 181–2w

Oil and Gas Industry Task Force
271–2w, 543–4

Oils
Sewers 334w
Tipping of waste 406–7w

Omagh
Bombings 353w

Open government
105w, 381w

Ophthalmic services
Eclipse 1999 292w

Opik, Mr Lembit
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 872–6, 894
Flood control, Lewes (16.06.99) 533
Questions
Agency nurses, Costs 435w
Autism 286–7w
Belfast Harbour 427w
Pensioners, Hospital beds 331–2w

Opposition days
Proportional representation (23.06.99) 1182–229
Supermarkets (24.06.99) 1340–81
Widowed people (24.06.99) 1299–339

Organised crime
EC enlargement 5–6

Orthopaedics
Avon 437w

Ottaway, Mr Richard
Questions
EC common foreign and security policy 749
London Underground, Joint ventures 81w, 137–8
M4, Bus lanes 1167

Out of town shopping centres
286w, 447w

Overcrowding
Trains 85w

Overseas aid
345–6w
Afghanistan 174–5w
Balkans 175–6w, 376–9
Caribbean 48w
East Timor 379
Fraud 173w
Gambia 430w
Kosovo 344–5w
Montenegro 473w
Serbia 473w
South Africa 389
Zimbabwe 178–9w

Overseas investment
311w

Overseas students
244–5w

Overseas trade
Republic of Ireland 271w

Packaging
Prescription drugs 186w

Paedophilia
375–6w
Disclosure of information 348–9w

Paice, Mr James
Debates etc.
Food Standards Bill, 2R (21.06.99) 852–6, 859
Questions
Horticulture, Taxation 118w
Rabies, Disease control 120w

Pakistan
Foreign relations 920

Palace of Westminster
Parking 316w

Palmer, Dr Nick
Debates etc.
Air guns, Safety (23.06.99) 1258–9
Health Bill (HL), Rep (14.06.99) 78

Panel 2000
31–2w

Paper
Recycling 247w

Parachute Regiment
Correspondence 18–9w

Parades Commission
211w

Parcelforce
474w

Parental leave
Small businesses 209w

Parish councils
Public appointments 285w

Parking
Palace of Westminster 316w
Railway stations 152

Parliamentary Control of the Executive Bill 1998/99
Debates etc.
1R (22.06.99) 930–2

Parliamentary questions
Scottish Office 235w
Welsh Office 275w

Part-time employment
EC law 203w

Passengers
Railways 138–9

Passport Agency
see United Kingdom Passport Agency

Passport Office
Liverpool 93–4w
Newport 96w

Passports
Administrative delays 94–6w, 163w, 229w

Paternity leave
Armed forces 147w

Paterson, Mr Owen
Debates etc.
Food Standards Bill, 2R (21.06.99) 791, 793, 797, 801–2, 813, 834–8
Proportional representation (23.06.99) 1185
Questions
Business questions 568, 1294
Fuel poverty 547–8

Patten Commission
see Independent Commission on Policing for Northern Ireland

Peace keeping operations
Armed forces 305w
Expenditure 326w
Kosovo 195w, 355w, 396–7w, 750–2
United Nations 305w, 475w

Peace negotiations
Middle East 355w, 913–7
Sudan 226w

Pearson, Mr Ian
Questions
Climate change levy 1281–2
Urban Task Force, Publications 448w

Pedestrian areas
Cycling 230w

Pendry, Mr Tom
Debates etc.
Tourism, Millennium (18.06.99) 683–6
Questions
Ministers, Visits abroad 196–7w

Pension funds
National Bus Company 85–6w, 140, 385–6, 1166

Pension rights
Private sector 29–30w

Pensioners
Hospital beds 331–2w
Income support 369–70w
Income tax 459w
Personal income 368–9w, 466w

Pensions
34w, 433w
Lund Humphries 312–3w
Ministerial policy advisors 456w
Post Office 475w

Perham, Ms Linda
Questions
Defence Medical Training Organisation, Standards 6–7w
Doctors, Disciplinary proceedings 11w

Personal income
Pensioners 368–9w, 466w

Personnel management
Civil service 419w

Pertussis vaccine
185w

Pesticides
Taxation 312w, 417w

Petitions
Gaming clubs (18.06.99) 665
Health foods (16.06.99) 532
Medicines Control Agency (25.06.99) 1413

Petrol
44w
Retail trade 3–4w
Smuggling 28w

Petrol alternatives
Motor vehicles 445w

Physical education
131–2w

Physiotherapy
385w
Wales 373w

Pickles, Mr Eric
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 936–7, 941–6, 961, 968, 970, 972–3, 979–80
Widowed people (24.06.99) 1300, 1303, 1309, 1311, 1314–20, 1327, 1334, 1336

Pickthall, Mr Colin
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 196
Questions
Railways, Standards 448w

Pike, Mr Peter L
Questions
Business questions 1290
Churches, VAT 757–8
Climate change levy 1280–1
Commonwealth Institute 117w
Empty property 150
Immigration and Nationality Directorate 57w
Kashmir 187w
Regulation 1159

Pinochet, Augusto
115w

Planning Appeals Commmision for Northern Ireland
see Northern Ireland Planning Appeals Commission

Planning permission
138w
Aerials 250w

Plaskitt, Mr James
Questions
Disadvantaged, Voluntary organisations 55–6w
Minimum wage 205w
NHS, Finance 1168

Plutonium
269–70w

Plymouth
Taxis 337w

Polegate bypass
284–5w

Police
Disciplinary proceedings 62w

Police*—*continued
Emergency calls 93w, 429w
Festivals and special occasions 220w
Helicopters 266w
Manpower 57w
Millennium 55w
River Thames 375w, 427w
Rural areas (23.06.99) 1137–42
Standards 12–3
Zimbabwe 359w

Police custody
101–2w

Policing for Northern Ireland Independent Commission
see Independent Commission on Policing for Northern Ireland

Political prisoners
China 276–7w

Political refugees
15–6, 93w
Administrative delays 93w
Correspondence 374–5w
Finance 187w
Visas 100w
Voucher schemes 386

Pollard, Mr Kerry
Questions
Customs and Excise, Redundancy 28w
Petrol, Retail trade 3–4w
Smuggling, Petrol 28w

Pond, Mr Chris
Debates etc.
Assisted areas, Kent (23.06.99) 1146

Portadown
Royal Ulster Constabulary 351w

Post Office
Pensions 475w

Post offices
4w
Rural areas 4w
Social security benefits 4–5w, 33w, 189w

Postal services
Social security benefits 182w

Poultry
121w, 192w
Thailand 486–7w

Pound, Mr Stephen
Debates etc.
Oral question time intervention (15.06.99) 143
Questions
Disability living allowance, Eligibility 34–5w
Social security benefits, Disabled 35–6w
Social security benefits, National insurance contributions 35w

Prentice, Ms Bridget
Questions
Teenage pregnancy 17–8w

Prentice, Mr Gordon
Questions
Absent voting 379w
Animal feed, Contamination 123w
Armed forces, Training 305w
BBC, Public appointments 430w
Business questions 564, 1291
City technology colleges 340–1w
Coinage, Counterfeit manufacturing 169–70w
Duchy of Lancaster, Anniversaries 125–6w, 420w
Housing benefit 399–404w
Housing stock, Lancashire 283–4w

Prentice, Mr Gordon*—*continued
Inland waterways, Cable systems 285w
Iran, Transplant surgery 371w
Kashmir 114w
Labour Liberal Democrats Joint Consultative Committee 225w, 321w
Landlords 283w
Listed buildings, Demolition 442–3w
Ministerial duties, Chancellor of the Duchy of Lancaster 126w
Mozambique, Elections 371–2w
Police, Helicopters 266w
Privy Council, Public appointments 17w
Riot control weapons, Medical treatments 220w
Roads, Chancellor of the Duchy of Lancaster 126w
Self-assessment of tax 460w
Sheep, Radioactivity 487–8w
Tipping of waste, Prosecutions 284w

Pre-school education
(18.06.99) 735–42
Northern Ireland 426w

***Prescott, Rt Hon John**, Deputy Prime Minister and Secretary of State for the Environment Transport and the Regions*
Debates etc.
London Underground, Ministerial statements (15.06.99) 155–67
Questions
Fares, Concessions 139–40
London Underground, Joint ventures 81w, 137–8
National Bus Company, Pension funds 85–6w
Republic of Ireland, Dept of the Environment Transport and the Regions 442w
Urban Task Force, Publications 448w
USA, Dept of the Environment Transport and the Regions 82w
Visits abroad, Dept of the Environment Transport and the Regions 440w

Prescription drugs
Packaging 186w
Women's prisons 105w

Press releases
Dept for Education and Employment 438w

Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Order 1999
Debates etc.
(24.06.99) 1382–404
Ministerial statements (23.06.99) 1171–8

Prevention of Terrorism (Temporary Provisions) Act 1989 (Partial Continuance) Order 1998
Debates etc.
(24.06.99) 1382–404
Ministerial statements (23.06.99) 1171–8

Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order 1999
Debates etc.
(24.06.99) 1382–404

***Primarolo, Ms Dawn**, Paymaster General*
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 935–41, 944–5, 948, 954–6, 959–60, 962, 964, 967, 970, 973, 978–9
Questions
Capital gains tax, Tax avoidance 171w
Customs and Excise, Redundancy 28w
Income tax, Forms 172w
Income tax, Pensioners 459w

***Primarolo, Ms Dawn**—continued*
National insurance contributions, Females 29w
Self-assessment of tax 460w
Smuggling, Tobacco 223w
Tax yields 461w
Tax yields, Betting shops 170–1w
Taxation 462w
Taxation, Business 30–1w
Taxation, EC action 166w, 324–5w, 465w
Taxation, Recruitment agencies 27–8w
VAT 222–3w
VAT, Foreign exchange 166w, 222w
VAT, Service industries 459w
Withholding tax 168–9w, 457–8w
Working families tax credit 458w

Primary education
Class sizes 190w
Literacy 1166–7
Northern Ireland 67w

Prime Minister
Ministerial policy advisors 478w
USA 479–80w
Visits abroad 482–3w

Princess Elizabeth Orthopaedic Hospital Exeter
Waiting lists 14–5w

Prior, Mr David
Debates etc.
Police, Rural areas (23.06.99) 1137–9

Priority routes
Greater London 410w

Prison accommodation
428w

Prison sentences
Cannabis 105–6w
Drugs 106–7w

Prisoners
60–1w
Drugs 105w
Employment 347–8w
Exservicemen 60w
Per capita costs 265–6w
Rehabilitation 162w

Prisoners on remand
97w, 99w

Prisoners' release
Northern Ireland 165–6w

Prisoners' transfers
Special hospitals 62w

Prisons
Drugs 106w, 266w, 378–9w, 474w

Private finance initiative
465–6w

Private sector
Pension rights 29–30w

Privy Council
Public appointments 17w

Probation and aftercare
Computers 165w

Probation Board for Northern Ireland
70–1w

Probation officers
55w

Proceeds of crime
54w
Internet 170w

Procurement
Military aircraft 745–8
NHS 436–7w

Producer Responsibility Obligations (Packaging Waste) Regulations 1997
Questions
285w

Professions Supplementary to Medicine (Clinical Scientists Board) Order of Council 1999
Debates etc.
(14.06.99) 115–9

Professions Supplementary to Medicine (Paramedics Board) Order of Council 1999
Debates etc.
(14.06.99) 122–5

Professions Supplementary to Medicine (Speech and Language Therapists Board) Order of Council 1999
Debates etc.
(14.06.99) 119–22

Promoting social inclusion initiative
Northern Ireland 141w

Property development
Fort Whiterock 51w

Proportional representation
387
Opposition days (23.06.99) 1182–229
Referendums 383–5, 1163

Prosecutions
Tipping of waste 284w

Prosser, Mr Gwyn
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 436–7

Prostitution
Advertising 347w

Public appointments
420w
BBC 430w
British Council 256w
British Waterways Board 202w
Integrated Transport Commission 139w
Legal profession 317–8w, 322–3w
Lords Lieutenant 321w
NHS 288w
Non-departmental public bodies 1158–9
Parish councils 285w
Privy Council 17w

Public Health Laboratory Service
185w

Public libraries
Commemorative coins 29w

Public participation
Elections 9

Public Record Office of Northern Ireland
Standards 142–3w

Public safety zones
86w

Public service
Standards 458w

Public transport
Expenditure 45w

Publicity
European Parliament elections 267–8w

Pupil exclusions
South East region 438–9w

Quality protects programme
250–1w

Quarantine
118–9w, 216w

***Quin, Rt Hon Ms Joyce**, Minister of State, Foreign and Commonwealth Office*
Questions
Belgium, EC grants and loans 116w
Centre for European Reform, Finance 76w
Council of Ministers, Voting methods 354–5w
EC common foreign and security policy 357w
EC Foreign Affairs Council 484–5w
EC integration 115w
EC internal relations 358w
EC reform 357w, 926
EC staff, Business interests 276w
EC working groups 255w
European Commission, Conflict of interests 133w
European Communities, Flags 115w
European Movement, Finance 76w
Gibraltar 358–9w
Human rights 226w
Japan, EC external relations 134w
Research, EC action 359w
Russia, Antisemitism 354w
Schengen Agreement 116–7w
Turkey, Nuclear power stations 133–4w

Rabies
Disease control 118–20w, 297–8w

Racial harassment
Ealing 161w

Racial violence
Greater London 151–9w

Radioactive materials
Japan 5w, 150–1w, 271w, 305w, 927–8
Transport 79w

Radioactive wastes
AWE Aldermaston 329w
Waste disposal 142–4

Radioactivity
Sheep 487–8w

Radiotherapy
Medical equipment 11w

RAF Signals Engineering Establishment
7w

Railtrack
Capital investment 282w
Finance 281w

Railway network
Greater London (16.06.99) 327–48

Railway stations
Bicycles 409w
Parking 152

Railway track
408w

Railways
78w
Accidents 1164
Passengers 138–9
Rural areas 77w
Standards 82w, 448w

Rainsford School Chelmsford
439w

Rammell, Mr Bill
Debates etc.
Kosovo (17.06.99) 638–40
Questions
EC common foreign and security policy 747
EC Finance Council 166–7w
Economic and monetary union 1268
Kosovo, Armed conflict 381–2
Minimum wage 205w

***Rammell, Mr Bill**—continued*
Non-fossil fuel obligation, Essex 109w
Working hours 556

Randall, Mr John
Debates etc.
Kosovo (17.06.99) 629–30, 640–3
Tourism, Millennium (18.06.99) 716–9
Questions
Kosovo, Refugees 345w
Lead, Research 207–8w
Sites of special scientific interest 284w
Sites of special scientific interest, Northern Ireland 233w
Sites of special scientific interest, Scotland 278w
Sites of special scientific interest, Wales 275w

Rates and rating
Buchanan Centre 52w

***Raynsford, Mr Nick**, Parliamentary Under-Secretary of State, Dept of the Environment Transport and the Regions*
Questions
Council housing, Single people 337w
Homelessness, Greater London 283w
Housing improvement, Disabled 200–1w
Housing stock, Lancashire 283–4w
Landlords 283w
Listed buildings, Demolition 442–3w
Out of town shopping centres 286w
Social rented housing, Greater London 336–7w
Social rented housing, Lone parents 335w
Social rented housing, South West region 333w
Wembley Stadium 443–5w

Recruitment
Armed forces 150w
Civil servants 363–4w
Territorial Army 450w

Recruitment agencies
Taxation 27–8w

Recycling
443w
Paper 247w
Taxation 311–2w
Wood 285w

Redundancy
Customs and Excise 28w

Redwood, Rt Hon John
Debates etc.
London Underground (15.06.99) 157–9
Ministerial statement intervention (15.06.99) 160
Questions
Climate change levy 188w
Out of town shopping centres 447w
Regional aid 109w
Visits abroad, Dept of Trade and Industry 207w
Wal-Mart 482w

Reed, Mr Andrew
Questions
Armed forces, Medical profession 213w
Developing countries, Debts 375–6
Millennium Exhibition 180w

Referendums
Proportional representation 383–5, 1163

Refrigeration
Dept for Education and Employment 128w
Greenhouse effect 5–6w, 9w, 50–2w

Refugees
International law 346–7w

***Refugees**—continued*
Kosovo 16–7, 47–9w, 71–2w, 102–3w, 179w, 187w, 265w, 345w, 355–6w, 383

Regional aid
4w, 109w

Regional airports
141–2
Competition 78w

Regional development agencies
190w, 202w
North East region 413w
North West region 79w

Regional government
145–6

Regional planning and development
Stoke on Trent (23.06.99) 1130–6

Rehabilitation
Prisoners 162w
Young offenders 376–8w

***Reid, Rt Hon Dr John**, Secretary of State for Scotland*
Questions
Dover House 172w
Females, Scottish Office 330w
Forestry, Departmental responsibilities 215w
Further education, Scotland 330–1w
Human Rights Act 1998 214w
Minimum wage, Scottish Office 114w
Ministerial duties, Scottish Office 172w
Official cars, Scottish Office 234–5w
Parliamentary questions, Scottish Office 235w
Scottish Executive, Travel 172w
Scottish Parliamentary Corporate Body 172–3w
Students, Scotland 114w
Written questions, Scottish Office 215w

Remand in custody
Young offenders 377w

Remedial education
394w

Remploy
469–70w

Rendel, Mr David
Debates etc.
Habitual residence test, Points of order (14.06.99) 34
Widowed people (24.06.99) 1299–309, 1314, 1317, 1324, 1335
Questions
East Timor, Overseas aid 379
Employment, EC law 389
Post offices 4w
Post offices, Rural areas 4w
Post offices, Social security benefits 189w
Social security benefits, Automated credit transfer 33–4w
Social security benefits, Post offices 33w
Transfer of Undertakings (Protection of Employment) Regulations 1981 208w

Rents
Council housing 201w

Republic of Ireland
Dept for Culture Media and Sport 343w
Dept of Health 383w
Dept of the Environment Transport and the Regions 442w
Home Office 266–7w
Overseas trade 271w

Residential homes
386w

Retail trade
Petrol 3–4w

Retirement
Age 363w

Rights of way
280–1w

Rio Summit
485–6w

Riot control weapons
Medical treatments 220w

River Danube
International assistance 176w

River Thames
Police 375w, 427w

River Tweed
47w

Road haulage industry
see Lorries

Road traffic control
Standards 84–5w

Road traffic offences
Cycling 348w
EC action 92w
Lorries 280w

Roads
Accidents 37w, 441–2w
Chancellor of the Duchy of Lancaster 126w
Contracts for services (24.06.99) 1404
Expenditure 42–3w, 45w
Noise 152–4
Rural areas 37w
Speed limits 441–2w

Robathan, Mr Andrew
Debates etc.
Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Orders (23.06.99) 1176
Questions
Economic and monetary union 458w
Kosovo, Armed conflict 744

***Robertson, Rt Hon George**, Secretary of State for Defence*
Questions
Armed forces, Divorce 751
Armed forces, Medical profession 213w
Army, Manpower 309w
ASTOR system, Contracts 65–6w
Bloody Sunday Tribunal of Inquiry, Disclosure of information 398w
Bloody Sunday Tribunal of Inquiry, Legal costs 9w
EC common foreign and security policy 747–9
EC defence policy 304w, 306w
Iraq, Bombings 301w
Kosovo, Armed conflict 65–6w, 302–4w, 306–7w, 327–8w, 743–5, 755
Kosovo, Peace keeping operations 396–7w, 750–2
Kosovo, Uranium 148w, 307w, 454w
NATO enlargement 301w
Nuclear disarmament 755–6
Peace keeping operations, Expenditure 326w
Tomahawk missiles 452–3w
United Nations, Peace keeping operations 305w, 475w
US Dept of Defense 8w
USA, Ministry of Defence 66w
Western European Union 309w

Robertson, Mr Laurence
Questions
Army, Manpower 306w
Ballot papers 230w
Bananas, EC external trade 424–5w
Defence Evaluation and Research Agency 146w
Genetically modified organisms, Crops 136w, 148, 334w
Grants for education support and training 394–5w
Households, Gloucestershire 77w
India, Christianity 909
NHS, Pay 110–1w
Passport Office, Newport 96w
Roads, Expenditure 45w
Sudan 253w
Tax yields, Motor vehicles 26w

Robinson, Mr Peter D
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 864–5, 880–5

***Roche, Mrs Barbara**, Financial Secretary to the Treasury*
Debates etc.
Debts, Developing countries (16.06.99) 359–64
Questions
Capital gains tax, Offshore industry 75w
Excise duties, Aviation 312w
Excise duties, Wines 457w
Taxation, Business 1279–80

ROF Bishopton
754–5

Rogers of Riverside Task Force
see Urban Task Force

Rolling stock
43w

***Rooker, Mr Jeff**, Minister of State, Ministry of Agriculture, Fisheries and Food*
Debates etc.
Food Standards Bill, 2R (21.06.99) 796, 800, 812–3, 815–8, 830–1, 844, 851, 855–60
Nuts, Labelling (24.06.99) 1408–12
Supermarkets (24.06.99) 1370, 1378–80
Questions
Animal feed, Contamination 123w
Bacillus thuringiensis 119–20w
Beef, Intervention stocks 486w
Bovine somatotropin 416w
Bovine spongiform encephal[illegible], USA 192w
Bovine tuberculosis 416w
British Cattle Movement Service, Costs 24w
Catering, Sportsgrounds 123–4w
Cattle, Ear tagging 24w
Cattle tracing system 120–1w
Common agricultural policy, Arbitration 123w
Common agricultural policy, Beef 121w
Dairy farming 193w
Dioxins, Belgium 416–7w
Farmers, Bankruptcy 299w
Farmers, Tax allowances 417w
Females, Ministry of Agriculture Fisheries and Food 417–8w
Flax 487w
Food Standards Draft Bill Select Committee 124w
Genetically modified organisms, Animal feed 122w
Genetically modified organisms, Crops 124–5w, 216w, 418w

***Rooker, Mr Jeff**—continued*
Genetically modified organisms, Food 25w, 124w, 192–3w, 415–6w
Genetically modified organisms, Safety 298w
Genetically modified organisms, Seeds 298w
Horticulture, Taxation 118w
Lindane 233–4w
Milk, Hormone treatments 25–6w
Milk Marque 298w
Pesticides, Taxation 417w
Poultry 121w, 192w
Poultry, Thailand 486–7w
Quarantine 118–9w, 216w
Rabies, Disease control 118–20w, 297–8w
Seeds, Marketing 122w
Sheep, Radioactivity 487–8w
Slaughterhouses, Fees and charges 21–2w
Slaughterhouses, Inspections 122–3w

Rooney, Mr Terry
Questions
Lund Humphries, Pensions 312–3w
Social security benefits, Appeals 370–2w

Ross, Mr Ernie
Questions
Middle East, Peace negotiations 916–7

Ross, Mr William
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 863, 874, 885–8, 897
Proportional representation (23.06.99) 1197, 1219–21
Questions
Absent voting, Northern Ireland 390–1w
Bloody Sunday Tribunal of Inquiry, Solicitors 268w
Business questions 1293
Crimes of violence, Northern Ireland 141w, 231–2w, 388, 425–7w
Legal aid, Northern Ireland 233w
Royal Ulster Constabulary 353–4w

Rover Group
1163

Rowe, Mr Andrew
Questions
Hedges and ditches 84w

Rowlands, Mr Ted
Debates etc.
Caribbean, Capital punishment (23.06.99) 1102–3
Kosovo (21.06.99) 775–6
Questions
Medical profession, Disciplinary proceedings 11w
Minimum wage, Foreign and Commonwealth Office 114w
Minimum wage, House of Commons 272w
Minimum wage, Ministry of Agriculture Fisheries and Food 23–4w
Minimum wage, Northern Ireland Office 66–7w
Minimum wage, Scottish Office 114w
Minimum wage, Treasury 168w
Minimum wage, Welsh Office 331w
NHS, Disciplinary proceedings 6w

Roy, Mr Frank
Debates etc.
Food Standards Bill, 2R (21.06.99) 828–30

Royal Commission on Long-term Care
see Long-Term Care Royal Commission

Royal family
Chinook helicopters 450–1w
Protection 104w

Royal Naval Hospital Haslar
15–6w, 752–3w

Royal Ulster Constabulary
353–4w
Portadown 351w

Ruane, Mr Chris
Questions
Education, Wales 454–5w
Embassies, Wales 237–8w
Foreign investment in UK, Wales 236w
Local government finance, Wales 488w
Tourism, Wales 236–7w

Ruddock, Joan
Debates etc.
Food Standards Bill, 2R (21.06.99) 788, 800, 803
London Underground (15.06.99) 162
Railway network, Greater London (16.06.99) 333, 338–40
Questions
Business questions 563
Genetically modified organisms, Animal feed 122w
Genetically modified organisms, Antibiotics 136w
Genetically modified organisms, Cosmetics 199–200w
Genetically modified organisms, Crops 147
Genetically modified organisms, Fish 330w, 395w
Genetically modified organisms, Food 192–3w
Genetically modified organisms, Research 325–6w
Genetically modified organisms, Safety 298w

Rural areas
Cars 471w
Police (23.06.99) 1137–42
Post offices 4w
Railways 77w
Roads 37w
Small businesses 544–6

Russell, Bob
Questions
Armed forces, Paternity leave 147w
Army, Manpower 260–1w
Army, Vacancies 261w
British dependent territories 924–5
British nationality 230w
Cancer, Colchester 288–9w
Council tax, Single people 83w
Cycling, Pedestrian areas 230w
Diesel engines 556
Military bases, Colchester 262w
National Bus Company, Pension funds 1166
Police, Festivals and special occasions 220w
St Dunstan's Charity 185w
VAT, Service industries 459w
Walking 447w

Russell, Ms Christine
Questions
Community safety local partnerships 14–5

Russia
Antisemitism 354w

Ryan, Ms Joan
Questions
Business questions 1293
Taxation, Business 1279–80

Safety at Sea Bill 1998/99
Debates etc.
1R (15.06.99) 169–73

Safety measures
Boating (15.06.99) 169–73

St Aubyn, Mr Nick
Debates etc.
Gold and foreign exchange reserves (16.06.99) 314–5, 319
Questions
Aviation 206w
Economic and monetary union 1267–8
Military aircraft, Procurement 745–8
Millennium volunteers scheme 175w
Roads, Noise 153–4

St Dunstan's Charity
185w

Saintfield School
Northern Ireland 67w

Salt
Health education 385w

Salter, Mr Martin
Questions
Beacon councils 143
Fox hunting 163w

Sanctions
Iraq 387
Libyan Arab Republic 109–10w

Sandeels
218w

Sanders, Mr Adrian
Questions
Devon and Cornwall Constabulary 100–1w
Diabetes, Medical equipment 435w
Immigration and Nationality Directorate 428–9w
Members, Correspondence 428w

Sarwar, Mr Mohammad
Questions
Kashmir 387–8

Satellite broadcasting
Frigates 7w

Savidge, Mr Malcolm
Debates etc.
Food Standards Bill, 2R (21.06.99) 799, 838, 842
Questions
Developing countries, Debts 174w
India, Foreign relations 920

Sawford, Mr Phil
Debates etc.
Footwear (17.06.99) 657–60
Questions
A14 78w
British Cattle Movement Service, Costs 24w
Cattle tracing system 120–1w
Consumer goods, Prices 541–2

Sayeed, Mr Jonathan
Questions
Dioxins, Belgium 416–7w
Identity cards 3
Industrial relations 4w
Kosovo, Armed conflict 755
Manufacturing industries 208w
Regional aid 4w

Schengen Agreement
116–7w
Costs 92–3w
Information technology 160–1w

School choice
Northern Ireland 68–9w

School Standards and Framework Act 1998
Questions
439–40w

Schools
Crime prevention 57w
Drugs 132w, 340w, 1154
Finance 130w
Joint ventures 439–40w
Sports 1163–4
Standards 339w
Transport 64w
Water charges 63–4w
Worcestershire 63–4w

Science
Teachers 341w

Science enterprise challenge
557–8

Scientific Steering Committee
43–4w

Scope of debate
Rulings and statements (21.06.99) 867

Scotland
Detainees 58w
Fish 330w
Fishing vessels 22–3w
Forests 476w
Further education 330–1w
Genetically modified organisms 395w
Greenhouse effect 51–2w
Sites of special scientific interest 278w
Slaughterhouses 476w
Special areas of conservation 278w
Students 114w
Sub post offices 474w

Scotland Act 1998 (Border Rivers) Order 1999
Debates etc.
(16.06.99) 532

Scotland Act 1998 (Consequential Modifications) (No 2) Order 1999
Debates etc.
(16.06.99) 532

Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions Etc) Order 1999
Debates etc.
(16.06.99) 532

Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999
Debates etc.
(16.06.99) 532

Scotland Act 1998 (Modification of Functions) Order 1999
Debates etc.
(16.06.99) 532

Scotland Act 1998 (Modification of Schedules 4 and 5) Order 1999
Debates etc.
(16.06.99) 532

Scotland Act 1998 (Transfer of Functions to the Scottish Ministers Etc) Order 1999
Debates etc.
(16.06.99) 532

Scottish Executive
Official cars 234–5w
Travel 172w

Scottish Office
Females 330w
Minimum wage 114w
Ministerial duties 172w
Official cars 234–5w
Parliamentary questions 235w

Scottish Office—continued
Written questions 215w

Scottish Parliament
Buildings 172–3w
Correspondence 1157

Scottish Parliament (Assistance for Registered Political Parties) Order 1999
Debates etc.
(15.06.99) 297

Scottish Parliamentary Corporate Body
172–3w

Seaforth
Grain 281w

Seasonal workers
Working hours 555–6

Secondary education
Leicestershire 191w

Secondment
British Nuclear Fuels 253w

Secure psychiatric units
113w
Wales 73–4w

Security Facilities Executive
422w

Security Service Commissioner
Annual reports 195–6w

Sedgemore, Mr Brian
Debates etc.
Railway network, Greater London (16.06.99) 337–8
Teenage pregnancy (23.06.99) 1116–8

Seeds
Genetically modified organisms 298w, 346w
Marketing 122w

Self-assessment of tax
460w

Sentence Review Commission
165–6w

Serbia
Overseas aid 473w

Service industries
VAT 459w

Sewers
Oils 334w

Sex Offences Review
58w

Sexual offences
Criminal injuries compensation 221–2w
Young offenders 376–7w

Shamrock Farms
104w

Shaw, Mr Jonathan
Debates etc.
Assisted areas, Kent (23.06.99) 1143–5
Immigration and Asylum Bill, Rep (16.06.99) 458–9

Sheep
Radioactivity 487–8w

Sheerman, Mr Barry
Questions
Air bags 247w
Dangerous driving 58w
EC external trade, USA 388–9
EC internal relations 358w
Euro Preparations Advisory Group 1269
Financial Services and Markets Draft Bill Joint Select Committee 222w
Government, Policy 421w
Recycling, Paper 247w

Sheerman, Mr Barry*—*continued
Taxation, Recycling 311–2w

Sheldon, Rt Hon Robert
Debates etc.
Gold and foreign exchange reserves (15.06.99) 308, 315
Questions
National Audit Office 759–60
National Audit Office, Manpower 300w

Shephard, Rt Hon Gillian
Questions
Regional government 145–6

Shepherd, Mr Richard
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 201–9

Ships Support Agency
Standards 397–8w

Shoeburyness
Firing ranges 304w

Short, Rt Hon Clare*, *Secretary of State for International Development
Debates etc.
Kosovo (17.06.99) 616, 649–56
Oral questions, Points of order (16.06.99) 392
Questions
Balkans, Overseas aid 175–6w, 376–9
Bananas, EC external trade 177–8w
Caribbean, Overseas aid 48w
Cash limits, Dept for International Development 72w
Central America, Disaster relief 177w
China western poverty reduction project 197–8w
Commonwealth Development Corporation, Cuba 178w
Developing countries, Debts 173–4w, 373, 373w, 374–6
Developing countries, Education 175w
Developing countries, Genetically modified organisms 72w, 176–7w
Developing countries, Information technology 178w
Developing countries, Non-governmental organisations 174w
EC budget, Fraud 413w
Females, Dept for International Development 345w
Gambia, Overseas aid 430w
Genetically modified organisms, Seeds 346w
Heavily indebted poor countries initiative 274–5w
Indonesia, Debts written off 273–4w
International Monetary Fund, Structural adjustment 178w
Kosovo 431w
Kosovo, Armed conflict 381–2
Kosovo, Mines 47–8w, 344w
Kosovo, Overseas aid 344–5w
Kosovo, Refugees 47–9w, 71–2w, 179w, 345w
Millennium volunteers scheme 175w
Montenegro, Overseas aid 473w
Nigeria, Debts 175–6w
Nigeria, Overseas aid 176w
Overseas aid 345–6w
River Danube, International assistance 176w
Serbia, Overseas aid 473w
Sudan 198w
World Bank 49w, 198–9w
Written questions, Dept for International Development 345w
Zimbabwe, Overseas aid 178–9w

Shrewsbury
Employment 464w

Shropshire
Council tax 80w

Sierra Leone
921–2

Simpson, Mr Alan
Debates etc.
Genetically modified Food and Producer Liability Bill, 1R (24.06.99) 1298
Immigration and Asylum Bill, Rep (16.06.99) 442–6
Questions
Business questions 560–1
Home energy efficiency scheme, Wales 488w
Loans, Brazil 325w
Scientific Steering Committee 43w

Simpson, Mr Keith
Questions
Army, Deployment 257w

Single benefit gateway
Disability living allowance 224w

Single parents
see Lone parents

Single people
Council housing 337w
Council tax 83w

Sites of special scientific interest
284w
Northern Ireland 233w
Scotland 278w
Wales 275w

Skinner, Mr Dennis
Debates etc.
Business question time intervention (17.06.99) 566, (24.06.99) 1290
Kosovo (21.06.99) 769–70
Questions
Business questions 1296
Voting behaviour 10

Slaughterhouses
Fees and charges 21–2w
Inspections 122–3w
Scotland 476w

Small Business Service
207w, 315–6w, 554–5

Small businesses
203w, 415w
Parental leave 209w
Pay 208w
Rural areas 544–6

Smith, Rt Hon Andrew*, *Minister for Employment and Disability Rights, Dept for Education and Employment
Questions
Age, Discrimination 438w
Disability living allowance, Single benefit gateway 224w
EC Education Council 439w
Employment 191w
Employment Service, Disabled 130w
Employment Service, Standards 223–4w
European Social Fund, Employment schemes 238w
Industrial injuries scheme 238w
Jobseeker's allowance 361w
New deal for young people 190–1w, 467–8w

Smith, Angela
Debates etc.
Proportional representation (23.06.99) 1207, 1219

Smith, Angela*—*continued
Questions
Animal Procedures Committee 57w
Animal Procedures Committee, Annual reports 350w
Commonwealth Development Corporation, Cuba 178w
Refugees, Kosovo 102–3w

Smith, Rt Hon Chris*, *Secretary of State for Culture Media and Sport
Debates etc.
Tourism, Millennium (18.06.99) 666–73, 675, 677–8, 681, 688
Questions
English Sports Council 180–1w
Females, Dept for Culture Media and Sport 269w
National Advisory Committee on Creative and Cultural Education, Publications 89w
National lottery 89w
Republic of Ireland, Dept for Culture Media and Sport 343w
Sportsmark 179w
Telecommunications, Regulation 218–9w
Theatre, Hammersmith and Fulham 343–4w
US Federal Communications Commission 31w
Written questions, Dept for Culture Media and Sport 269w

Smith, Miss Geraldine
Debates etc.
Tourism, Millennium (18.06.99) 698–701, 711
Questions
Jobseeker's allowance 361w

Smith, Jacqui
Questions
South Africa, Overseas aid 389

Smith, Mr John
Questions
EC common foreign and security policy 747–8
Kosovo, Armed conflict 354w
Railways 78w
Regional development agencies 202w
Working families tax credit 458w

Smith, Mr Llew
Debates etc.
Proportional representation (23.06.99) 1202
Questions
EC Environment Council 405–6w
Employment, Disabled 469w
Environment Agency, Business plans 333–4w
Kosovo, Armed conflict 327w
London Underground, Joint ventures 137
Mixed oxide fuel 334w
Paedophilia 375–6w
Paedophilia, Disclosure of information 348–9w
Radioactive materials, Japan 5w, 271w
Remploy 469–70w
Suharto, Mohamed 277w
World environment day 405w

Smith, Sir Robert
Debates etc.
Food Standards Bill, 2R (21.06.99) 840, 846–8
Health Bill (HL), Rep (14.06.99) 66
Health Bill (HL), Rep and 3R (15.06.99) 238, 242–4, 248
Questions
Human Rights Act 1998 214w

Smuggling
Northern Ireland 28w
Petrol 28w
Tobacco 223w

Smyth, Rev Martin
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 864, 881, 888–91, 897
Immigration and Asylum Bill, Rep (16.06.99) 463
Questions
Business questions 564, 1289–90
Developing countries, Debts 374
Kosovo, Overseas aid 344w
Nigeria 924

Snape, Mr Peter
Questions
Transport and Works Act 1992 406w
Welsh Highland railway 442w

Soames, Mr Nicholas
Debates etc.
Kosovo (14.06.99) 30, (17.06.99) 602, 609–10, 621–6, (21.06.99) 773
London Underground (15.06.99) 165
Questions
Alzheimer's disease 289–90w
Deer, West Sussex 44w
Government departments, Correspondence 1157
Nigeria 924

Social inclusion partnerships
Wales 73w

Social policy
World Bank 463w

Social rented housing
Greater London 336–7w
Lone parents 335w
South West region 333w

Social security benefits
Abuse 197w
Appeals 370–2w
Automated credit transfer 33–4w
Disabled 35–6w
National insurance contributions 35w
Payments 33w
Post offices 4–5w, 33w, 189w
Postal services 182w

Social Security Benefits Agency
Computers 184w

Solicitors
Bloody Sunday Tribunal of Inquiry 268w

Somerset
Children in care 251w

South Africa
Elections 920–1
Overseas aid 389

South East region
Pupil exclusions 438–9w

South West region
Housing benefit 361–2w
Social rented housing 333w

South West Water
Water charges 201–2w

Southend
Local government finance 78w

Southworth, Ms Helen
Questions
National Bus Company, Pension funds 385–6

Spain
Foreign relations 359w

Speaker
Leave of absence (23.06.99) 1255

Speaker and deputies
Debates etc.
Amendments and new clauses (14.06.99) 35, 74, (15.06.99) 223, 234, 248, 267, 286, (16.06.99) 396, 406, 409, 480, 498–9, 512–3, (22.06.99) 935, 995–6, 998, 1000–1, 1016, 1028, 1043, 1052, 1060–1, (23.06.99) 1182, (24.06.99) 1299, 1340
Conduct of proceedings (14.06.99) 9, 29, 33, 43–5, 47, 57, 59, 62, 64, 66–8, 72, 75–6, 83, 101, 128, (15.06.99) 178–9, 210–2, 290, 298, (16.06.99) 326, 364, 374, 391, 415, 437, 447, 450, 462, 467, 469, 472, 484, (17.06.99) 554, 580, 630, 658, (18.06.99) 710–1, (21.06.99) 753, 771, 821, 825, 885, (22.06.99) 948, 956, 967–8, 978, 981, 986, 1004, 1055, (23.06.99) 1129, 1151, 1155, 1168, 1197, 1207, 1216, 1230, 1244, 1252, (24.06.99) 1279, 1299, 1308, 1347, 1349, 1381–2, (25.06.99) 1435, 1482
Disallowed questions (14.06.99) 113
Non-procedural matters (23.06.99) 1249
Orders and regulations motions (16.06.99) 532
Points of order (14.06.99) 34, 66, (15.06.99) 176, 187, 222, 286, (16.06.99) 392, 479, 530–1, (17.06.99) 580, 656, (18.06.99) 666, (22.06.99) 929, 985, (23.06.99) 1181, 1233, (24.06.99) 1381–2
Rulings and statements, Disclosure of information (14.06.99) 34
Rulings and statements, Fifteen minutes rule (21.06.99) 786
Rulings and statements, Scope of debate (21.06.99) 867
Rulings and statements, Sub judice rule (14.06.99) 128
Rulings and statements, Ten minutes rule (23.06.99) 1182

Special areas of conservation
Scotland 278w

Special hospitals
Advocacy 14w
Prisoners' transfers 62w

Speed limits
Roads 441–2w

***Spellar, Mr John**, Parliamentary Under-Secretary of State, Ministry of Defence*
Questions
Armed forces, Paternity leave 147w
AWE Aldermaston 328w
AWE Aldermaston, Radioactive wastes 329w
Defence Aviation Repair Agency 453w
Defence equipment, Exhibitions 262w
Defence Estate Organisation, Standards 65w
Defence Evaluation and Research Agency 145–6w, 261–2w
Firing ranges, Shoeburyness 304w
Genetically modified organisms, Research 325–6w
Greenwich Hospital 451–2w
Guided weapons 147w
Harrier aircraft 306w
HMS Brave 213w
HMS Campbeltown 146w
HMS Chatham 146w
HMS Southampton 146–7w
Military aircraft, Procurement 745–8
Military bases, Chelsea 256–7w
Nuclear submarines 451w, 475w

***Spellar, Mr John**—continued*
Nuclear submarines, Decommissioning 329–30w
Nuclear submarines, Gibraltar 329w
Radioactive materials, Japan 150–1w, 305w
ROF Bishopton 754–5
Transport, Ministry of Defence 301–2w
Weather 308–9w

Spelman, Mrs Caroline
Debates etc.
Teenage pregnancy (23.06.99) 1125–7
Questions
Genetically modified organisms, Crops 147

Spicer, Sir Michael
Questions
Empty property 149–50
Withholding tax 457w

Sport England
see English Sports Council

Sports
Non-domestic rates 445w
Schools 1163–4

Sportsgrounds
Catering 123–4w

Sportsmark
179w

Spring, Mr Richard
Debates etc.
Tourism, Millennium (18.06.99) 728–31
Questions
Charitable donations 310w
English Sports Council 180–1w
Holidays abroad 180w
National lottery 89w
Physical education 131–2w
Sportsmark 179w
Tax allowances, Charities 75w
Tourism, Balance of payments 179–80w

Squire, Ms Rachel
Questions
EC common foreign and security policy 912
Kosovo, Armed conflict 755

Stability Pact
Balkans 255w

Stakeholder pensions
433w

Standard assessment tasks
130w

Standard spending assessments
79w

Standards specifications
Complaints 413–4w

Standing charges
Utilities 548

Stanley, Rt Hon Sir John
Debates etc.
Kosovo (14.06.99) 27, (17.06.99) 611–7
Questions
Genetically modified organisms, Seeds 298w

Stansted Airport
138–9w

Starkey, Dr Phyllis
Questions
Israel, Human rights 357–8w

State retirement pensions
367–70w

Steen, Mr Anthony
Debates etc.
Food Standards Bill, 2R (21.06.99) 788, 790, 794
Questions
Anchorpac, Correspondence 425w
Common agricultural policy, Arbitration 123w
Disability living allowance, Eligibility 107–8w
Empty property, Home Office 62–3w
Genetically modified organisms, Crops 44w
Genetically modified organisms, Food 25w
Hospitals, Waiting lists 14–5w
Household surveys 46w
Members, Car allowances 74w
Milk, Hormone treatments 25–6w
National Audit Office, Manpower 300w
Orthopaedics, Avon 437w
Residential homes 386w
Surgery, Costs 30w

Stephen Lawrence Death Inquiry
Disclosure of information 58–9w

Stewart, Mr David
Questions
Debts, Developing countries 458–9w
Forestry, Departmental responsibilities 215w

Stewart, Mr Ian
Questions
Pertussis vaccine 185w

Stinchcombe, Mr Paul
Debates etc.
Footwear (17.06.99) 658, 660
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1386–7, 1391–2
Questions
Crown courts, Trials 220w
Crown Prosecution Service 219w
Life imprisonment 99–100w
Lindane 233–4w
Scientific Steering Committee 43–4w

Stoate, Dr Howard
Debates etc.
Assisted areas, Kent (23.06.99) 1146–7
Food Standards Bill, 2R (21.06.99) 792
Health Bill (HL), Rep (14.06.99) 43, 45, 83
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 203
Health Bill (HL), Rep and 3R (15.06.99) 249
London Underground (15.06.99) 167
Supermarkets (24.06.99) 1357, 1361–2
Questions
Family Law Act 1996 213–4w
RAF Signals Engineering Establishment 7w

Stoke on Trent
Regional planning and development (23.06.99) 1130–6

Stonehenge
430w

Stop and search
474w

Strategic Rail Authority
281w

***Straw, Rt Hon Jack**, Secretary of State for the Home Dept*
Debates etc.
Demonstrations, Ministerial statements (21.06.99) 777–85
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 194, 214–7
Immigration and Asylum Bill, Rep (15.06.99) 286–92, 297, (16.06.99) 396–400, 409–16, 418–9, 429, 439, 451, 462–75
Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Orders for 1998 and 1999, Ministerial statements (23.06.99) 1171–8
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1383–90, 1399–404
Proportional representation (23.06.99) 1187–95
Questions
Age of consent 220–1w
Annual reports, Home Office 54w
Devon and Cornwall Constabulary 100–1w
EC justice and home affairs 89w, 91w
Elections, Public participation 9
Email 350–1w
European Convention on Mutual Assistance in Criminal Matters 104w
Fletcher, Yvonne 18–20
Fox hunting 163w
Identity cards 2–5
K4 Committee 90–1w
Millennium compliance, Emergency services 89–90w
Open government 105w, 381w
Police, Manpower 57w
Police, Standards 12–3
Political refugees 15–6
Refugees, Kosovo 102–3w
Republic of Ireland, Home Office 266–7w
Road traffic offences, EC action 92w
Schengen Agreement, Costs 92w
Schengen Agreement, Information technology 160–1w
Stephen Lawrence Death Inquiry, Disclosure of information 58–9w
Voting behaviour 9–12
Wormwood Scrubs 429w
Written questions, Home Office 374w
Young offenders, Administration of justice 164w

Streeter, Mr Gary
Debates etc.
Kosovo (17.06.99) 645–9
Questions
Developing countries, Debts 376
Kosovo 431w
Kosovo, Armed conflict 382
Kosovo, Mines 47–8w
Kosovo, Refugees 47–9w
Montenegro, Overseas aid 473w
Serbia, Overseas aid 473w
Taxis, Plymouth 337w

Stringer, Mr Graham
Questions
Deportation, Mental patients 266w
Mental health review tribunals 292–3w
Regional airports, Competition 78w

Structural adjustment
International Monetary Fund 178w

Stuart, Ms Gisela
Questions
EC reform 926
Families 456–7w
Transport, Local authorities 80w

Students
Access funds 341w
Fees and charges 127–8w, 339w
Medicine 10w
Scotland 114w

Stunell, Mr Andrew
Debates etc.
Millennium compliance (17.06.99) 576
Widowed people (24.06.99) 1306, 1313, 1318
Questions
Railways, Passengers 138

Sub judice rule
Rulings and statements (14.06.99) 128

Sub post offices
Scotland 474w

Sudan
198w, 253w
Armed conflict 253w
Peace negotiations 226w

Suharto, Mohamed
277w

Sunderland
Hospitals 10w

Supermarkets
Opposition days (24.06.99) 1340–81

"Support in Bereavement Consultation Paper"
181–2w

Surgery
Costs 30w
Heart diseases 1168

Sustainable development
86–7w

Sutcliffe, Mr Gerry
Questions
EC Education Council 439w

Sutherland Commission
see Long-Term Care Royal Commission

Swayne, Mr Desmond
Debates etc.
Business questions (14.06.99) 114
Health Bill (HL), Rep (14.06.99) 55–6, 64, 68–9, 93, 100, 105–6
Tourism, Millennium (18.06.99) 672, 676–7, 680, 701–4, 712
Questions
Afghanistan, Overseas aid 174–5w
Business questions 567–8
Chinook helicopters, Accidents 327w
Chinook helicopters, Computer software 327w
Climate change levy 169w, 461–2w
EC common foreign and security policy 910
EC law 6
Fire prevention 61w
Genetically modified organisms, Food 1157
Lead, Ammunition 149
Minimum wage 548–9
Ministerial policy advisors, Prime Minister 478w
Official cars, Scottish Office 234–5w
Passports, Administrative delays 163w
Pesticides, Taxation 417w
Scottish Executive, Travel 172w
Students, Scotland 114w
Taxation, Pesticides 312w

Swimming
Curriculum (21.06.99) 901–8

Switzerland
Drugs 127w

Syms, Mr Robert
Questions
Business questions 563–4, 1296
Withholding tax 457–8w

Tapsell, Sir Peter
Debates etc.
Gold and foreign exchange reserves (16.06.99) 307–17
Kosovo (21.06.99) 776
Questions
European Central Bank, Gold and foreign exchange reserves 389–90
International Monetary Fund, Gold and foreign exchange reserves 1276
Official engagements 399w

Tax allowances
Charities 75w
Farmers 417w
Vocational training 27w

Tax avoidance
Capital gains tax 171w

Tax Credits Bill 1998/99
Debates etc.
Allocation of time motion (22.06.99) 933–4
Lords amendts (22.06.99) 935–80

Tax yields
461w, 1271–2
Betting shops 170–1w
Motor vehicles 26w

Taxation
462w
Business 30–1w, 1279–80
Conscientious objectors 1278
Currency speculation 311w
Derelict land 459w
EC action 166w, 324–5w, 465w
Energy 118w
Horticulture 118w
Italy 27w
Pesticides 312w, 417w
Recruitment agencies 27–8w
Recycling 311–2w

Taxis
Disabled 407w
Plymouth 337w

Taylor, Ms Dari
Questions
Kosovo, Armed conflict 743–4

Taylor, Mr Ian
Debates etc.
Kosovo (21.06.99) 770

Taylor, Rt Hon John D
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1003
Questions
Community relations, Northern Ireland 67w, 211–2w
Down School 268w
Fort Whiterock, Property development 51w
Glencree Reconciliation Centre 51w
Nursery schools, Northern Ireland 212w
Primary education, Northern Ireland 67w
Saintfield School, Northern Ireland 67w
School choice, Northern Ireland 68–9w

Taylor, Mr John M
Questions
Members, Correspondence 235w
Regional airports 141

Taylor, Mr Matthew
Debates etc.
Supermarkets (24.06.99) 1340–52, 1359–60, 1380

Taylor, Mr Matthew—continued
Questions
Exercise Dimming Sun 8w
Ministerial policy advisors 478–9w
Ministerial policy advisors, Treasury 463–4w
Republic of Ireland, Dept for Culture Media and Sport 343w
Republic of Ireland, Dept of Health 383w
Republic of Ireland, Dept of the Environment Transport and the Regions 442w
Republic of Ireland, Home Office 266–7w
US Dept of Defense 8w
US Federal Communications Commission 31w
USA, Cabinet Office 125w
USA, Chancellor of the Duchy of Lancaster 125w
USA, Dept of the Environment Transport and the Regions 82w
USA, Dept of Trade and Industry 424w
USA, Lord Chancellor's Dept 53w
USA, Ministry of Defence 66w
USA, Northern Ireland Office 69w, 141w
USA, Prime Minister 479–80w
Visits abroad, Dept of the Environment Transport and the Regions 440w
Visits abroad, Foreign and Commonwealth Office 483w

Taylor, Sir Teddy
Debates etc.
Gold and foreign exchange reserves (16.06.99) 310
Questions
EC budget, Contributions 1282–3
Firing ranges, Shoeburyness 304w

Teachers
Northern Ireland 425w, 470w
Pay 341w
Science 341w
Standards 245w

Teenage pregnancy
17–8w, (23.06.99) 1109–29

Telecommunications
Regulation 218–9w

Ten minutes rule
Rulings and statements (23.06.99) 1182

Tenant management organisations
Council housing 411–2w

Territorial Army
Balkans 300w
Caernarfon 449–50w
Deployment 300–1w, 453w
Recruitment 450w

Thailand
Poultry 486–7w

Theatre
Hammersmith and Fulham 343–4w

Thomas, Mr Gareth
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1050
Denbighshire County Council (25.06.99) 1486–9
Tourism, Millennium (18.06.99) 677, 727–8
Questions
Police, Standards 12–3

Thomas, Mr Gareth R
Debates etc.
Innovation (25.06.99) 1433–4, 1436–8, 1440–1, 1477
Questions
Armed Forces Pay Review Body 482w

Thomas, Mr Gareth R—continued
Companies, Environment protection 5w
Inland waterways, Access 245–6w

Thompson, Mr William
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 866–7, 891–2
Questions
Pre-school education, Northern Ireland 426w

***Timms, Mr Stephen**, Minister of State, Dept of Social Security*
Debates etc.
Widowed people (24.06.99) 1304–6, 1308–14, 1330
Questions
Benefits Agency Security Investigation Service, Manpower 295–6w
International Year of Older Persons 1999 32w
Pensioners, Personal income 368–9w
Pensions 34w
Retirement, Age 363w
Social security benefits, Abuse 197w
Social security benefits, National insurance contributions 35w
State retirement pensions 367–70w

Tinsley House Immigration Detention Centre
390

***Tipping, Mr Paddy**, Parliamentary Secretary, Privy Council Office*
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 206

Tipping of waste
Northern Ireland 140–1w
Oils 406–7w
Prosecutions 284w

Tobacco
Advertising 225w
Smuggling 223w

Todd, Mr Mark
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 985
Food Standards Bill, 2R (21.06.99) 832–4
Questions
Health education, Salt 385w

Tomahawk missiles
452–3w

Tonge, Dr Jenny
Debates etc.
Kosovo (17.06.99) 636, 643–5
Supermarkets (24.06.99) 1364
Teenage pregnancy (23.06.99) 1118–21
Questions
China western poverty reduction project 197–8w
Developing countries, Debts 375
Kosovo, Armed conflict 451w
Kosovo, Refugees 71–2w
Sudan 198w
Sudan, Armed conflict 253w
World Bank 198–9w

Touhig, Mr Don
Questions
ASTOR system, Contracts 65–6w
Industrial health and safety, Intimidation 46–7w

Tourism
365–6w
Balance of payments 179–80w

Tourism—continued
Millennium (18.06.99) 666–734
North West region 365–6w
Wales 236–7w

Trade competitiveness
Energy 203–4w
Manufacturing industries 204w, 206–7w

Traffic Reduction (Air Quality and Health) Bill 1998/99
Debates etc.
1R (17.06.99) 581

Train operating companies
Standards 408w

Training
Armed forces 305w
Custody officers 56w
Fire services 404–5w
Immigration officers 355w

Training and Employment Agency for Northern Ireland
see Northern Ireland Training and Employment Agency

Trains
Bicycles 441–2w
Overcrowding 85w

Trans-European networks
(14.06.99) 126

Transfer of Undertakings (Protection of Employment) Regulations 1981
Questions
208w

Transplant surgery
Iran 371w

Transport
Local authorities 80w
Ministry of Defence 301–2w
Radioactive materials 79w
Schools 64w

Transport and Works Act 1992
Questions
406w

Travel
Scottish Executive 172w

Travel information
USA 255–6w

Treasury
Minimum wage 168w
Ministerial policy advisors 463–4w
Written questions 172w

Treasury Counsel
448–9w, 455–6w

Tredinnick, Mr David
Questions
Drugs, Advertising 382–3w
Glasgow Homeopathic Hospital, Waiting lists 53w
Homeopathy 52–3w
Monopolies and Mergers Commission, Publications 2w

Tree planting
Genetically modified organisms 336w

Trials
Costs 98–9w
Crown courts 220w

Trustee Delegation Bill (HL) 1998/99
Debates etc.
2R* (14.06.99) 115

Truswell, Mr Paul
Debates etc.
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 200

Tunnels
Wanstead 404–5w

Turkey
Nuclear power stations 133–4w

Turner, Mr Dennis
Questions
Army Training and Recruiting Agency, Standards 149w

Turner, Dr Desmond
Questions
China, Political prisoners 276–7w

Turner, Dr George
Questions
Business questions 1293–4

Twigg, Mr Derek
Debates etc.
Millennium compliance (17.06.99) 579
Tax Credits Bill, Lords amendts (22.06.99) 942
Widowed people (24.06.99) 1306–7, 1313, 1315
Questions
Economic and monetary union 1270–1
Military Provost Guard Service 398w

Twigg, Mr Stephen
Debates etc.
Proportional representation (23.06.99) 1209–12, 1215, 1217
Questions
Investors in People UK 129w
Iran, Antisemitism 227w, 253–4w
Iran, Bahai sect 228w
Iran, Human rights 226–7w, 254–5w

Tyler, Mr Paul
Debates etc.
Business questions (14.06.99) 112, (23.06.99) 1230
Food Standards Bill, 2R (21.06.99) 807–14, 851
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 187–8, 206
Supermarkets (24.06.99) 1381
Questions
Business questions 561–2, 1287–8
Class sizes, Primary education 190w
Eclipse 1999, Health education 290w
Education, Finance 64w
Genetically modified organisms 419w
Line of route 74w
Schools, Transport 64w

Tyrie, Mr Andrew
Debates etc.
Gold and foreign exchange reserves (16.06.99) 309, 317, 320–1
Questions
Ministerial policy advisors, Pensions 456w
Proportional representation 387
Visits abroad, Dept of the Environment Transport and the Regions 440w
Visits abroad, Foreign and Commonwealth Office 358w
Visits abroad, Prime Minister 482–3w

UK Anti-Drugs Coordinator
421w

Ulster Defence Regiment
Deployment 398w

UN Register of Conventional Arms
226w

United Kingdom Passport Agency
Compensation 374w
Standards 159–60w

United Nations
Peace keeping operations 305w, 475w
Reform 399w

Universities
Disciplinary proceedings 63w

Unleaded petrol
336w

Uranium
269–70w
Iraq-Kuwait conflict 148–9w, 395–6w, 453–4w
Kosovo 148w, 307w, 454w

Urban areas
EC grants and loans 315w

Urban Task Force
Publications 448w

US Dept of Defense
8w

US Federal Communications Commission
31w

USA
Bovine spongiform encephalopathy 192w
Cabinet Office 125w
Chancellor of the Duchy of Lancaster 125w
Dept of the Environment Transport and the Regions 82w
Dept of Trade and Industry 424w
EC external trade 388–9
Lord Chancellor's Dept 53w
Ministry of Defence 66w
Northern Ireland Office 69w, 141w
Prime Minister 479–80w
Travel information 255–6w

Utilities
Standing charges 548

Valuation and Lands Agency
see Northern Ireland Valuation and Lands Agency

Vandalism
15

VAT
222–3w
Churches 757–8
Financial services 75w
Foreign exchange 166w, 222w
Service industries 459w

***Vaz, Mr Keith**, Parliamentary Secretary, Lord Chancellor's Dept*
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 980–1, 988–91, 995–8, 1007–10, 1016–20, 1025–6, 1028–33, 1036–7, 1043–5, 1049–53, 1055, 1068–70, 1073, 1076
Questions
Administration of justice, EC action 108w
Court Service, Maladministration 108w
Domestic violence 381–2w
Family Law Act 1996 213–4w
Females, Lord Chancellor's Dept 299w
Judicial Appointments and Silk Equal Opportunities Joint Working Party 323–4w
Law, Reform 455w
Legal aid, Northern Ireland 53w, 233w
Legal profession, Public appointments 322–3w

***Vaz, Mr Keith**—continued*
Mentally incapacitated 395w
Treasury Counsel 455–6w
USA, Lord Chancellor's Dept 53w
West Midlands Police 322w
Written questions, Lord Chancellor's Dept 299w

Video conferencing
247w
Company law 189w

Viggers, Mr Peter
Debates etc.
Prevention of Terrorism (Temporary Provisions) Act 1989 (continuance) orders (23.06.99) 1177
Questions
Armed forces, Health services 256w, 752–3
Business questions 562–3
Royal Naval Hospital Haslar 15–6w, 752–3w

Visas
Political refugees 100w

Vocational training
Tax allowances 27w

Voluntary organisations
Crime prevention 56–7w
Disadvantaged 13, 55–6w, 135w
Millennium Exhibition 343w
Minimum wage 14
Wales 135w

Voting behaviour
9–12

Voting methods
Council of Ministers 354–5w

Voucher schemes
Political refugees 386

Wales
A40 72w
Community charge 72–3w
Education 454–5w
Embassies 237–8w
Employment Service 130w
Food Standards Agency 134–5w
Foreign investment in UK 236w
Greenhouse effect 5–6w
Higher education 224w
Home energy efficiency scheme 488w
Hospital beds 331–2w
Local government finance 488w
Mining 73w
NHS 6w
NHS trusts 275w
Physiotherapy 373w
Secure psychiatric units 73–4w
Sites of special scientific interest 275w
Social inclusion partnerships 73w
Tourism 236–7w
Voluntary organisations 135w

Walking
447w

Walley, Ms Joan
Debates etc.
Regional planning and development, Stoke on Trent (23.06.99) 1130–3, 1135–6
World Health Organisation (15.06.99) 303
Questions
Exhaust emissions 472w
Fire prevention 163–4w
Petrol 44w

Wal-Mart
482w

Wandsworth
Income support 366–7w

Wanstead
Tunnels 404–5w

War crimes
Kosovo 423w

War pensions
Medical examinations 295w

Ward, Ms Claire
Debates etc.
Proportional representation (23.06.99) 1218
Questions
Better government programme, Elderly 1153
Catering, Dept for Education and Employment 223w

Wardle, Mr Charles,
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 984–6
Al-Fayed, Mohammed (22.06.99) 1081–6
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 178, 192–4
Immigration and Asylum Bill, Rep (16.06.99) 399, 404, 510

Wareing, Mr Robert N
Debates etc.
Kosovo (14.06.99) 32–3, (17.06.99) 632–5

Waste disposal
EC action (21.06.99) 900
Motor vehicles 83–4w
Radioactive wastes 142–4

Water charges
Schools 63–4w
South West Water 201–2w

Water Service
see Northern Ireland Water Service Agency

Water supply
Fire services 91–2w

Waterson, Mr Nigel
Questions
Balkans, Territorial Army 300w
Derelict land 83w
Empty property 150
Household surveys 44w
Housing benefit, Benefits rules 293w
Out of town shopping centres 286w
Personal income, Pensioners 466w
Polegate bypass 284–5w
Refugees, Kosovo 16–7

Watts, Mr Dave
Questions
Central America, Disaster relief 177w
Legal aid, Northern Ireland 53w
Schools, Joint ventures 439–40w

Weapons
Northern Ireland 390, 426w, 470w

Weather
308–9w

Webb, Mr Steve
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 935–6, 946–9, 962–5
Widowed people (24.06.99) 1310, 1327–33
Questions
Bristol Royal Infirmary Inquiry 319w
Council tax benefits 367w
Debates, Digital broadcasting 74–5w
Housing benefit, Benefits rules 433w

***Webb, Mr Steve**—continued*
Mental health services, Young people 100w
Pensions 433w
Social rented housing, Lone parents 335w

Wells, Mr Bowen
Debates etc.
Kosovo (14.06.99) 31, (17.06.99) 594, 602, 635–8, (21.06.99) 773–4
Questions
Balkans, Overseas aid 377–8

Welsh Highland railway
442w

Welsh Office
Females 225w
Minimum wage 331w
Ministerial duties 235w
Parliamentary questions 275w
Written questions 235w

Wembley Stadium
443–5w

West coast railway line
Modernisation 137w

West Midlands Police
322w

West Sussex
Deer 44w

Western European Union
309w
UK delegations 18w

Wheelchairs
435w

White, Mr Brian
Debates etc.
Millennium compliance (17.06.99) 575
Questions
Competition 204w
Council housing, Finance 337–9w
Council housing, Tenant management organisations 411–2w
Electronic commerce 554

Whitehead, Dr Alan
Debates etc.
Access to Justice Bill (HL), Ways and means res, Rep and 3R (22.06.99) 1034–5
Tourism, Millennium (18.06.99) 710, 712, 715, 726–7
Questions
Civil service agencies 419w

Widdecombe, Rt Hon Ann
Debates etc.
Demonstrations, City of London (21.06.99) 778–9
Health Bill (HL), Rep (14.06.99) 45, 58–60, 87–8
Health Bill (HL) and Immigration and Asylum Bill, Allocation of time motion (15.06.99) 177–82, 187, 210, 215
Immigration and Asylum Bill, Rep (15.06.99) 268, 287, (16.06.99) 483–4, 513, 531
Prevention of Terrorism (Temporary Provisions) Act 1989 (Continuance) Orders (23.06.99) 1172–3
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1390–1
Questions
Accident and emergency departments, Administrative delays 11w
Creutzfeldt-Jakob dementia 318–9w

Widowed people
Employment 294w
Opposition days (24.06.99) 1299–339

Wigley, Rt Hon Dafydd
Questions
CADW Welsh Historic Monuments 331w
Genetically modified organisms, Food 1157–8
Voting behaviour 10–1

Wilkinson, Mr John
Debates etc.
Demonstrations, City of London (21.06.99) 781
Questions
EC budget, Contributions 1278–9
Gold and foreign exchange reserves 459w
Kosovo, Armed conflict 918–9
London Underground, Joint ventures 80–1w
Military aircraft, Procurement 746–7

Willetts, Mr David,
Debates etc.
Tax Credits Bill, Lords amendts (22.06.99) 948, 956–60, 969
Questions
Students, Fees and charges 127–8w, 339w

Williams, Mr Alan W
Questions
Genetically modified organisms, Crops 147–8
Genetically modified organisms, Developing countries 177w
Genetically modified organisms, Food 1151–2
Inventions 551–2

Williams, Mrs Betty
Questions
Employment Service, Disabled 130w
Excise duties, Motor vehicles 310–1w
Secure psychiatric units 113w
Secure psychiatric units, Wales 73–4w

Willis, Mr Phil
Debates etc.
Supermarkets (24.06.99) 1344, 1346
Widowed people (24.06.99) 1304
Questions
Higher education, Finance 340w
USA, Travel information 255–6w

Wills, Mr Michael, Parliamentary Under-Secretary of State, Dept of Trade and Industry
Debates etc.
Assisted areas, Kent (23.06.99) 1147–50
Innovation (25.06.99) 1429, 1437, 1459–61, 1463–4, 1467–8, 1472, 1476–85
Questions
Anchorpac, Correspondence 425w
Business links 187–8w, 414–5w
EC grants and loans 210w
EC grants and loans, Urban areas 315w
Electronic commerce 205w, 553–4
Electronic commerce, Cryptography 553
Information society initiative 188w
Internet, Fees and charges 544
Manufacturing industries, Trade competitiveness 206–7w
Regional aid 4w, 109w
Regional development agencies 190w
Small Business Service 207w, 315–6w, 554–5
Small businesses 203w, 415w
Small businesses, Pay 208w
Small businesses, Rural areas 544–6

Wilson, Mr Brian, Minister for Trade, Dept of Trade and Industry
Questions
Animal welfare, EC action 414w
Bananas, EC external trade 424–5w

Wilson, Mr Brian—continued
Exports, Northern Ireland 414w
Furs, Imports 414w
Overseas trade, Republic of Ireland 271w

Wines
Excise duties 457w

Winnick, Mr David
Debates etc.
Appropriation (No 2) (Northern Ireland) Order (21.06.99) 869
Kosovo (14.06.99) 31–2, (17.06.99) 583–4, 594, 608, 627–30, 635, (21.06.99) 771
Ministerial statement intervention (21.06.99) 776
Questions
Business questions 1287
Kosovo, Armed conflict 314w, 481w
Members, Correspondence 474w

Winterton, Mrs Ann
Questions
Developing countries, Debts 173–4w
Drugs, Abuse 1155
UK Anti-Drugs Coordinator 421w

Winterton, Mr Nicholas
Questions
Excise duties, Fuels 1283–4
Genetically modified organisms, Crops 412w
Gibraltar, European Parliament elections 925
Kosovo, Peace keeping operations 355w
Regional airports 141–2
Regulation 1159
Zimbabwe, Overseas aid 178–9w

Winterton, Ms Rosie
Questions
Bus services, Standards 85w
Business questions 1292
Fares, Concessions 140
National Bus Company, Pension funds 85–6w

Wise, Audrey
Debates etc.
Immigration and Asylum Bill, Rep (16.06.99) 469, 503
Prevention of Terrorism (Temporary Provisions) Act 1989 (Revival of Parts IVA and IVB) Order (24.06.99) 1398

Withholding tax
168–9w, 457–8w

Women
see Females

Women's prisons
Prescription drugs 105w

Wood
Recycling 285w

Woodward, Mr Shaun
Questions
District line 472–3w

Woolas, Mr Phil
Questions
Capital Modernisation Fund, Greater Manchester 171w
Cattle, Ear tagging 24w
National insurance contributions, Females 29w

Worcestershire
Schools 63–4w

Working families tax credit
458w, 1277–8

Working hours
556, 558

Working hours—continued
Fisheries 270–1w
General practitioners 111–2w
Junior doctors 10–1w, 319w
Seasonal workers 555–6

World Bank
49w, 198–9w
Social policy 463w

World environment day
405w

World Health Organisation
(15.06.99) 298–306

World Trade Organisation
388–9

Wormwood Scrubs
429w

Worthington, Mr Tony
Debates etc.
Debts, Developing countries (16.06.99) 356–9
Immigration and Asylum Bill, Rep (16.06.99) 448–9

Wright, Mr Anthony D
Questions
Oil and Gas Industry Task Force 271–2w
Small businesses, Pay 208w

Wright, Dr Tony
Debates etc.
Proportional representation (23.06.99) 1184
Questions
Non-departmental public bodies, Public appointments 1158
Sports, Schools 1163–4

Written questions
Cabinet Office 225–6w
Dept for Culture Media and Sport 269w
Dept for Education and Employment 244w
Dept for International Development 345w
Dept of Health 186w
Dept of the Environment Transport and the Regions 282w
Dept of Trade and Industry 189w
Home Office 374w
Lord Chancellor's Dept 299w
Ministry of Agriculture Fisheries and Food 193w
Northern Ireland Office 232–3w
Scottish Office 215w
Treasury 172w
Welsh Office 235w

Wyatt, Derek
Debates etc.
Assisted areas, Kent (23.06.99) 1145
Equal access (Public and Private Buildings), 1R (23.06.99) 1179–80
Questions
Developing countries, Debts 374–5
Electronic commerce 554
Employment, Disabled 296w, 339–40w
Middle East, Peace negotiations 913–4
Quarantine 118w
Rabies, Disease control 297–8w

Yellow card scheme
110w, 434–5w
Metrizamide 110w
Myodil 110w

Yeo, Mr Tim
Debates etc.
Food Standards Bill, 2R (21.06.99) 795–805

Yeo, Mr Tim—*continued*
Questions
Genetically modified organisms, Crops 199w

Young, Sir George
Debates etc.
Business questions (14.06.99) 111, (23.06.99) 1230
Proportional representation (23.06.99) 1182–7, 1195

Young, Sir George—*continued*
Questions
Business statements 559–66, 1285–7

Young offender institutions
377–8w

Young offenders
Administration of justice 364w
Education 376w, 378w
Rehabilitation 376–8w
Remand in custody 377w

Young offenders—*continued*
Sexual offences 376–7w

Young people
Drugs 126w, 364w
Mental health services 100w

Zimbabwe
Corruption 359w
Elections 360w
Human rights 360w
Overseas aid 178–9w
Police 359w